Alsea Falls Park Enhancement Project

Final Decision and Decision Rationale for Alsea Falls Park Enhancement

Environmental Assessment Number OR080-07-03

August 2010

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

Township 14 South, Range 7 West, Sections 25 and 26 Willamette Meridian
Benton County, Oregon

Responsible Agency:	USDI - Bureau of Land Management
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BLM
Salem District

As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

I. Introduction

The Bureau of Land Management (BLM) conducted an environmental analysis in January 2009 for the Alsea Falls Park Enhancement Project, which is documented in the *South Fork Alsea Roadside Hazard Tree Removal and Alsea Falls Park Enhancement Environmental Assessment* (South Fork Alsea Roadside Hazard Tree Removal and Alsea Falls Park Enhancement EA) (EA# OR080-07-03) and the associated project file. The proposed action is to remove hazard trees, enhance stand health in addition to providing a visually appealing and safe park for visitors within the Alsea Falls Recreation Site within LSR, Matrix and Riparian Reserve Land Use Allocations (LUAs).

Based on public comments, in July 2010, BLM updated the January 2009 EA to address concerns about Carbon Sequestration and Climate Change, which became the *Revised South Fork Alsea Access Road Hazard Tree Removal/Roadside Enhancement and Alsea Falls Park Enhancement Environmental Assessment and Finding of No Additional Significant Impact* (EA/FONASI).

The DR constitutes the BLM's final decision with regard to the 2009 and 2010 EAs, responds to comments concerning Carbon Sequestration and Climate Change received during the 2010 EA comment period, and reviews and affirms the Finding of No Additional Significant Impact.

The decision maker made the Finding of No Additional Significant Impact (FONASI) and Revised EA available for public review from July 14, 2010 to July 29, 2010.

The decision maker signed the Finding of No Additional Significant Impact (FONASI) on August 9, 2010. In this Decision Rationale (DR), the original EA will be called the 2009 EA and the Revised EA (July 2010) will be called the EA. The 2009 EA and the EA are incorporated by reference in this DR.

II. Decision

I have decided to implement the Alsea Falls Park Enhancement as described in the proposed action (EA pp. 13-19), hereafter referred to as the "selected action". The selected action is shown on the maps attached to this Decision Rationale. This decision is based on site-specific analysis in the *South Fork Alsea Access Road Hazard Tree Removal/Roadside Enhancement and Alsea Falls Park Enhancement Environmental Assessment* (EA # OR080-07-03), the supporting project record, management recommendations contained in the *South Fork Alsea River Watershed Analysis* (10/95), as well as the management direction contained in the Salem District Resource Management Plan (May 1995), which are incorporated by reference in the EA.

This decision will allow the removal of trees within Project 2 (see selected action map). This decision will be implemented through a negotiated timber sale. The BLM has authority to sell up to 250 MBF of timber through the use of a negotiated timber sale. The BLM anticipates the completion of this project within a 1 year period. In addition five snags greater than 36 inches diameter breast height outside bark (DBHOB) will be cut and left on site in Section 26.

The following is a summary of this decision.

- Remove trees that create a hazard within the recreation site and create a stand that gives a pleasing visual experience of large, full-crowned trees, stand complexity featuring a range of tree sizes and densities, multiple canopy levels that provides visual screening, and visually shows little evidence of management.
- The cutting and yarding of trees will be accomplished utilizing wheeled or tracked equipment operating off of the existing roadway equipment.
- Slash created during the logging operation will generally be left in place to be chipped after completion of logging. Any slash that falls on trails, roads, parking areas, etc. will be removed and placed with slash to be chipped in the harvest areas. The alternate disposal will be to transport slash off the site to be chipped at a central location.
- All design features and mitigation measures described in the EA will be incorporated into the timber sale contract.

III. Compliance with Direction:

The Revised Alsea Falls Park Enhancement Project has been designed to conform to the following documents, which direct and provide the legal framework for management of BLM-managed 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 Revised Alsea Falls Day Park Enhancement Project 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 H1790-1). Implementing the RMP is the reason for doing this project (RMP p.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 & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (S&M ROD, January 2001)

The analysis in the Revised South Fork Alsea Access Road Hazard Tree Removal/Roadside Enhancement and Alsea Falls Park Enhancement Project 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* (NWFP/FSEIS), February 1994. In addition, the EA is tiered to the *Final Supplemental Environmental Impact Statement For Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (S&M FSEIS, November 2000).

Survey and Manage Review

The Alsea Falls Park Enhancement Project is consistent with court orders relating to the Survey and Manage mitigation measure of the Northwest Forest Plan, as incorporated into the Salem District Resource Management Plan.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Rey, et al.*, No. 08-1067 (W.D. Wash.) (Coughenour, J.), granting Plaintiffs' motion for partial summary judgment and finding a variety of NEPA violations in the BLM and USFS 2007 Record of Decision eliminating the Survey and Manage mitigation measure. Previously, in 2006, the District Court (Judge Pechman) had invalidated the agencies' 2004 RODs eliminating Survey and Manage due to NEPA violations. Following the District Court's 2006 ruling, parties to the litigation had entered into a stipulation exempting certain categories of activities from the Survey and Manage standard (hereinafter "Pechman exemptions").

Judge Pechman'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."

Following the Court's December 17, 2009 ruling, the Pechman exemptions are still in place. Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings, and did not enjoin the BLM from proceeding with projects (including timber sales). Nevertheless, I have reviewed the Alsea Falls Park Enhancement Project in consideration of both the December 17, 2009 and October 11, 2006 order. Because the Alsea Falls Park Enhancement project entails thinning only in stands less than 80 years old, I have made the determination that this project meets Exemption A of the Pechman Exemptions (October 11, 2006 Order), and therefore may still proceed to be offered for sale even if the District Court sets aside or otherwise enjoins use of the 2007 Survey and Manage Record of Decision since the Pechman exemptions would remain valid in such case. The first notice for sale will appear in the newspaper on August 16, 2010.

Northern Spotted Owl (NSO) Status Review

"The following information was considered in the analysis of the Alsea Falls Park Enhancement Project proposed activities: a/ *Scientific Evaluation of the Status of the Northern Spotted Owl* (Sustainable Ecosystems Institute, Courtney et al. 2004); b/*Status and Trends in Demography of Northern Spotted Owls*, 1985-2003 (Anthony et al. 2004); c/ *Northern Spotted Owl Five Year Review: Summary and Evaluation* (USFWS, November 2004); and *Northwest Forest Plan – The First Ten Years* (1994-2003): d/ *Status and trend of northern spotted owl populations and habitat, PNW Station Edit Draft* (Lint, Technical Coordinator, 2005).

The Salem District analyzed reports regarding the status of the northern spotted owl and although the agencies anticipated a decline of NSO populations under land and resource management plans during the past decade, the reports identified greater than expected NSO population declines in Washington and northern portions of Oregon, and more stationary populations in southern Oregon and northern California."

The reports did not find a direct correlation between habitat conditions and changes in NSO populations, and they were inconclusive as to the cause of the declines. Lag effects from prior harvest of suitable habitat, competition with barred owls, and habitat loss due to wildfire were identified as current threats. West Nile Virus and Sudden Oak Death were identified as potential new threats. Complex interactions are likely among the various factors. This information has not been found to be in conflict with the NWFP or the RMP (Evaluation of the Salem District Resource Management Plan Relative to Four Northern Spotted Owl Reports, September 6, 2005).

Compliance with the Aquatic Conservation Strategy

On March 30, 2007, the District Court, Western District of Washington, ruled adverse to the U. S. Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA-Fisheries) and USFS and BLM (Agencies) in *Pacific Coast Fed. of Fishermen's Assn. et al v. Natl. Marine Fisheries Service, et al and American Forest Resource Council*, Civ. No. 04-1299RSM (W.D. Wash)((PCFFA IV). Based on violations of the Endangered Species Act (ESA) and the National Environmental Policy Act (NEPA), the Court set aside:

- The USFWS Biological Opinion (March 18, 2004),
- The NOAA-Fisheries Biological Opinion for the ACS Amendment (March 19, 2004),
- The ACS Amendment Final Supplemental Environmental Impact Statement (FSEIS) (October 2003), and
- The ACS Amendment adopted by the Record of Decision dated March 22, 2004.

Previously, in *Pacific Coast Fed. Of Fishermen's Assn. v. Natl. Marine Fisheries Service,* 265 F.3d 1028 (9th Cir. 2001)*(PCFFA II)*, the United States Court of Appeals for the Ninth Circuit ruled that because the evaluation of a project's consistency with the long-term, watershed level ACS objectives could overlook short-term, site-scale effects that could have serious consequences to a listed species, these short-term, site-scale effects must be considered. Section 10.0 of the EA shows how the Alsea Falls Park Enhancement Project meets the Aquatic Conservation Strategy in the context of PCFFA IV and PCFFA II.

Existing Watershed Condition

The project area is in the Upper Alsea River 5th field Watershed which drains into the Pacific Ocean.

Upper Alsea Watershed

Fifty-two percent of the Upper Alsea River watershed is managed by BLM, 47 percent is private and 1 percent is managed by the Forest Service. Approximately 37 percent of the total BLM managed lands consist of stands greater than 80 years old and approximately 27 percent of BLM managed lands are located in riparian areas (within 100 feet of a stream)

Review of Aquatic Conservation Strategy Compliance:

The project meets the Aquatic Conservation Strategy in the context of PCFFA IV and PCFFA II [complies with the ACS on the project (site) scale]. The following is an update of how this project complies with the four components of the Aquatic Conservation Strategy. The project will comply with:

Component 1 – Riparian Reserves: Riparian Reserve widths in the proposed project will be 480 feet on each side of perennial fish-bearing streams and 240 feet on each side of intermittent and perennial non-fish bearing streams, based on the average site tree height in the project area of 240 feet. Within Riparian Reserves, stands will be thinned outside the SPZs of a minimum 55 feet distance, and a minimum of 100 feet distance alongside streams classified as Essential Fish Habitat.

Component 2 – Key Watershed: Upper Alsea River is not a designated key watershed.

Component 3 –Watershed Analysis: South Fork Alsea Watershed Analysis, October, 1995.

Component 4 – Watershed Restoration: The proposed actions are not a component of the resource area's watershed restoration program.

The project has been reviewed against the ACS objectives at the project or site scale with the following results. The no action alternative does not retard or prevent the attainment of any of the nine ACS objectives because this alternative will maintain current conditions. The Proposed Actions do not retard or prevent the attainment of any of the nine ACS objectives for the following reasons.

Table 1: Project's Consistency with the Nine Aquatic Conservation Strategy Objectives

Aquatic Conservation Strategy Objectives (ACSOs)	Alsea Falls Park Enhancement Project
1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features.	Does not prevent the attainment of ***ACSO 1***. **No Action Alternative:** The No Action alternative would maintain the development of the existing vegetation and associated stand structure at its present rate. The current distribution, diversity and complexity of watershed and landscape-scale features would be maintained. Faster restoration of distribution, diversity, and complexity of watershed and landscape features would not occur. **Proposed Action** The watershed where this project occurs lack structural diversity and CWD. The project will enhance late-successional forest conditions and speed up attainment of these conditions across the landscape.
2. Maintain and restore spatial and temporal connectivity within and between watersheds.	Does not prevent the attainment of ***ACSO 2***. **No Action Alternative:** The No Action alternative would have little effect on connectivity except in the long term within the affected watershed. **Proposed Action** No stream crossing culverts will be used that will potentially hinder movement of aquatic species; therefore no aquatic barriers will be created. Both terrestrial and aquatic connectivity will be maintained, and over the long-term, as Riparian Reserves develop late successional characteristics, lateral, longitudinal and drainage connectivity will be restored.
3. Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.	Does not prevent the attainment of ***ACSO 3***. **No Action Alternative:** It is assumed that the current condition of physical integrity would be maintained. **Proposed Action** Minimum 55 foot SPZ's will maintain the integrity of shorelines, banks and bottom configurations in the project area. Trees will be directionally felled within one tree height of the SPZ and any part that falls within the SPZ will be left on site, thereby preventing disturbance to stream banks and bottom configurations.

4. Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.	Does not prevent the attainment of ***ACSO 4***. **No Action Alternative:** It is assumed that the current condition of the water quality would be maintained. **Proposed Action** Stream temperature: According to the stream shading sufficiency analysis, the proposed SPZ's (minimum of 55 feet) was sufficient to protect critical shade in the primary shade zones, based on topography and average tree height. Stream shade will be protected in the project. Sedimentation and stream turbidity: see No. 5 below
5. Maintain and restore the sediment regime under which aquatic ecosystems evolved.	Does not prevent the attainment of ***ACSO 5***. **No Action Alternative:** It is assumed that the current levels of sediment into streams would be maintained. **Proposed Action** The Project is designed to minimize the risk of a mass soil movement event (slump/landslide). Stream protection zones and project design features will minimize any potential sediment from harvest and road-related activities from reaching water bodies.
6. Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.	Does not prevent the attainment of ***ACSO 6***. **No Action Alternative:** No change in in-streams flows would be anticipated. **Proposed Action** The proposed project will not measurably alter instream flows. The project will affect less than 0.13 percent of the forest cover in the Upper Alsea River Watershed. Proposed thinning will entail removing as few trees as necessary to achieve the purpose and need of the project. Therefore, direct effects from this project on cumulative effects to streamflow are too small to be measured with reasonable accuracy.
7. Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.	Does not prevent the attainment of ***ACSO 7***. **No Action Alternative:** No change in in-streams flows would be anticipated. **Proposed Action** Design features for the project, such as SPZs, coupled with the relatively small percent of vegetation proposed to be removed, will maintain groundwater levels and floodplain inundation rates. Detectable direct or indirect effects to stream flow as a result of this action are unlikely. The proposed actions will not alter existing patterns of floodplain inundation or water table elevation as it will have no effect on existing flow patterns and stream channel conditions.

8. Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands.	Does not prevent the attainment of ***ACSO 8***. **No Action Alternative:** The current species composition and structural diversity of plant communities would continue along the current trajectory. Diversification would occur over a longer period of time. **Proposed Action** The actual riparian areas along streams will be excluded from treatment during the Project by designating SPZs. There will be little or no change to riparian vegetation on banks or within the riparian zones along streams resulting from the proposed project. The project will require removal of localized vegetation, including occasional trees. In the long-term the project will have no effect on species or stand structural diversity. Overall diversity of riparian vegetation will not be affected.
9. Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.	Does not prevent the attainment of ***ACSO 9***. **No Action Alternative:** Habitats would be maintained over the short-term and continue to develop over the long-term with no known impacts on species currently present. **Proposed Action** Habitat to support well distributed riparian-dependent and riparian associated species will be restored by reducing overstocked stands, moderating tree species diversity and altering forest structural characteristics.

IV. Alternatives Considered

The EA analyzed the effects of the proposed action and the no action alternatives. No unresolved conflicts concerning alternative uses of available resources (section 102(2) (E) of NEPA) were identified. No action alternatives were identified that will meet the purpose and need of the project and have meaningful differences in environmental effects from the proposed action (EA Section 2.3). Complete descriptions of the "action" and "no action" alternatives are contained in the EA, pp. 28-67.

V. Decision Rationale

Considering public comment, the content of the EA and supporting project record, the management recommendations contained in the *South Fork Alsea River Watershed Analyses*, and the management direction contained in the RMP, I have decided to implement Alternative 2, hereafter referred to as the selected action as described above. The following is my rationale for this decision.

1. The selected action:
   - Meets the purpose and need of the project (EA section 1.6), as shown in Table 2.
   - Complies with the *Salem District Record of Decision and Resource Management Plan***,** May 1995 (RMP).
   - Will not have significant impact on the affected elements of the environment (EA FONSI pp. ii-iv) beyond those already anticipated and addressed in the RMP EIS.
   - Has been adequately analyzed.

2. The No Action alternative was not selected because it does not meet the Purpose and Need directly, or delays the achievement of the Purpose and Need as shown in Tables 2 and 3.

Table 2: Comparison of the Alternatives with Regard to the Purpose of and Need for Action

Table 2: Comparison of Alternatives by Purpose and Need (Project 2)

Purpose and Need (EA Section 1.6)	Alternative 1 (No Action)	Alternative 2 (Proposed Action)
Manage natural resources to enhance visitor recreation experiences and satisfy public land users by removing trees that create a hazard within the recreation site and along the trail system.	Hazard trees would remain until they fall naturally or are at a high rating through an inventory of trees in the recreation site and are then felled.	The project will remove hazard trees resulting in a safer environment to the public.
Create a stand that gives a pleasing visual experience of large, full-crowned trees, stand complexity featuring a range of tree sizes and densities, multiple canopy levels that provides visual screening, and visually shows little evidence of management	Trees continue to grow and close in the canopy reducing light to the understory and natural regeneration/recruitment. Trees would continue to be suppressed and grow at a slower rate.	Thinning will increase both understory and overstory tree diameter growth, increase crown length, width, and branch size, promote stand stability and result in a greater level of understory development than will occur without thinning.
Designate developed recreation sites as fire suppression areas and fire fuel management areas by managing timber within the recreation site to reduce fuel levels and rate of spread.	Fuel loading, risk of a fire start and the resistance to control a fire, would all increase. Potential for crown fire would continue to increase as tree crowns continue to enclose upon each other	Fuel loading, risk of a fire start and the resistance to control a fire, will all decrease in the project area as a result of the proposed action. Increasing the spacing between the tree crowns will have the beneficial result of decreasing the potential for crown fire occurrence in the treated stand. By chipping the slash and ladder fuels it will be highly unlikely for any fire to build enough intensity to enter the crowns of the residual stand.
Retain variability by removing a proportion of trees per acre and intentionally reserving a range of residual densities. Maintain species diversity by retaining most hardwoods and western hemlock, and all western red cedar. Reduce incidence and impact of root and stem decays by removing susceptible trees adjacent to disease centers.	Stand structure would remain relatively uniform, except for gaps created by disturbance. Development of desirable stand characteristics, such as large diameter, full-crowned trees and multiple canopy layers would not be accelerated. Species diversity would remain the same. The spread of root diseases would continue. The perimeters would expand within the centers of infection, as many western hemlock, and nearly all Douglas-fir would be killed, leaving red alder and western red cedar.	The treatment will increase spatial and structural diversity of the stand. Some trees will experience no competition and grow very full crowns. Some trees will remain at close spacing and retain closed canopy conditions. Infection centers will be likely sites of windthrow after treatment. Windthrow is not expected to reduce tree stocking by more than 20 percent for the first decade after treatment.

VI. Public Involvement/Consultation/Coordination

Public Scoping:

- A scoping letter, dated March 23, 2006, was sent to 18 potentially affected or interested individuals, groups, and agencies. One response was received during the scoping period.
- In addition, a letter dated April 16, 2008 was sent to 21 potentially affected and/or interested individuals, groups, and agencies. One comment letter was received.
- A press release was sent to 5 newspapers on May 28, 2008.
- Posters describing the project were posted in late May 2008 at the Alsea Falls Recreation Site along with flyers requesting public input.
- A description of the project was included in the March, June, September and December 2008 project update to solicit comments on the proposed project.

EA and FONSI Comment Period and Comments:
The EA and/or notice of availability of the EA were mailed to approximately 22 agencies, individuals and organizations on December 30, 2008. BLM made the 2008 EA and FONSI available for public review from January 5, 2009 to February 3, 2009. A legal notice was placed in a local newspaper soliciting public input on the action from January 5 to February 3, 2009. Four comment letters [Oregon Wild, Rana Foster, Mahogany Aulenbach, and Sole Leonard] were received. Although the letters communicated a number of issues and opinions on forest management in general, the response to comments found in section VIII of this Decision Rationale only discusses those specifically directed to the Environmental Analysis. Comments are in *italics*. The BLM response follows each comment.

Based on the comments, the BLM revised the South Fork Alsea Access Road Hazard Tree Removal/Roadside Enhancement and Alsea Falls Park Enhancement EA to address carbon storage and climate change. The BLM made the revised EA and FONASI available for additional public comment from July 14, 2010 to July 29, 2010. Two comment letters were received during this comment period. The majority of comments were similar in content to the comments received on the original EA and none of the comments were related to carbon storage and/or climate change. Responses to the substantive public comments can be found in section VIII of this Decision Rationale. The scoping and EA comment letters/emails are available for review at the Salem District BLM Office, 1717 Fabry Rd SE, Salem, Oregon.

Consultation/Coordination:

Wildlife: United States Fish and Wildlife Service (USFWS)
To address concerns for potential effects to listed wildlife species and potential modification of critical habitats, the proposed action was consulted upon with the USFWS, as required under Section 7 of the Endangered Species Act. Consultation for this proposed action was facilitated by its inclusion within a programmatic 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 2009 and 2010. The proposed action has been designed to incorporate all appropriate design standards set forth in the BA. This action will be considered a "may affect, not likely to adversely affect" northern spotted owl dispersal habitat and northern spotted owl and marbled murrelet critical habitats. In the resulting Letter of Concurrence (FWS Reference Number 13420-2008-I-0125), after reviewing the effects of the proposed action on the spotted owl and its critical habitat, and the marbled murrelet and its critical habitat, the USFWS concurred with BLM that the activities, as proposed, are not likely to adversely affect spotted owls or marbled murrelets and are not likely to adversely affect critical habitat for either species.

Fish: National Marine Fisheries Service (NMFS)

Project 1

The proposed action, with the incorporation of project design features, is considered a "may affect" to ESA listed OC Coho Salmon for hazard tree removal from stream protection zones within 1 mile of listed fish habitat or within 150 feet of listed fish habitat. A 'may affect' determination indicates consultation with NMFS for this project is required. The proposed project will comply with project design features as described under the programmatic Biologic Opinion resulting from the *Biological Assessment for Programmatic Forest Service and Bureau of Land Management Activities in Northwest Oregon* (May 2, 2008). Actions and effects beyond the scope of the NMFS programmatic consultation will require additional consultation with NMFS.

Project 2

The proposed action, with the incorporation of project design features, is considered a "may affect" to ESA listed OC Coho Salmon. A 'may affect' determination indicates consultation with NMFS for this project is required. Concurrence from NMFS on consistency of this project with guidance described in *Endangered Species Act Section 7 Informal Consultation for the 2008-2009 North Coast Province Thinning Timber Sales Programmatic on Portions of the Siuslaw National Forest and Eugene and Salem Districts of the Bureau of Land Management, Seven Watersheds within the Oregon Coast Recovery Domain* (NMFS 2008) would provide consultation coverage for the May Affect actions of the project. Concurrence from NMFS was received on April 14, 2009 concluding informal consultation for this project.

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 or coho salmon in the action area. The South Fork Alsea River is considered EFH to Alsea Falls. The proposed project are not expected to adversely affect EFH due to low probability of effect of all activities associated with the project reaching occupied habitat. Consultation with NMFS on EFH is not required for this project.

VII. Conclusion

Review of Finding of No Additional Significant Impact

I have determined that change to the Finding of No Additional Significant Impact (FONASI – July 2010) for the South Fork Alsea Access Road Hazard Tree Removal/Roadside Enhancement and Alsea Falls Park Enhancement Project is not necessary because I've considered and concur with information in the EA and FONASI. The comments on the EA were reviewed and no information was provided in the comments that lead 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

Protests: In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for this timber sale will not become effective or be open to formal protest until the Notice of Sale is published in a newspaper of general circulation in the area where the lands affected by the decision are located. Protests of this sale must be filed within 15 days of the first publication of the notice. For this project, the Notice of Sale will be published in the *Gazette Times* newspaper on or around August 13, 2010. The planned sale date is September 13, 2010.

Implementation Date

If no protest is received within 15 days after publication of this Decision Record (Alsea Falls Day Park Enhancement Project) this decision will become final. For additional information concerning this

decision, contact Gary Humbard (503) 315-5981, Marys Peak Resource Area, Salem BLM, 1717 Fabry SE, Salem, Oregon 97306.

Approved by: _____ 8/9/2010

John Huston — Date

Acting Marys Peak Resource Area Field Manager

VIII. Appendix A: Response to Public Comments Received on the Alsea Falls Park Enhancement Project (EA#OR080-07-03)

Two letters and two e-mail messages commenting on the South Fork Alsea Access Road Hazard Tree Removal/Roadside Enhancement and Alsea Falls Park Enhancement Project Environmental Assessment were received. Although the letters communicated a number of issues and opinions on forest management in general, the response to comments below only discusses those specifically directed to the Environmental Analysis which was made available for public review from January 5, 2009 to February 3, 2009. Comments are in *italics*. The BLM response follows each comment.

Oregon Wild, Doug Heiken
Received February 3, 2009

1. *The log market is very depressed (along with the financial, housing, and timber industries). It makes little sense to sell logs in this market, so please just use as many of the logs as possible for restoration in the affected watersheds. There must be lots of streams that need logs or old clearcuts that need down wood.*

   Response: Market fluctuations (high or low) have not historically influenced the marketability of timber sales within the BLM Salem District. Considering that BLM Salem District timber sales have a historical high rate of being sold and awarded, we believe the Alsea Falls Park Enhancement Project will be successfully sold in September of 2010 and implemented within a one year contract period.

   The placement of logs into streams and/or clearcuts is not included in the purpose and need for the project.

2. *BLM is no longer implementing the LSR, riparian reserves, and matrix mitigation contemplated in the Northwest Forest Plan. Therefore the BLM must conduct full survey and manage surveys and take public comment prior to completing the NEPA process for this project.*

   Response: As stated in the EA (pg. 30) **"**Inventory of the project area for bureau SS vascular plant, lichen, bryophyte and fungal species were accomplished through review of; 1) existing survey records and spatial data, 2) habitat evaluation and evaluation of species-habitat associations and presence of suitable or potential habitat, and 3) field clearances, field reconnaissance and inventories utilizing intuitive controlled surveys, in accordance with survey protocols for the specific groups of species. Many portions of this project area has been surveyed in the past for bureau SS species. There are no "known sites" of any vascular plant, lichen, bryophyte or fungi SS species within the project area nor were any found during subsequent surveys".

Rana Foster
February 3, 2009

1. **Comment***: How will this project avoid damaging special status species and their habitats?*

   Response: See Oregon Wild Response # 2

2. **Comment**: *Are there wetlands: seeps, springs or swampy areas which may have rare amphibians, herps and botanic species within the project areas? How will these extra sensitive wetland habitat areas be managed? What buffer distance are you planning to use for Project 2 in regards to the South Fork Alsea River?*

   Response: As stated in the EA (pg. 48) "there are no wetland\pond complexes identified within the project areas. As stated in the EA (pg. 15) stream protection zones (SPZs) where no cutting and/or yarding is

permitted will be established along all streams and identified wet areas within the harvest areas. These zones will be a minimum of approximately 50 feet from the high water mark".

3. **Comment**: *Can listed fish species traverse Alsea Falls when they are spawning or coming into reproduce in this watershed? How recent and detailed are the fish survey efforts above Alsea Falls to show what species are in this watershed?*

   Response: As stated in the EA (pg. 39) "Alsea Falls on the South Fork Alsea River, located in Section 25, is a barrier to all anadromous fish (BLM 1995). Fish distribution surveys were conducted in the spring of 2008 covering Park Enhancement (Project 2) areas in Section 25 which drain to the South Fork Alsea River (USDI BLM 2008). In addition, the South Fork Alsea River thru the project area was surveyed using ODFW protocols in 1997 (ODFW 1997)".

4. **Comment**: *Both projects will perhaps allow heating to occur into riparian zones due to removal of all the forest edge up to and into the 150 foot buffer for each stream. Warmer air enters the riparian corridor and could perhaps heat or warm water in these areas.*

   Response: As stated in the EA (pg. 50) "there would be no direct alteration of the physical features of the project area stream channels or wetlands under this proposal. There is no new road construction or maintenance proposed. Stream banks, wetlands and channel beds are protected from direct physical alteration or disturbance by equipment by implementation of SPZs. The water quality parameters such as stream temperature, dissolved oxygen (DO) concentrations (both inter-gravel and in water), hydrogen ion concentration (pH), and turbidity are not expected to be impacted by this proposal".

5. **Comment**: *What are the current soil conditions within Project 2, as the area was clearcut logged approximately 55 years ago? If the soil is still compacted how well will new plantings fare. Will this project re-compact the soils and will the harvest operation damage any conifer seedlings or saplings and native woody species.*

   Response: As stated in the EA (pg. 46) "The felling of trees as scattered individuals would have no visible or detectable effect on soil physical properties such as bulk density. Over time the material left on site would breakdown and add to the organic matter content of the soil and this could slightly alter some soil chemical properties (i.e., increased supplies of soil carbon and organic acids)".

6. **Comment:** *Do some of the project areas occur within conifer stands which are greater than 80 years of age?*

   Response: As stated in the EA (pg. 29) "The project areas occur within a 55 year-old western hemlock plant association and are dominated by a coniferous forest that is comprised mainly by Douglas-fir and/or red alder and big leaf maple. These areas are younger than the adjacent stands because they were harvested when the access road was constructed".

7. **Comment**: *For the five snags to be created across the byway from the SFA Campground, this looks to be on a steep slope area. This area is highly visible from the road and parking area pull outs on the byway and may be a large remnant old growth stand. Why are the snags being created here? Will these snags fall on the Biway as newly created hazards from this steep slope?*

   Response: As stated in the EA (pg. 17) "Approximately five snags greater than 36 inches DBHOB would be cut and left on site in Section 26 and as shown on EA Map. Because snags are hazards to the public, there are no snags being created in the project".

8. **Comment**: *Where are the yarding areas? This is not found in the EA. I assume these will be built to*

stage, store and work from. How many cubic feet of fill will be installed and how well will this fill not erode into the South Fork Alsea River.

Response: As stated in the EA (pg. 45) "The effects to surface soil properties from the harvest of timber to existing roadways would be so negligible that they cannot be measured because the majority of the action would be confined to previously disturbed surfaces (i.e., roads). These surfaces are highly resistant to disturbance and have been engineered to withstand traffic. Approximately 70 percent of the activity in this proposal would be carried out from the existing roadways in the project areas. No landings will be constructed, subsequently no fill material is anticipated to be needed".

Mahogany Aulenbach
Received January 30, 2009

1. **Comment**: *The proposed commercial thinning in the Alsea Falls Park is too severe as it causes an increase in blow down due to opening the canopy and existing clear cutting on private land.*

Response: As stated in the EA (pp. 33 and 34) **"**Trees with less competition maintain deeper live crowns, lowering their center of gravity and decreasing their height/diameter ratios, reducing susceptibility to wind damage. Deep live crowns are also a structural attribute of late seral forest. With treatment, the current stand average height to diameter ratios (calculated from the quadratic mean diameter and the height of the 40 largest trees per acre) of 73, would decline to an average of 70 after 30 years of growth indicating an improvement of tree stability over time".

"The potential for windthrow from winter storms would be higher for the first decade following density management. The risk is reduced in the design of the variable density thinning; residual densities are higher than generally prescribed, for aesthetic reasons. Higher density decreases the risk of individual tree loss to windthrow. The area is somewhat sheltered by higher ridges to the south and west".

2. **Comment**: *Opening the canopy to more light will increase the chances of non-native, invasive species to grow. Using mechanical harvesters will further impact the forest floor and devastate the understory plant species.*

Response: See response to Rana Foster #4.

3. **Comment**: *The new water pipeline should be replaced in the middle of the roadways so as to not damage the roots of nearby trees.*

Response: As stated in the EA (pg. 19) **"**A trench approximately 30 inches wide by 36 inches deep would be dug and the new water lines would be installed in the ground in the general vicinity of the old lines. The water lines would be bored under existing roads so that the existing roadway would not be disturbed". Placing the waterline in the middle of the roadways would result in more soil disturbance than if placed in the ditchline.

4. **Comment**: *I recommend the No Action Alternative for both projects.*

Response: As shown in Table 2 of this document, the No Action Alternative will not meet the purpose and need of the project.

Sole Leonard
Received January 30, 2009

Project 2

1. **Comment**: *I have never felt the safety of the public threatened due to "hazard trees". The following negative impacts would occur under Project 2:*

    - *Soil compaction would occur from the use of harvester/forwarder equipment resulting in adverse impacts to the vegetation, tree roots and wildlife. Machines are noisy, smelly and could disrupt the forest for 3 seasons at the park.*
    - *The serious threat of non-native and invasive species would increase creating future removal and maintenance either by labor or chemicals*
    - *Shortened recreation season (closing early during the fall) at the campground and picnic areas.*
    - *Increases the risk of blowdown as trees are interdependent of each other with the remaining trees being compromised during windstorms.*
    - *The removal of the relatively large amount of trees will affect the overall health of the forest. A healthy forest is comprised of a diversity of tree characteristics (live, dead, straight, leaning, healthy, diseased etc.).*

Response: As stated in the EA (pg. 46) **"**The felling of trees as scattered individuals would have no visible or detectable effect on soil physical properties such as bulk density. Over time the material left on site would breakdown and add to the organic matter content of the soil and this could slightly alter some soil chemical properties (i.e., increased supplies of soil carbon and organic acids). Small disturbances to the soil surface (compaction/displacement) from motorized traffic and removal or repositioning of some material would occur during project operations. These effects would be dispersed across the treatment area and would not result in a loss of soil productivity or function".

As stated in the EA (pg. 35) "Any adverse effects from the establishment of Canadian and bull thistles, St. John's wort, tansy ragwort, Himalayan blackberry, Scot's broom and false brome within or near the project area are not anticipated and the risk rating for the long-term establishment of these species and consequences of adverse effects on this project area is low because; 1) the implementation of the Marys Peak integrated non-native plant management plan allows for early detection of non-native plant species which allows for rapid control, 2) generally these species often persist for several years after becoming established but soon decline as native vegetation increases within the project areas, 3) seeding the exposed soil areas would reduce the opportunity of spread, and 4) Marys Peak is aggressively treating any known false brome sites in the area and will monitor this project for rapid response to any new infestations".

As stated in the EA (pg. 37) "Alsea Falls would have a shortened recreation season in 2009 to facilitate tree removal. A shortened recreation season may occur during 2010 and/or 2011 if operations take longer than expected. The long-term seasonal operation of facilities at Alsea Falls Recreation Area of early May to September 30 would not change and year round foot and bicycle access would continue on trails". The planned operating season for Alsea Falls due to reduced budgets will be Memorial Day weekend through Labor Day.

As stated in the EA (pp.33 and 34) **"**Trees with less competition maintain deeper live crowns, lowering their center of gravity and decreasing their height/diameter ratios, reducing susceptibility to wind damage.

Deep live crowns are also a structural attribute of late seral forest. With treatment, the current stand average height to diameter ratios (calculated from the quadratic mean diameter and the height of the 40 largest trees per acre) of 73, would decline to an average of 70 after 30 years of growth indicating an improvement of tree stability over time".

"The potential for windthrow from winter storms would be higher for the first decade following density management. The risk is reduced in the design of the variable density thinning; residual densities are higher than generally prescribed, for aesthetic reasons. Higher density decreases the risk of individual tree loss to windthrow. The area is somewhat sheltered by higher ridges to the south and west".

As stated in the EA (pg.33) "The treatment includes variable density thinning, creation of small gaps, and retention of small clumps. This would increase spatial and structural diversity of the stand. Some trees would experience no competition and grow very full crowns. Some trees would remain at close spacing and retain closed canopy conditions".

2. Comment*: I recommend the No Action Alternative for both projects.*

Response: As shown in Table 2 of this document, the No Action Alternative would not meet the purpose and need of the project.

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Salem District - Oregon

Alsea Falls Park Enhancement
SELECTED ACTION MAP

T 14 S., R. 7 W., Sections 25 & 26, W. M. - SALEM DISTRICT - OREGON