

## Wooden Lobster Restoration Project

Final Decision and Decision Rationale for Wooden Lobster Restoration Project

Environmental Assessment Number OR080-07-04

August 2007

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

Township 14 South, Range 8 West, Section 32, and Township 15 South, Range 8 West,  
Sections 15 and 22, and on private land located in Township 14 South, Range 8 West, Section  
31, Willamette Meridian  
Five Rivers – Lobster Creek Watershed 5<sup>th</sup> field Watershed.  
Benton County, Oregon

Responsible Agency: USDI - Bureau of Land Management

Responsible Official: Trish Wilson, Field Manager  
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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.

**BLM/OR/WA/PL-07/068+1792**

## I. Introduction

The Bureau of Land Management (BLM) has conducted an environmental analysis for the Wooden Lobster Restoration Project, which is documented in the Wooden Lobster Restoration Environmental Assessment (EA, # OR080-07-04) and the associated project file. The Proposed Action of the Wooden Lobster Restoration Project EA is to remove approximately 120 selected trees from mid and late-seral stands and to provide ODFW (Oregon Department of Fish and Wildlife) with these large trees that will be placed via helicopter transport in Lobster Creek, Little Lobster Creek, and Briar Creek to restore in-stream habitat conditions. Lobster Creek, Little Lobster Creek, and Briar Creek are anadromous fish-bearing streams with Oregon Coast (OC) coho Salmon and OC Winter Steelhead and these streams have been identified as being suitable for LWD enhancement (From Chapter 6: Management Opportunity, Pages 124 and 136, of Lobster/Five Rivers Watershed Analysis 1997).

The project will occur within Late Successional Reserve and Riparian Reserve Land Use Allocations (LUA's). The project will be implemented through a cooperative agreement with ODFW. A Finding of No Significant Impact (FONSI) was signed on January 22, 2007 and the EA and FONSI were then made available for public review.

The decision documented in this Decision Rationale (DR) is based on the analysis documented in the EA.

## II. Decision

I have decided to implement the Wooden Lobster Restoration Project as described in the proposed action (EA pp. 6 and 7) hereafter referred to as the "selected action". The selected action is shown on the map attached to this Decision Rationale. This decision is based on site-specific analysis in the Wooden Lobster Restoration Project Environmental Assessment (EA # OR080-07-04), the supporting project record, management direction contained in the Salem District Resource Management Plan (May 1995), which are incorporated by reference in the EA.

The following is a summary of this decision.

- Remove approximately 120 selected standing trees from mid and late-seral stands
- Placement of individual logs and log structures along 3½ miles of fish bearing streams on federal lands to improve fish habitat. Additional logs will be placed on up to one mile on private lands, under a cooperative agreement with ODFW.
- Standing trees will be felled with chainsaws. All logs will be lifted from the forest floor, flown to in-stream treatments sites, and placed into the streams with a helicopter.
- In general, felling of trees adjacent to the stream is not anticipated to occur as part of this project, however, falling of individual alder trees adjacent to the stream channel may be necessary to safely and effectively place LWD in the stream channel.
- All design features and mitigation measures described in the EA (pp. 7 - 8) will be incorporated into the cooperative agreement.

### III. Compliance with Direction:

The analysis documented in the Wooden Lobster Restoration EA is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). This project has been designed to conform to the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP) and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (EA pp. 1 &-2). All of these documents may be reviewed at the Marys Peak Resource Area office.

#### Survey and Manage Species Review

Marys Peak RA is aware of the August 1, 2005, U.S. District Court order in Northwest Ecosystem Alliance et al. v. Rey et al. which found portions of the *Final Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (January, 2004) (EIS) inadequate. The Marys Peak RA is also aware of the recent January 9, 2006, Court order which:

- set aside the 2004 Record of Decision *To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern spotted Owl* (March, 2004) (2004 ROD) and
- reinstate the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines* (January, 2001) (2001 ROD), including any amendments or modifications in effect as of March 21, 2004.

The order further directs "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities...unless such activities are in compliance with the provisions of the 2001 ROD (as amended or modified as of March 21, 2004)".

The BLM is also aware of the November 6, 2006, Ninth Circuit Court opinion in Klamath-Siskiyou Wildlands Center et al. v. Boody et al., No. 06-35214 (CV 03-3124, District of Oregon). The court held that the 2001 and 2003 Annual Species Reviews (ASRs) regarding the red tree vole are invalid under the Federal Land Policy and Management Act (FLPMA) and National Environmental Policy Act (NEPA) and concluded that the BLM's Cow Catcher and Cotton Snake timber sales violate federal law.

This court opinion is specifically directed toward the two sales challenged in this lawsuit. The BLM anticipates the case to be remanded to the District Court for an order granting relief in regard to those two sales. At this time, the ASR process itself has not been invalidated, nor have all the changes made by the 2001-2003 ASR processes been vacated or withdrawn, nor have species been reinstated to the Survey and Manage program, except for the red tree vole. The Court has not yet specified what relief, such as an injunction, will be ordered in regard to the Ninth Circuit Court opinion. Injunctions for NEPA violations are common but not automatic.

We do not expect that the litigation over the Annual Species Review process in Klamath-Siskiyou Wildlands Center et al. v. Boody et al will affect this project, because the development and design of this project exempt it from the Survey and Manage program. In Northwest Ecosystem Alliance

et al. v. Rey et al the U.S. District Court modified its order on October 11, 2006, amending paragraph three of the January 9, 2006 injunction. This most recent order 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."

The Bureau of Land Management has reexamined the objectives of Wooden Lobster Restoration as described in the Wooden Lobster Restoration EA. The Project consist of obtaining material for placing in-stream and where the stream improvement work is the placement of large wood within LSR and RR LUA's. For the foregoing reasons, the Wooden Lobster Restoration Project meets exemption c above. Therefore, the decision to eliminate Survey and Manage is effective on this project. The litigation over the amendment that eliminated the Survey & Manage mitigation measure from the Northwest Forest Plan does not affect the Wooden Lobster Restoration Project.

#### 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. The following paragraphs show how the Wooden Lobster Restoration project meets the Aquatic Conservation

Strategy in the context of PCFFA IV and PCFFA II.

### ***Existing Watershed Condition***

The Wooden Lobster Restoration Project area is in the Five Rivers-Lobster Creek 5th-field watershed which drains into the Alsea River. Twenty percent of the Five Rivers-Lobster Creek watershed is managed by BLM, 17% is private and 61% is managed by the Forest Service. Approximately 33% of the total BLM managed lands consist of stands greater than 80 years old and approximately 28% of BLM managed lands are located in riparian areas (within 100 feet of a stream)

### ***Review of Aquatic Conservation Strategy Compliance:***

I have reviewed this analysis and have determined that 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, originally documented in the EA, Table 3, p. 28. The project will comply with:

***Component 1 – Riparian Reserves:*** by maintaining canopy cover along all streams and wetlands will protect stream bank stability and water temperature. Riparian Reserve boundaries will be established consistent with direction from the *Salem District Resource Management Plan*. No new road construction will occur within RMP Riparian Reserves;

***Component 2 – Key Watershed:*** by establishing that the Wooden Lobster Restoration project is within the Upper Lobster Creek designated key watershed;

***Component 3 – Watershed Analysis:*** The Lobster-Five Rivers Watershed Analysis (1997) describes the events that contributed to the current condition such as early hunting/gathering by aboriginal inhabitants, road building, agriculture, wildfire, and timber harvest. The following are watershed analysis findings that apply to or are components of this project:

- Anadromous fish species populations are depressed (P. 75). Habitat restoration at the watershed scale is critical to protect or enhance critical habitat.
- In reaches where gravels and cobbles are absent, LWD becomes a critical channel roughness component. As a whole, LWD provides a dominant roughness component to the channels. LWD also provided the mechanism to slow flood flow by spreading the flood waters out on floodplains where they occur. In so doing, the local groundwater table was recharged and the local floodplain built up with sediment (P. 26).
- Current LWD levels are low creating not properly functioning conditions in most deposition and deposition-flat segments in the watershed. Mainstem Five Rivers and Lobster Creek reaches not surveyed appear to have low levels of LWD based on visual observations (P. 70). The abundance of LWD in source channels is unknown in the watershed. Levels of coarse woody debris on hillslopes in the Five Rivers and the lower Lobster Creek subwatersheds is considered very low and LWD in headwater reaches probably is similar (P. 71).
- Large wood is critical to pool formation. Large wood maintains deep scour pools, initiates channel migration and off-channel habitat formation, and collects small woody debris which provides complex hiding cover (P. 73). Levels of large wood are low in the Lobster-Five Rivers watershed

and deep pools with complex woody debris hiding cover are equally rare. As a result, existing pool function is impaired as rearing habitat (P. 74).

**Component 4 – Watershed Restoration:** The project is specifically designed for watershed restoration. The project will maintain and restore stream habitat conditions and help restore stream flows.

In addition I have reviewed this project 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 Selected Action does 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)	Project – Large Woody Debris Placement
1. <i>Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features.</i>	Does not prevent the attainment of <b>ACSO 1</b> . The addition of LWD into Lobster Creek, Little Lobster Creek, and Briar Creek will help to restore the diversity and complexity of watershed features to which native aquatic and riparian species are uniquely adapted. Current levels of LWD are severely depleted compared to historic (“natural”) conditions. (EA sections 3.2.2, 3.2.3)
2. <i>Maintain and restore spatial and temporal connectivity within and between watersheds.</i>	Does not prevent the attainment of <b>ACSO 2</b> . The spatial connectivity within the watershed will be restored by providing an unobstructed physical route (habitat) to areas critical for fulfilling life history requirements of aquatic and riparian-dependent species. The project will restore temporal connectivity in the watershed by restoring a more natural streamflow regime. (EA sections 3.2.2, 3.2.3)
3. <i>Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.</i>	Does not prevent the attainment of <b>ACSO 3</b> . LWD placements and individual hardwood felling along Lobster Creek, Little Lobster Creek, and Briar Creek will enhance variability in stream flow velocities. This in turn will help restore the physical integrity of the aquatic system by causing sediment deposition in some areas and sediment scour in others (including banks, floodplains, and the stream bed). (EA section 3.2.2)
4. <i>Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.</i>	Does not prevent the attainment of <b>ACSO 4</b> . By shading the stream from solar radiation, log structures could reduce stream temperatures, thereby maintaining and restoring water quality conditions necessary to support healthy aquatic ecosystems. Regulating stream temperatures will benefit the survival, growth, reproduction, and migration of the aquatic community. (EA section 3.2.2)
5. <i>Maintain and restore the sediment regime under which aquatic ecosystems evolved.</i>	Does not prevent the attainment of <b>ACSO 5</b> . Log structures will trap gravels and other substrate materials, thereby restoring the stream’s sediment regime; includes the timing, volume, rate and character of sediment input, storage, and transport. (EA sections 3.2.2, 3.2.3)
6. <i>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.</i>	Does not prevent the attainment of <b>ACSO 6</b> . By regulating stream flows, structures will maintain and restore in-stream flows sufficient to create and sustain riparian and aquatic habitats and to retain patterns of sediment, nutrient, and wood routing (the movement of woody debris through the aquatic system). (EA sections 3.2.2, 3.2.3)

Aquatic Conservation Strategy Objectives (ACSOs)	Project – Large Woody Debris Placement
7. <i>Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.</i>	Does not prevent the attainment of <i>ACSO 7</i> . The presence of LWD structures is likely to increase the frequency, and possibly the duration of floodplain inundation, as well as promote floodplain development. (EA sections 3.2.2, 3.2.3)
8. <i>Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands.</i>	Does not prevent the attainment of <i>ACSO 8</i> . LWD placement is not likely to greatly affect riparian plant species diversity or composition as the amount of riparian vegetation disturbed (during project implementation) will be very small. (EA sections 3.2.2, 3.2.3, 3.2.5)
9. <i>Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.</i>	Does not prevent the attainment of <i>ACSO 9</i> . LWD structures will provide additional habitat for populations of native invertebrate and vertebrate riparian-dependent species. (EA sections 3.2.2, 3.2.3, 3.2.4, 3.2.5)

#### 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 3.1). Complete descriptions of the "action" and "no action" alternatives are contained in the EA, pages 12-27.

#### V. Decision Rationale

Considering public comment, the content of the EA and supporting project record, the management direction contained in the RMP, I have decided to implement 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 2.1), as shown in *Table 2*.
  - Complies with the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP) and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (EA pp. 2 & 3).
  - The Wooden Lobster Restoration project is in full and complete compliance with the 2001 Survey and Manage FSEIS and ROD. This project is in compliance with Judge Marsha Pechman's January, 2006 ruling on the 2004 Record of Decision for Survey and Manage Standards and Guidelines, as stated in Point (3) on page 14 of the January 9, 2006, Court order in Northwest Ecosystem Alliance et al. v. Rey et al.
  - Will not have significant impact on the affected elements of the environment (EA FONSI pp. i-iii) beyond those already anticipated and addressed in the RMP EIS.
  - Has been adequately analyzed.

**Table 2: Comparison of the Alternatives with Regard to the Purpose of and Need for Action (EA section 2.1)**

Purpose and Need (EA section 2.1)	No Action	Proposed Action
Provide a base for meeting the standard of large woody debris in Lobster Creek, Little Lobster Creek, and Briar Creek” as identified in the <i>Lobster/Five Rivers Watershed Analysis</i> (p.31, January 1997).	Lobster Creek, Little Lobster Creek and Briar Creek will continue to provide poor fish habitat with the potential for conditions to further degrade, as natural recruitment of LWD from the adjacent alder-dominated stands is unlikely.	Conifer trees in the adjacent timber stands will be felled and placed in the channels of Lobster Creek, Little Lobster Creek, and Briar Creek by helicopter to meet the baseline of “80 pieces/mile, greater than 24 inch minimum diameter and greater than 50 feet in length”.

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 (EA section 2.1), as shown in *Table 2*.

## VI. Public Involvement/ Consultation/Coordination

**Scoping:** In compliance with the National Environmental Policy Act, the proposed action was listed since September 2004 in the quarterly edition of the *Salem District Project Update*, which was mailed to over 1,200 addresses. Thirty four scoping letters were mailed to potentially affected and/or interested individuals, groups, and agencies. All adjacent land owners to the project area were sent scoping letters. One public comment was received in response to this scoping.

Comment Period and Comments:

The original EA and/or notice of availability of EA were mailed to approximately thirty-five agencies, individuals and organizations on January 24, 2007. A legal notice was placed in a local newspaper (*Gazette Times*) soliciting public input on the action from January 25, 2007 to February 23, 2007. One comment letter (Oregon Wild) was received. Responses to the comments can be found in Appendix A of the Decision Rationale.

Consultation/Coordination:

**Wildlife:** To address concerns for impacts to federally listed wildlife species and their critical habitat, the proposed action has been consulted on with the U.S. Fish and Wildlife Service, as required under Section 7(a) of the Endangered Species Act. This proposed action has been designed in accordance with standards set forth in a Biological Assessment (BA, USDA-FS and USDI-BLM 2006) that was used to facilitate consultation. In a Letter of Concurrence (received 10/4/2006, reference # 1-7-2006-I-0190) the Service agreed that projects designed in accordance with the standards set forth in the BA would not result in adverse impacts to spotted owls, marbled murrelets, or their designated critical habitat. All pertinent design standards from the BA have been incorporated into this proposed action

Fish: Consultation with National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) for aquatic habitat restoration actions was completed April 28, 2007 *Endangered Species Act Section 7 Formal Programmatic Consultation and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for Fish Habitat Restoration Activities in Oregon and Washington, CY2007-CY2012*. The programmatic consultation addressed effects determinations, specific design features, and reporting requirements for the proposed actions. No listed fish species are known to occupy the project area stream at this time. The proposed action was determined to be a no affect for ESA listed species. The proposed actions are consistent with design features described in the NMFS programmatic package for Aquatic and Riparian Habitat Projects and are anticipated to Adversely Affect Essential Fish Habitat (EFH). The proposed action is not anticipated to exceed the typical range of effects for aquatic restoration actions as described in the Biological Assessment for Programmatic USDA Forest Service and USDA Bureau of Land Management Activities (December 12, 2006). Therefore, existing programmatic consultation on EFH is adequate to cover the proposed project and no additional consultation on EFH is necessary for project implementation.

## VII. Conclusion

I have determined that change to the Finding of No Significant Impact (FONSI – January 2007) for the Wooden Lobster Restoration Project is not necessary because I've considered and concur with information in the EA and FONSI. 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 proposed action needs to be altered. There are no significant new circumstances or facts relevant to the proposed action or associated environmental effects that were not addressed in the EA.

This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. Form 1842-1 can be obtained from the Salem District website at <http://www.or.blm.gov/salem/html/planning/index.htm>.

*If you appeal:* A public notice for this decision is scheduled to appear in the *Corvallis Gazette Times* newspaper on Tuesday, August 7, 2007. Within 15 days of this notification, a *Notice of Appeal* must be filed in writing to the office which issued this decision – Marys Peak Field Manager, Bureau of Land Management, 1717 Fabry Road SE, Salem, OR, 97306. A copy of the *Notice of Appeal* must also be sent to the BLM Regional Solicitor (see Form 1842-1). The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your *Notice of Appeal*. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Board and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay: Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

The relative harm to the parties if the stay is granted or denied,  
The likelihood of the appellant's success on the merits,  
The likelihood of immediate and irreparable harm if the stay is not granted, and  
Whether the public interest favors granting the stay.

Statement of Reasons: Within 30 days of the filing of the *Notice of Appeal*, a complete statement of reasons why you are appealing must be filed with the Interior Board of Land Appeals (see Form 1842-1).

If no appeals are filed, this decision will become effective and be implemented 15 calendar days after the public notice of the Decision Record appears in the *Corvallis Gazette Times*. The public notice is scheduled to appear in the *Corvallis Gazette Times* on Tuesday, August 7, 2007.

Contact Person: 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: Trish Wilson  
Trish Wilson  
Marys Peak Resource Area Field Manager

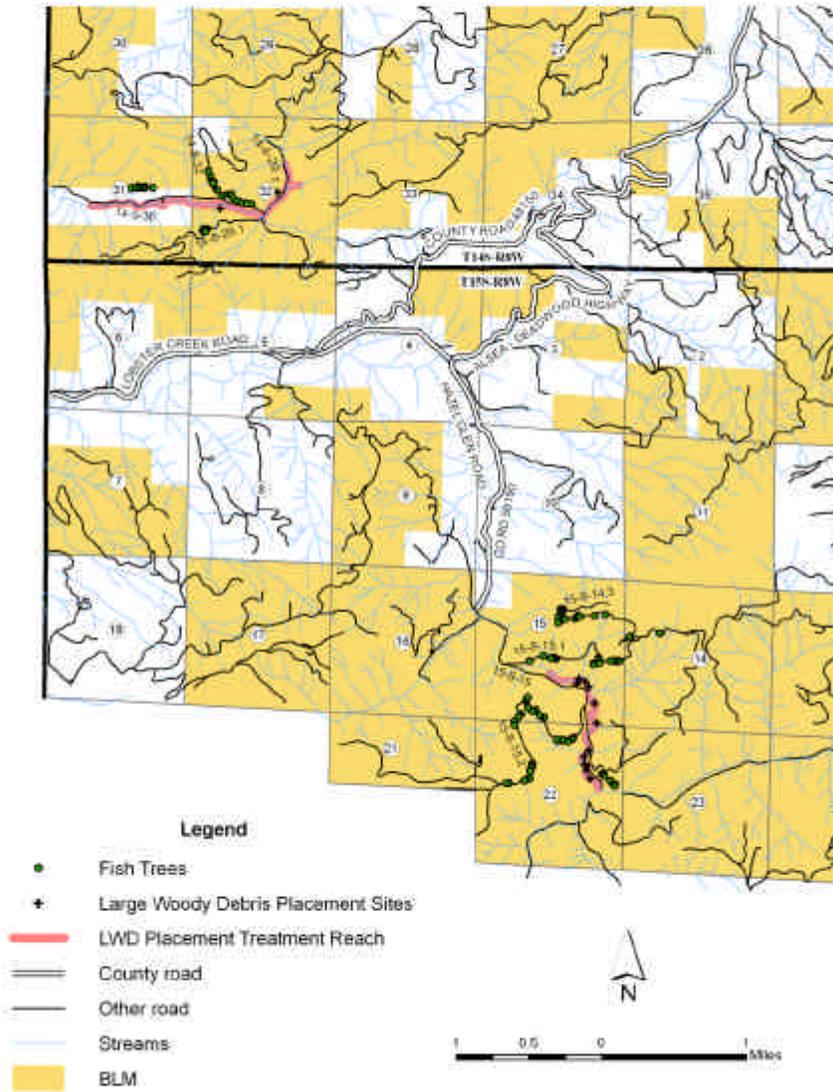
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## VIII. Map

July 16, 2007

United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
**Wooden Lobster Restoration Selected Action Map**

T. 14 S., R. 8 W., & T. 15 S., R. 8 W. - SALEM DISTRICT - OREGON



## IX. Appendix A: Response to Public Comments Received on the Wooden Lobster Restoration Project (EA#OR080-07-04)

Note: This section addresses comments on the Wooden Lobster Restoration Project received during the public comment period, which ended February 23, 2007. One comment letter was received from Oregon Wild (2/21/07). The full comments, (in italics type), have been made available to the Interdisciplinary Team (IDT) making the response.

### (i) Oregon Wild (February 21, 2007)

- 1. Comment:** *Please don't remove large trees that lean away from the road. Leave them for snags and LWD. Don't remove trees along roads that will eventually be closed. Try to remove trees that would need to be removed that would someday be a concern about safety hazards.*

**Response:** The protocol for selection of trees targeted for felling was based on many factors; consistency with BLMs Biological Assessment (BA) and USFWS Letter of Concurrence (LOC), selection to benefit or minimize negative effects to the remaining trees, probability of blow-down impacting adjacent roads, and proximity to treatment area. The nature and expense of the yarding technique to bring trees to the stream, via helicopter, makes proximity to the treatment stream highly relevant towards tree selection. As greater distance from the treatment streams translates into increasing flight time, and increased expense, efforts were made to keep tree selection to less than ½ mile from the treated streams. The effort to limit flight time limits the length of the road which is within the distance parameters; thus limits the number of roadside trees suitable for the instream project.

To the extent practicable the BLM wildlife biologist will select trees that are adjacent to the road and expected to fall across the road prism. Primarily trees perched on the cutslope of the road and/or leaning over the road and at the same time meet the size criteria (generally 24 to 32 inches diameter) will be targeted. These trees would be considered potential hazard trees for the affected roads. The clump nature of the stands targeted for tree felling limits the number of trees suitable for selection. Trees of sufficient size tend to be in close proximity to other trees which meet the size criteria, with other clumps of trees outside the target size class. In order to minimize the creation of patch openings selection of trees would be spaced out with a few trees selected from the clumps which meet the size criteria. In order to select enough trees to meet instream objectives both trees along the roadside and away from the road is planned. The trees selected away from the roadside will be dependent on stand conditions and BA/LOC consistency, and impacts to roads would be unlikely from these trees.

No trees in the project area were adjacent to roads currently planned for closure.