

U.S. Department of the Interior
Bureau of Land Management

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July 2004

Record of Decision
For

**Upper Siuslaw
Late-Successional Reserve Restoration Plan:
Watershed Restoration Actions**

Lane and Douglas Counties, Oregon

Lead Agency: Bureau of Land Management,
U.S. Department of the Interior

Cooperating Agency: Fish and Wildlife Service,
U.S. Department of the Interior

/s/ Steven Calish
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date: July 13, 2004

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Appendix A – Detailed Description of Watershed Restoration Actions

Appendix B – Water Quality Restoration Plan

Appendix C – U.S. Fish and Wildlife Service Biological Opinion

all appendices are available on request or online:

<http://www.edo.or.blm.gov/planning/lsr/index.htm>

Summary

This Record of Decision (ROD) adopts a 10-year management approach for watershed restoration actions in approximately 25,000 acres of Late-Successional Reserve in the Coast Range Mountains west of Eugene, Oregon. This ROD, and an associated ROD for upland thinning actions, are both based on the Upper Siuslaw Late-Successional Reserve Restoration Plan Environmental Impact Statement (EIS). The purpose of the restoration plan as a whole is to protect and enhance late-successional and old-growth forest ecosystems; foster the development of late-successional forest structure and composition in plantations and young forests; and reconnect streams and reconnect stream channels to their riparian areas and upslope areas. My decision is to select the watershed restoration actions in Alternative D as described in the EIS. Alternative D was identified by the Bureau of Land Management and the U.S. Fish and Wildlife Service as the preferred alternative in the EIS. I select Alternative D because it will accomplish the purpose of the action and will best respond to the issues identified in the EIS.

Background

The Bureau of Land Management (BLM), Eugene District, with the U.S. Fish and Wildlife Service as a cooperating agency, prepared an EIS for the Upper Siuslaw Late-Successional Reserve (LSR) Restoration Plan. This LSR Restoration Plan will provide a 10-year management approach for approximately 25,000 acres of BLM-managed lands within LSR 267 in the upper portion of the Siuslaw River watershed in the Coast Range Mountains west of Eugene, Oregon. The purpose of the action is to protect and enhance late-successional and old-growth forest ecosystems; foster the development of late-successional forest structure and composition in plantations and young forests; and reconnect streams and reconnect stream channels to their riparian areas and upslope areas.

The area of the LSR Restoration Plan extends from just west of the Lorane Valley to Oxbow Creek (EIS, pp. 22, 24, maps 7, 10). The northern boundary is defined by the ridge between the Siuslaw and Wolf Creek watersheds. The southern boundary is defined by the boundary between the Eugene and Roseburg Districts, which approximates the ridge between the Siuslaw and Umpqua River basins (although a very small portion of the planning area extends into the Umpqua River basin). The small portion within the Umpqua River basin is within a Tier 1 Key Watershed. The planning area includes critical habitat for northern spotted owls and marbled murrelets.

The Siuslaw River, which runs through the planning area, has been identified by the Oregon Department of Environmental Quality (ODEQ) as a "Water Quality Limited Stream" for temperature and dissolved oxygen on its 2002 303(d) list (ODEQ 2003). BLM is a Designated Management Agency with responsibility for maintaining the quality of waters on the 303(d) list that flow across the lands it manages. Attached to this ROD is a Water Quality Restoration Plan (WQRP) for the portion of the planning area in the Siuslaw Watershed.

The LSR Restoration Plan will be implemented under two RODs: this ROD for watershed restoration actions (riparian and aquatic habitat enhancement, culvert replacement, and road decommissioning), and another ROD for upland thinning, including timber sales. Implementation of both RODs will be necessary to achieve all of the objectives described for the LSR Restoration Plan. These two classes of actions were best analyzed together in one EIS to facilitate the cumulative effects analysis. I have split the decision because these two classes of actions will have different implementation processes, some different mitigation measures, and different consultation with NOAA Fisheries.

Decision

In this ROD, I adopt the watershed restoration actions of Alternative D of the EIS, with all the objectives, actions, guidelines, and mitigation measures described for Alternative D in Appendix A of the EIS. No changes are made here to those objectives, actions, guidelines, and mitigation measures beyond the minor changes described in the final EIS errata sheet. I also adopt the additional mitigation measures and monitoring requirements described below. These additional mitigation measures do not alter the overall analysis of environmental effects in the EIS, but they do give greater specificity to the mitigation measures described for Alternative D in the EIS. The objectives, actions, guidelines, and mitigation measures for the watershed restoration actions of the Selected Alternative, together with the minor changes and additional mitigation measures, are presented in Appendix A of this ROD.

Alternatives

The EIS analyzed six alternatives in detail: the No Action alternative and five action alternatives. In addition, the EIS considered other alternatives that were not analyzed in detail (EIS, pp. 45-47). The following section provides a description of the overall management approach of each alternative and summarizes the actions. These summaries include the actions that we would implement during the 10-year span of the restoration plan, as well as reasonably foreseeable future actions under each management approach. We made this forecast beyond the 10-year span of the plan only for the purpose of cumulative impact analysis in the EIS. These summaries include actions that are addressed in the *ROD for the Upper Siuslaw LSR Restoration Plan: Upland Thinning Actions*. Detailed descriptions of the objectives, actions, guidelines, and mitigation measures of each alternative are presented in Appendix A of the EIS.

The EIS identified Alternative D as the preferred alternative of the BLM and the U.S. Fish and Wildlife Service (EIS, p. 43).

Alternative A – No Action

This alternative would take no management actions to protect and enhance late-successional and old-growth forest ecosystems; to foster the development of late-successional forest structure and composition in plantations and young forests; or to reconnect streams and reconnect stream channels to their riparian zones and upslope areas. Only those management actions specifically required by the RMP or by law or policy would occur.

Alternative B – Plantation and road management with no timber harvest

This alternative is designed to accomplish restoration without timber removal. It would thin Douglas-fir plantations, but not unmanaged stands. Because no cut trees would be removed, the risk of fire and insect infestation would constrain thinning prescriptions, except in very young stands. Stands >50 years old would not be thinned. Riparian areas (<100' from streams) which are conifer-dominated would be treated the same as upland stands. No trees would be specifically felled or pulled into streams, and no in-stream structures would be constructed. All roads would be decommissioned where legally possible. No new roads would be constructed.

Alternative C – Continue current management approach

This alternative is designed to accomplish restoration using current silvicultural techniques and stream restoration strategies. Thinning would be concentrated in stands 41-80 years old and would have targets for moderate stand densities and relatively even tree spacing. Riparian areas (<100' from streams) which are conifer-dominated would be treated the same as upland stands, but would not be thinned within 50' of streams. In-stream structures would be constructed, and some structures would be cabled for

stability in larger streams. Trees would be felled into smaller streams adjacent to thinning projects. Non-shared roads capable of delivering sediment to streams, damaged roads not needed for future access, and roads that dead-end in late-successional stands would be decommissioned. New roads would be constructed as needed to access areas selected for thinning.

Alternative D - T&E species recovery (preferred alternative)

This alternative is designed to take advantage of restoration opportunities that would have the least short-term adverse effects with the most long-term benefits to habitat for northern spotted owls, marbled murrelets, and coho salmon. Thinning would be concentrated in younger stands and would have targets for a wide range of stand densities and high variability of tree spacing. Stands >60 years old would not be thinned. Riparian areas (<100' from streams) which are conifer-dominated would be thinned from below without any timber removal. In-stream structures would be constructed, and some structures would be cabled for stability in larger streams. Trees would be felled into all streams adjacent to stands ≤80 years old. Non-shared roads capable of delivering sediment to streams, damaged roads, and roads within or adjacent to late-successional forest, would be decommissioned. New road construction would be limited to temporary spur roads.

Alternative E – Reduce stand densities as quickly as possible

This alternative is designed to reduce stand densities as quickly as possible. Thinning would occur in all age classes ≤80 years old and would have targets for very low stand densities and high variability of tree spacing. Riparian areas (<100' from streams) which are conifer-dominated would be treated the same as upland stands. Trees would be felled or pulled into all streams adjacent to stands ≤80 years old. No structures would be constructed, and woody debris would not be cabled for stability. Non-shared roads capable of delivering sediment to streams, damaged roads, and roads within or adjacent to late-successional forest, would be decommissioned. New roads would be constructed as needed to access areas selected for thinning.

Alternative F – Multi-entry and multi-trajectory thinning

This alternative is designed to accomplish restoration using multiple thinning of stands to establish five different stand trajectories. Thinning would occur in all age classes ≤80 years old. Thinning entries would be designed to maintain moderate to high canopy closure, and would have targets for a range of stand densities. Riparian areas (<100' from streams) which are conifer-dominated would be treated the same as upland stands. In-stream structures would be constructed on larger streams, and some would be cabled for stability. Non-shared roads capable of delivering sediment to streams, damaged roads not needed for future access, and roads that dead-end in late-successional stands would be decommissioned. New roads would be constructed as needed to access areas selected for thinning.

Environmentally Preferable Alternative

The Council on Environmental Quality (CEQ) regulations that implement the National Environmental Policy Act (NEPA) require that the ROD specify "the alternative or alternatives which were considered to be environmentally preferable." (40 CFR 1505.2(b)). CEQ's "Forty Questions" document (46 Federal Register, 18026, March 23, 1981) explains, "The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative that best protects, preserves, and enhances historic, cultural, and natural resources. The Council recognizes that the identification of the environmentally preferable alternative may involve difficult judgments, particularly when one environmental value must be balanced against another."

The alternatives in this EIS each present a different balance of environmental values. The intended balance of the restoration plan is reflected in the three-part purpose of the action: to protect and enhance late-successional and old-growth forest ecosystems; foster the development of late-successional forest structure and composition in plantations and young forests; and reconnect streams and reconnect stream channels to their riparian areas and upslope areas. Alternative D provides the best balance between short-term adverse effects (e.g., temporary disturbance and degradation of existing habitat conditions) and long-term benefits (e.g., speeding the development of late-successional forest structure). Therefore, Alternative D is the environmentally preferable alternative.

Rationale for Selection

I adopt the watershed restoration actions of Alternative D, because they will accomplish the purpose of the action and will best respond to the issues identified in the EIS.

The action alternatives would be similarly effective at achieving the first purpose of the action: protecting and enhancing late-successional and old-growth forest ecosystems. Each of the action alternatives would reduce the risk of catastrophic fire in riparian areas, compared to the No Action alternative, and thus would reduce risks to existing late-successional forests which support intact aquatic refugia (EIS, pp. 124). None of the alternatives would be likely to result in widespread or catastrophic insect damage to existing late-successional and old-growth forests (EIS, p. 171).

The action alternatives vary widely in how well they would achieve the second purpose of the action: fostering the development of late-successional forest structure and composition in plantations and young forests. Alternatives D (the Selected Alternative) and E would be considerably more effective than the other alternatives at speeding the development of late-successional forest structure in riparian areas. However, there is some trade-off between the long-term development of late-successional structure and the short-term maintenance of northern spotted owl dispersal habitat. Alternative E, which would be the most effective at speeding the development of late-successional structure, would provide the least dispersal habitat in the short-term, and even temporarily reduce it from the current amount. Alternatives A, C, and F, which would maximize the development of dispersal habitat, would be largely ineffective at speeding the development of late-successional structure. Alternative D (the Selected Alternative) will effectively speed the development of late-successional structure in riparian areas and will maintain or increase the amount of dispersal habitat across the landscape (EIS, pp. 171-175). Alternative D (the Selected Alternative) will restore riparian plant communities by speeding the development of late-successional forest structural characteristics and restoring coarse woody debris quantities in riparian stands (EIS, pp. 135-136, 241). Riparian areas in the primary shade zone on all stream reaches will be left largely unthinned and will provide habitat for riparian-dependant species that need undisturbed forest conditions.

In most respects, the action alternatives would be similarly effective at achieving the third purpose of the action: reconnecting streams and reconnecting stream channels to their riparian zones and upslope areas. All of the action alternatives would increase aquatic and riparian connectivity by removing or replacing fish-barrier culverts and decommissioning existing roads (EIS, pp. 121, 124, 136). However, the alternatives would vary widely in how much stable stream structure would be created: Alternative D (the Selected Alternative) will be the most effective of all alternatives (EIS, pp. 176-177).

Watershed restoration actions in Alternative D (the Selected Alternative) will have minimal adverse effects on streams and riparian areas. Road decommissioning, culvert replacement, and creation of stream structure will create minor, temporary pulses of sediment, but will reduce sedimentation in the long-term (EIS, pp. 76-77, 176-177). Creation of coarse woody debris is

unlikely to result in low dissolved oxygen levels in streams. Large quantities of fine organic material could be introduced into small streams, which could affect dissolved oxygen levels. However, the streams in which restoration actions will occur typically exhibit cool water temperatures, low biochemical oxygen demand, and rapid aeration rates (EIS, p. 29). Alternative D (the Selected Alternative) will avoid creating large concentrations of fallen trees with intact needles or leaves in stream reaches with poor oxygen reaeration (EIS, pp. 236, 238, 240, 244). Contamination of streams with hazardous materials is very unlikely under all of the alternatives: no herbicides, pesticides, or fertilizer will be used as part of the restoration plan. Use of petroleum products will be associated with the riparian thinning and other restoration actions, but reasonable precautions in the transport and use of equipment (including refueling) would result in a very low risk of contamination.

Alternative D (the Selected Alternative) will help reduce sedimentation and restore water quality, including stream temperature. The primary shade zone (the area that shades the stream from approximately 10 am to 2 pm) will be left largely unthinned to maintain stream shading (see Mitigation below). Maintaining the primary shade zone unthinned will ensure that the thinning will not alter streambank integrity. Increasing stream structure will provide stream shading, trap sediments, and will improve water quality by creating deeper pools and replenishing groundwater reservoirs that are vital for water storage, water purification, and temperature regulation (EIS, pp. 90, 135). Decommissioning of all non-shared, BLM-controlled roads that are capable of delivering fine sediment to streams will reduce sedimentation to streams (EIS, pp. 136, 176). Thinning of riparian stands will speed the development of large trees capable of creating key pieces of large woody debris in streams (EIS, pp. 135-136), which will further restore in-stream structure.

Alternative D (the Selected Alternative) will have little effect on overall water flow patterns, but the increase in stream structure will slow water velocities, create deeper pools, and replenish groundwater reservoirs. This increase in stream structure will contribute to a restoration of patterns of floodplain inundation and water table elevation, reconnecting stream channels to their riparian areas.

Implementation

The EIS analyzed the actions in the Selected Alternative in detail sufficient to allow us to implement many of the actions without additional NEPA analysis. We will implement each action (or group of related actions) under the LSR Restoration Plan with its own decision document, prior to which we will conduct a “Documentation of Land Use Plan Conformance and NEPA Adequacy” (DNA) to determine whether additional NEPA analysis is necessary. Where site-specific conditions differ, or circumstances change, from those described in the EIS, or if a DNA is inappropriate for other reasons, we may need to conduct additional NEPA analysis prior to reaching a decision to implement an action. However, such instances are expected to be the exception.

Watershed restoration actions will be described in an annual program of work for the restoration plan. A DNA and decision document will typically be prepared for the annual program of work. Some projects, such as those that require additional NEPA analysis, might be addressed separately from this annual program of work, but such instances are expected to be the exception. Accomplishment of these projects will be reported through the Eugene District Annual Program Summary and occasional LSR Restoration Plan monitoring reports.

Clearances and surveys prior to implementation

Wildlife and botanical clearances will be conducted prior to implementation of restoration actions, in accordance with the *Eugene District Resource Management Plan (RMP)* (USDI Bureau of Land Management, June 1995), as amended by the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation*

Measures Standards and Guidelines (USDA Forest Service and USDI Bureau of Land Management, January 2001) and the *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA Forest Service and USDI Bureau of Land Management, March 2004). Special status species sites discovered as a result of clearances or pre-disturbance surveys will be managed consistent with the Special Status Species policy. Identified special habitats will be managed consistent with the direction the RMP (pp. 39-41).

Prior to implementation of restoration actions, site-specific field examination may be needed to identify streams, other water features, and unstable areas. In the Selected Alternative, riparian zones (<100' from streams) are identified for specific management prescriptions: the boundary of riparian zones will be measured as 100' slope distance from all streams, including intermittent streams, as described in the RMP (pp. 23-24). Field examination may also be needed to evaluate the suitability of soils for restoration activities.

Adaptive Management

Over the course of implementing this 10-year LSR Restoration Plan, changes may be made to project implementation through an adaptive management process based on monitoring results or changes in environmental conditions. Adaptive management is a continuing process of monitoring, evaluating, and adjusting implementation actions to ensure continued achievement of the goals of the restoration plan.

The LSR Restoration Plan describes the goals, objectives, actions, guidelines, and mitigation measures for the Selected Alternative (see Appendix A). Adaptive management over the 10-year implementation period is likely to lead to changes in some actions. Some changes will likely arise from detailed field examinations: for example, the proportion of stands that are found suitable for a specific thinning prescription may differ from the approximate proportions described in the Selected Alternative. Other changes will likely arise from monitoring of impacts: for example, field inspection of bark beetle infestation of coarse woody debris may lead to modification of the limits on coarse woody debris diameter. Such changes would be intended to improve our ability to meet the objectives described in the Selected Alternative, and to ensure that our actions remain consistent with the effects analysis in the EIS. Therefore, such changes would be unlikely to require supplementation of the EIS or amendment of this ROD.

Changes to the objectives in the Selected Alternative are less likely than changes to actions. If objectives need adjustment, it will probably not be apparent until near the end of the 10-year implementation period; for example, if objectives for thinning in a particular age class cannot be met. If an objective needs to be changed, we will evaluate the change to determine if it requires supplementation of the EIS and amendment of this ROD.

Attached to this ROD is a Water Quality Restoration Plan (WQRP) (see Appendix B). ODEQ reviewed this WQRP and provided no recommendations for additional measures, concluding that the WQRP contains all of the necessary implementation plan components. Changes may be made to the WQRP in the future, especially when Total Maximum Daily Loads (TMDLs) for the Siuslaw River are completed, which is currently scheduled for 2008 (<http://www.deq.state.or.us/wq/303dlist/TMDLTargetsMap.htm>). The WQRP may also be supplemented by site-specific information and measures for specific projects. Future changes or additions to the WQRP will be reflected in decision documents for actions or groups of actions as applicable. BLM will evaluate any future changes to the WQRP to determine if they would substantially alter the effects analysis in the EIS or change the nature of the decision in this ROD such that supplementation of the EIS and/or amendment of the ROD would be required. However, the WQRP is neither a NEPA document nor a decision document, and changes to the WQRP will not automatically trigger additional NEPA analysis and decision-making.

New technology or new research could alter the actions we take or our understanding of the effects of our restoration actions. We will evaluate new technology and applicable research as they arise. However, we do not anticipate that changes in technology or new research over the 10-year implementation period would be substantial enough to require supplementation of the EIS or amendment of this ROD.

Adaptive management in response to a change in environmental conditions is unpredictable, but potentially substantial. For example, a severe windstorm may cause extensive windthrow across the landscape, changing the acres in need of thinning. A flood may alter stream structure, changing the need for in-stream woody debris for structure. We will evaluate such unpredictable events to determine if they substantially alter the analysis in the EIS or change whether the actions and objectives described in the Selected Alternative will be sufficient to meet the goals of the restoration plan.

Mitigation

Threatened and Endangered Species

To avoid disturbance to nesting northern spotted owls or marbled murrelets, we will apply seasonal restrictions as provided in the Biological Opinion from the U.S. Fish and Wildlife Service. Other mitigation measures to avoid or reduce adverse effects on listed species are incorporated into the description of the LSR Restoration Plan (see Appendix A).

Water Quality

Attached to this ROD is a Water Quality Restoration Plan (WQRP), which addresses BLM's role as a Designated Management Agency with responsibility for maintaining the quality of waters on the 303(d) list (see Appendix B). All of the mitigation and monitoring measures related to watershed restoration actions that are described in the WQRP are also presented in this ROD.

Stream Shading

The Selected Alternative contains the mitigation measure: "Maintain sufficient stream shading so as to avoid contributing to increased water temperature." Specifically, stream shading would be maintained by managing riparian stands in three zones (see Figure 1):

- (1) The primary shade zone (see Table 1) would be maintained unthinned (no more than 1-2 trees per acre would be felled for large woody debris in streams, which would not alter stream shading). Primary shade zones would not be established on intermittent streams or on the north side of east-west oriented streams.
- (2) Outside of the primary shade zone but <100' from streams, stands would be thinned, but trees would not be harvested. Thinning would not result in more than a 50% reduction in canopy closure.
- (3) Upland thinning prescriptions that may include timber harvest would be applied $\geq 100'$ from streams. Trees that would be removed from outside this riparian zone make no contribution to stream shading, except on the steepest slopes and in the oldest stands that would be thinned (the average tree height is less than 100' for all age classes that will be harvested, except for the 51-60-year-old stands, for which the average tree height ranges from 109' to 126').

Figure 1. Riparian Management Zones

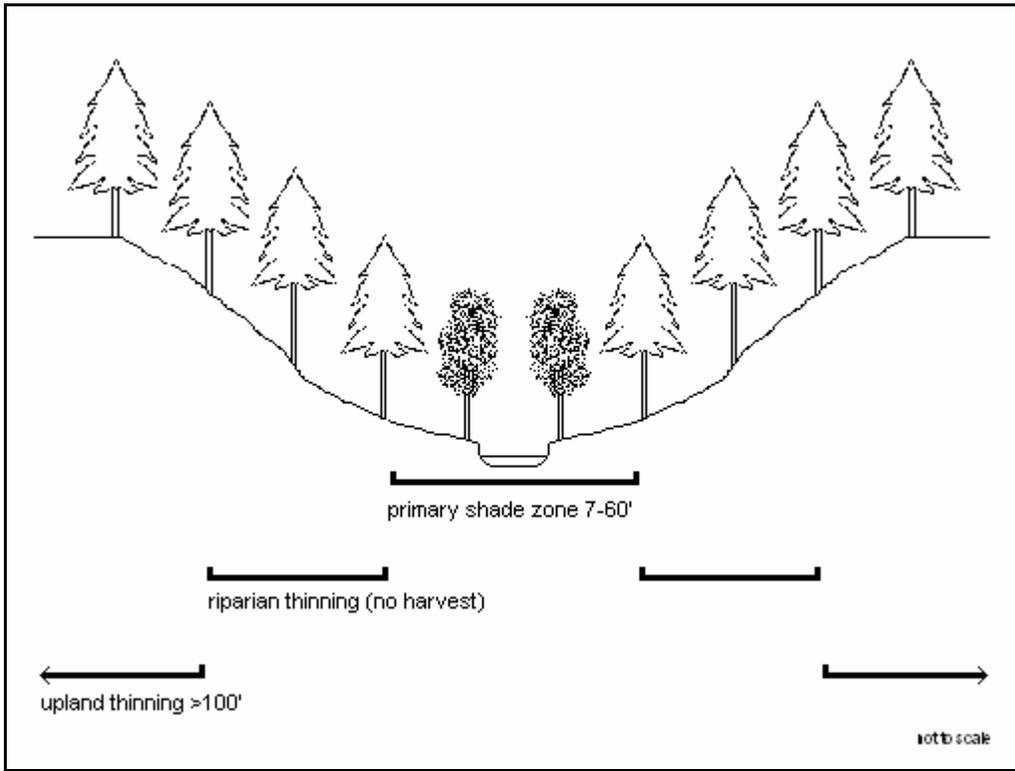


Table 1. Primary Shade Zone in Planning Area

Stand age (years)	Distance (feet from stream)		
	<30% slope	30-60% slope	>60% slope
≤10	7	8	10
11-30	20	25	30
31-50	30	40	50
>50	40	50	60

Monitoring

This ROD includes the following monitoring plan which will evaluate whether the projects implemented are within the scope of the LSR Restoration Plan, whether impacts are within the scope of the EIS, and whether the projects are achieving the anticipated results.

Implementation Monitoring

As directed by the RMP, a sample of all projects implemented on the Eugene District is visited annually to verify that actions are implemented in a manner consistent with the RMP standards and guidelines (RMP, pp. 116-117). Projects implemented under the LSR Restoration Plan will be evaluated as part of this annual implementation monitoring. Monitoring results will be reported as a component of the Eugene District Annual Program Summary.

Additional specific monitoring reports will also chart progress towards meeting the LSR Restoration Plan objectives, which are described in the attached Appendix A. These objectives are designed to be measured and have time frames for achievement. For example, the monitoring report will tally how many acres in a particular age class have been thinned to a particular prescription and compare that to the acres expected to be treated during the 10-year implementation period. Implementation of the restoration plan will not be evenly-paced for most objectives, and the anticipated 10-year accomplishments cannot be partitioned into annual targets. Therefore, these LSR Restoration Plan monitoring reports will be occasional, rather than annual, over the 10-year implementation period.

Effectiveness Monitoring

BLM will conduct effectiveness monitoring related to riparian shading and water temperature as described in the WQRP. A sample of riparian stand treatments will be measured to evaluate changes in shade. The measurements will be conducted before and immediately after treatment to assess the effect of treatment on short-term canopy shade. Measurements will be repeated at a decadal interval, as staffing and funding allow, to assess shade development as a component of developing late-successional stand characteristics.

In the past five years, BLM has been collecting water temperature data in the planning area. There are three monitoring sites established on the Siuslaw River, and seven on key tributaries: Bear Creek, Haight Creek, Pheasant Creek, Doe Hollow Creek, Bottle Creek, Doe Creek, and Russell Creek. Temperature monitoring will continue at these sites annually during the 10-year implementation period and, at a minimum, twice per decade thereafter, as staffing and funding allow.

Findings

Conformance

The Selected Alternative is in conformance with the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA Forest Service and USDI Bureau of Land Management, April 1994), and the RMP, as amended by the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (USDA Forest Service and USDI Bureau of Land Management, January 2001), the *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA Forest Service and USDI Bureau of Land Management, March 2004), and the *Record of Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy* (USDA Forest Service and USDI Bureau of Land Management, March 2004).

Aquatic Conservation Strategy

The Aquatic Conservation Strategy seeks to restore watershed conditions over broad landscapes, and restoration will likely take decades, possibly more than a century (USDA and USDI, April 1994, p. B-9; USDA and USDI 2004b, pp. 8-9, 12-13). The Selected Alternative is designed to contribute to maintaining or restoring watershed conditions, and responds to the analysis and recommendations in the Siuslaw Watershed Analysis and the LSR assessment (USDI BLM 1996; USDA and USDI 1997; EIS, pp. 25-26). The EIS and the documents incorporated therein, including the watershed analysis and LSR assessment, describe existing watershed conditions (EIS, pp. 51-57). The EIS describes the effects of the Selected Alternative on watershed conditions (EIS, pp. 121-137).

Endangered Species Act

BLM has completed formal consultation under the Endangered Species Act with the U.S. Fish and Wildlife Service on the effect of the Selected Alternative on northern bald eagle, northern spotted owl, and marbled murrelet. In their Biological Opinion, the U.S. Fish and Wildlife Service

concluded that habitat modification under the Selected Alternative may affect, but would not be likely to adversely affect northern bald eagle, northern spotted owl and marbled murrelet (see Appendix C). The U.S. Fish and Wildlife Service concluded that disturbance under the Selected Alternative may affect, but would not be likely to adversely affect northern bald eagle and northern spotted owl, and would be likely to adversely affect marbled murrelet (see Table 2).

Table 2. Effects on Listed Species.

	Habitat Modification	Disturbance
Northern bald eagle	Not likely to adversely affect	Not likely to adversely affect
Northern spotted owl	Not likely to adversely affect	Not likely to adversely affect
Marbled murrelet	Not likely to adversely affect	Likely to adversely affect

In addition, the U.S. Fish and Wildlife Service concluded the Selected Alternative may affect, but would not be likely to adversely affect critical habitat for the northern spotted owl and critical habitat for the marbled murrelet. The entire planning area is designated as critical habitat for the northern spotted owl within critical habitat units OR-52 and OR-53 (USDI Fish and Wildlife Service 1992; EIS, p. 54; Map 9). Most stands in the planning area west of the western boundary of Township 20 South, Range 5 West are designated as critical habitat for the marbled murrelet within critical habitat unit OR-04i (USDI Fish and Wildlife Service 1996).

BLM has consulted under the Endangered Species Act with NOAA Fisheries on the effect of watershed restoration actions that may affect coho salmon as part of the consultation for *U.S. Forest Service and BLM Programmatic Activities in Northwestern Oregon* (February 25, 2003). These watershed restoration actions include riparian and aquatic habitat enhancement (including pre-commercial thinning and coarse woody debris creation), culvert replacement, and road decommissioning.

Essential Fish Habitat

The Magnuson-Stevens Fishery Conservation and Management Act requires Federal agencies to consult with the Secretary of Commerce regarding any action or proposed action authorized, funded, or undertaken by the agency that may adversely affect Essential Fish Habitat (EFH) under the Act. Watershed restoration actions, including riparian and aquatic habitat enhancement, culvert replacement, and road decommissioning, may adversely affect EFH, primarily because of short-term sediment production (EIS, pp. 136, 176-177). BLM has consulted with NOAA Fisheries on the effect of these actions on EFH as part of the consultation for *U.S. Forest Service and BLM Programmatic Activities in Northwestern Oregon* (February 25, 2003).

Public Involvement

BLM began informal scoping in 2000, including distributing information to initiate issue identification and to open public dialogue regarding the restoration plan. During 2001, we solicited public participation through a series of public meetings, presentations, and field trips. We issued newsletters about LSR restoration and this restoration plan, announcing field trips or public meetings, addressing questions from the public, and describing preliminary issues and alternatives. During this informal scoping, we received six letters or e-mails in which the authors expressed concerns or made suggestions related to LSR restoration.

BLM published a Notice of Intent to prepare an EIS in the Federal Register on October 9, 2002, beginning the formal scoping period. The Notice of Intent requested comments on the scope of the analysis for this proposed plan. In response to the Notice of Intent, we received one letter

from the Oregon Natural Resources Council (ONRC). Their comments were not specific to the EIS and did not substantively add to previous comments received from ONRC during informal scoping.

The public comment period for the draft EIS began on August 15, 2003 and closed on October 15, 2003. The draft EIS was mailed to agencies, organizations, and individuals listed in the EIS (p. 184), and was made available on the internet. We also made presentations of the draft EIS to various groups during the comment period. We received 11 comment letters during the comment period and one letter after the comment period. None of the comments suggested development of additional alternatives or pointed out flaws or deficiencies in analysis. As a result, we made only minor changes in the draft EIS in response to comments, consisting of technical, editorial, or non-substantive factual corrections. Therefore, we prepared only an abbreviated final EIS, containing copies of comments received on the draft EIS, responses to those comments, and an errata section, consistent with 40 CFR 1503.4 and the BLM NEPA Handbook H-1790-1, p. V-21.

The abbreviated final EIS was published on April 9, 2004. The final EIS was mailed to agencies, organizations, and individuals that received the draft EIS, and was made available on the internet. We did not receive any comments following publication of the final EIS.

We notified the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, and the Confederated Tribes of the Grand Ronde of this project during the scoping process, requesting information regarding tribal issues or concerns relative to the project. We also sent the tribes copies of the draft and final EIS. We received no responses.

Administrative Review Opportunities

This forest management decision may be protested under 43 CFR 5003 – Administrative Remedies. In accordance with 43 CFR 5003.2, the decision for this project will not be subject to protest until the notice of forest management decision is first published in the Eugene Register-Guard on July 14, 2004. Protests of the decision must be filed with this office within 15 days after first publication of the notice of decision. As interpreted by BLM, the regulations do not authorize acceptance of protests in any form other than a signed, paper document that is delivered to the physical address of the BLM office. Therefore, e-mail or facsimile protests will not be accepted. If no protest is received by the close of business (4:15 pm) on July 29, 2004, this decision will become final. If a timely protest is received, this decision will be reconsidered in light of the protest and other pertinent information available in accordance with 43 CFR 5003.3.

Future decisions on specific watershed restoration actions or groups of actions conducted under this restoration plan will have additional protest opportunities. The decision to implement watershed restoration actions will be subject to protest under 43 CFR 5003 when the notice of decision is first published in the Eugene Register-Guard. These future protest opportunities for specific watershed restoration actions or groups of actions will be limited to issues that could not have been raised in a protest of the broader forest management decision made in this ROD.

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