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EA-98-24  
5401  
E-99-375  
Douglas Creek

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
EUGENE DISTRICT OFFICE

DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT  
Douglas Creek Timber Sale  
Environmental Assessment No. OR090-EA-98-24  
Sale Tract No. E-99-375

**Finding of No Significant Impact**

On the basis of the information contained in the Environmental Assessment, and all other information available to me, it is my determination that implementation of the proposed action or alternatives will not have significant environmental impacts beyond those already addressed in the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl," (NSO ROD, April 1994) and the "Eugene District Record of Decision and Resource Management Plan," (RMP, June 1995), with which this EA is in conformance, and does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

**DECISION**

It is the decision of the Bureau of Land Management to select the Proposed Action described in the Douglas Creek Environmental Assessment (EA) No. OR090-EA-98-24. This EA and the Finding of No Significant Impact (FONSI) analyzed the selected alternative and found no significant impacts.

Implementation of this decision will result in forest management activities, including density management by commercial timber harvest; felling trees to create coarse woody debris; and road construction, renovation and decommissioning. In addition, activities including rehabilitating stream crossings; felling trees for stream enhancement; and snag creation, will be implemented by a service contract separate from the timber sale.

The EA included a road design feature to renovate approximately 3,970 feet of existing Road No. 20-5-9 on privately owned land. Since the EA was issued, the land owner has advised BLM that it will renovate the road for its own use. Therefore, the renovation, waterbarring and blocking of this road as described in the Proposed Action will not be implemented.

All other design features identified in the EA (pp. 2-4) will be implemented, along with the mitigation measures described in the EA (p. 20).

The selected alternative is in conformance with the following documents:

"Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl," (NSO ROD, April 1994).

"Eugene District Record of Decision and Resource Management Plan," (RMP, June 1995).

## **ALTERNATIVES**

In addition to the selected alternative, the EA considered three other alternatives in detail (EA, pp. 4-5). Alternative A would be similar to the Proposed Action but would include additional road construction to access approximately 7 acres of treatment area. Alternative B would include only treatments associated with timber harvest and would not include any management within Riparian Reserves. Alternative C (No Action) would involve no management activities at this time.

## **RATIONALE FOR SELECTION**

The purpose of the action within Connectivity is to provide a sustainable supply of forest products while promoting late-successional characteristics on the west side of the stand and improving stand vigor to promote stand volume growth on the east side of the stand. Within the Riparian Reserves, the purpose of the action is to hasten the development of late-successional forest structural characteristics needed to attain Aquatic Conservation Strategy (ACS) objectives.

Both the Proposed Action and Alternative A would meet the purpose of the action. Density management thinning would provide forest products. Both alternatives would meet specific objectives to increase diameter growth of the retention trees in both the Connectivity and Riparian Reserves; promote canopy layering and establishment and growth of shade-tolerant conifers on the west-side Connectivity and Riparian Reserves of the project area; increase the amount of coarse woody debris and snags, and rehabilitate stream crossings and improve stream structure.

The health of the forest ecosystem would be maintained by the retention, reserve, and rehabilitation measures consistent with the standards and guidelines for the Matrix and Riparian Reserve land use allocations. The Proposed Action and Alternative A would have largely similar effects on affected resources and would contribute to the process of riparian recovery in the Upper Siuslaw Watershed. (EA, p. 16).

The Proposed Action and Alternative A would both improve stand vigor on the east side of the project area. However, the Proposed Action would best meet this purpose. Alternative A would increase the risk of scotch broom infestation from road construction required to access an additional 7-acre treatment area. The Proposed Action, while foregoing 7 acres of harvest, would minimize the spread of scotch broom, and reduce competition for this invasive species.

Alternative B would not meet the purpose of the action within the Riparian Reserves since silvicultural practices needed to attain Aquatic Conservation Strategy objectives, as well as stream enhancement, stream crossing rehabilitation or snag creation would not occur.

Alternative C (no action) would provide no timber and therefore does not meet the purpose of providing forest products in Connectivity, or attaining ACS objectives in Riparian Reserves.

## **CONSULTATION AND COORDINATION**

A public notice advertising the availability of the EA and FONSI appeared in the Eugene Register-Guard on March 24, 1999. Additionally, the EA and FONSI were mailed to interested individuals and organizations (EA, p. 8). A 30-day public comment period closed on April 23, 1999. Two comments were received and are addressed in the EA.

Pursuant to the Endangered Species Act, consultation was completed with the U.S. Fish and Wildlife Service (FWS), and the National Marine Fisheries Service (NMFS). FWS found that the action is not likely to jeopardize the continued existence of the spotted owl or result in the adverse modification of spotted owl critical habitat. NMFS found that the action, together with the cumulative effects and environmental baseline effects within the Oregon Coast Range Province, is not likely to jeopardize the continued existence of the Oregon Coast coho salmon, and concurs that implementation will not result in the destruction or adverse modification of proposed critical habitat.

The Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians were notified of the project during a consultation process for a number of potential timber harvests in their ancestral area, requesting information regarding tribal issues or concerns relative to the project. They responded by letter dated September 29, 1997 in which they raised a concern about "...the state of dwindling resources of a cultural nature..." Follow-up conversations with their cultural coordinator revealed that they had no specific information regarding use areas within the proposed project area, nor did they have specific concerns regarding the Proposed Action.

## **IMPLEMENTATION**

This decision will be implemented by (1) a timber sale contract and (2) a service contract. A timber sale contract will implement the road construction and renovation, timber harvest, coarse woody debris creation, and decommissioning of roads used for timber harvest operations described in the Proposed Action (EA, pp. 2-4). A service contract will implement rehabilitation of existing stream crossings, stream channel enhancement, and snag creation as described in the Proposed Action (EA, p. 4).

## **ADMINISTRATIVE REVIEW OPPORTUNITIES**

The decision to implement the timber sale portion of this project may be protested under 43 CFR 5003 - Administrative Remedies. In accordance with 43 CFR 5003.2, the decision for the timber sale portion of this project will not be subject to protest until the notice of sale is first published in the Eugene Register-Guard on August 4, 1999. This published notice of sale will constitute the decision document for the purpose of protests of the timber sale portion of this project. 43 CFR 5003.2(b) Protests of the timber sale portion of this decision must be filed with this office within fifteen (15) days after first publication of the notice of sale.

The decision to implement the service contract/non-timber sale portion of this project may be appealed to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is taken, the notice of appeal must be filed in this office within thirty (30) days of the first publication of the notice of this decision in the Eugene Register-Guard on August 4, 1999, for transmittal to the Board. A copy of the notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 500 NE Multnomah Street, Suite 607, Portland, Oregon 97323, within the same time frame. In taking an appeal, there must be strict compliance with the regulations. In accordance with 43 CFR 4.21, an appellant has the right to petition the Office of Hearing and Appeals to stay the implementation of the decision; however, an appellant must show standing and present reasons for requesting a stay of the decision. The petition for stay must be filed together with a timely notice of appeal (43 CFR 4.21(a)(2)).

Signed by: Steven Calish, Area Manager, South Valley Resource Area, on July 29, 1999