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EA-02-04
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-02-04
Sale Tract No. E-99-375

Background

The Bureau of Land Management prepared an environmental assessment (EA) which analyzed the effects of this Proposed Action and alternatives. The EA and preliminary Finding of No Significant Impact were made available for public comment in February, 2002. One comment was received.

Finding of No Significant Impact

On the basis of the information contained in the EA (OR090-EA-02-04), and all other information available to me, it is my determination that: (1) the 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," (April 1994) and the "Eugene District Record of Decision and Resource Management Plan," (June 1995); (2) the Proposed Action and alternatives are in conformance with the Eugene District Record of Decision and Resource Management Plan; and (3) the Proposed Action and alternatives do 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 EA No. OR090-EA-02-04. 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 within the treated Riparian Reserves; and road construction, renovation and decommissioning. In addition, approximately 3-5 snags per acre across diameter classes will be created by a service contract separate from the timber sale.

All other design features of the Proposed Action identified in the EA will be implemented.

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), 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).

ALTERNATIVES

In addition to the selected alternative, the EA considered three other alternatives in detail. 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; and increase the amount of coarse woody debris and snags.

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.

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 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 preliminary FONSI appeared in the Eugene Register-Guard on February 6, 2002. Additionally, the EA and FONSI were mailed to interested individuals and organizations. A 30-day public comment period closed on March 8, 2002. One comment was received and is 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 Oceanic and Atmospheric Administration (NOAA Fisheries). 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. NOAA Fisheries 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. A service contract will implement snag creation as described in the Proposed Action.

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 October 1, 2003. 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 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 October 1, 2003, 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)).

/s/ Steven Calish
Field Manager, Siuslaw Resource Area

Date: 25 September 2003