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EA-98-16
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E-98-354
Upper Harms

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

DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT
Upper Harms Timber Sale
Environmental Assessment No. OR090-EA-98-16
Sale Tract No. E-98-354

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 Upper Harms Environmental Assessment (EA) No. OR090-EA-98-16. This EA and the Finding of No Significant Impact (FONSI) analyzed the selected alternative and found no significant impacts.

This alternative was designed to provide forest products while accelerating diameter growth and Riparian Reserve structural development. Implementation of this decision will result in forest management activities including: road construction, including some rocked roads; road renovation; commercial thinning of Matrix; density management of Riparian Reserves; stream crossing rehabilitation; and large woody debris creation. All design features identified in the EA (pp. 2-4) would 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).

ALTERNATIVES

In addition to the selected alternative, the EA considered three other alternatives in detail (EA, pp. 4-5). Alternative A would involve a commercial thin of the Matrix with no treatment of Riparian Reserves. Alternative B would be the same as the Proposed Action except that no roads would be rocked. Alternative C is the "no action" alternative and would involve no management activities.

RATIONALE FOR SELECTION

The purpose of this action is to provide forest products while reducing stand density to optimize volume growth in the Matrix portion; hastening late-successional structural characteristics in the Riparian Reserves; and enhancing stream habitat conditions.

The Proposed Action best meets the purpose of the action. It provides forest products by commercial thinning and density management. It would accelerate diameter growth of retention trees in both the Matrix and Riparian Reserves; hasten canopy layering and establishment and growth of shade-tolerant conifers in the Riparian Reserves; and hasten the formation of gravel deposition and deep pools in streams. It would maintain the health of the forest ecosystem by the retention, reserve, and rehabilitation measures consistent with the standards and guidelines for the Matrix and Riparian Reserve land use allocations. As discussed in the EA (pp. 9-14), the three action alternatives would have similar effects on vegetation in the Matrix and on most Aquatic Conservation Strategy (ACS) Objectives. The Proposed Action and Alternative B would have more positive long-term effects on species associated with late-successional forests than Alternative A because Alternative A would not hasten the development of late-successional structural characteristics in the Riparian Reserves. Alternative A would not affect ACS Objective 3 because it would not provide an immediate supply of large woody debris.

The Proposed Action, Alternative A and Alternative B would have similar effects on soils and wildlife except that Alternative B would not result in 2 acres of permanent compaction from rocked roads. This would affect wildlife by eventually providing 2 more acres of habitat than the Proposed Action; and eliminating winter logging, possibly requiring more summers of operating time and increasing the amount of overall disturbance caused by the presence of humans and machinery. Alternative A's effects on compaction and erosion would be slightly less than the other action alternatives.

Alternative C (no action) would provide no timber and therefore does not meet the purpose of providing forest products.

CONSULTATION AND COORDINATION

A public notice advertising the availability of the EA and FONSI appeared in the Eugene Register-Guard on March 17, 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 16, 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, which 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."

Consultation with the National Marine Fisheries Service is not required for this Proposed Action or Alternatives.

The State Historic Preservation Office (SHPO) has been notified of this proposal and has determined, in accordance with 36 CFR 800.5(b), that the proposed undertaking would have no

effect on cultural resources.

The Confederated Tribes of the Siletz and the Confederated Tribes of the Grand Ronde were notified of this project during the scoping process, requesting information regarding tribal issues or concerns relative to the project. No response was received.

IMPLEMENTATION

This decision will be implemented by (1) a timber sale contract and (2) a service contract or BLM directly. A timber sale contract will implement the road construction and renovation, timber harvest, and decommissioning of roads used for timber harvest operations described in the Proposed Action (EA, pp. 2-4). A service contract or the BLM will implement the felling of trees for large woody debris outside of timber harvest areas that is described in the Proposed Action (EA, pp. 3-4).

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 June 30, 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 June 30, 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, Field Manager, South Valley Resource Area on June 25, 1999