

1792A
EA-03-10
Weyco
RWA-E-476
Amendment 4 EA

May 20, 2003

Concerned Citizen:

The Upper Willamette Resource Area of the Eugene District Bureau of Land Management (BLM) has completed the Environmental Assessment (EA) for a request from Weyerhaeuser Company (Weyco) to acquire new legal access over an existing BLM controlled road and to construct three spur roads on BLM land which are not covered under an existing right-of-way agreement. In addition, BLM is proposing to remove 320 acres of Weyco land from one existing agreement and add it to another agreement.

You have expressed an interest in receiving copies of Environmental Assessments for district projects. Enclosed is a copy of the Environmental Assessment for your review and any comments. Public notice of this action is being published in the Eugene Register Guard on May 21, 2003. The public comment period will end on June 5, 2003. If you have any questions concerning this proposal, please feel free to call Don Meckley at 683-6972.

Comments, including names and street addresses of respondents, will be available for public review at the district office, 2890 Chad Drive, Eugene, Oregon during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday, except holidays, and may be published as part of the EA or other related documents. Individual respondents may request confidentiality. If you wish to withhold your name and address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Sincerely,

Emily Rice, Field Manager
Upper Willamette Resource Area

Enclosure

ENVIRONMENTAL ASSESSMENT NO. OR090-03-10

Amendment to O&C Logging Road Right-of-Way Permit E-476
and Right-of-Way & Road Use Agreement E-476

Prepared by
Donald Meckley

May, 2003

United States
Department of the Interior
Bureau of Land Management
Eugene District Office
Upper Willamette Resource Area

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

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EA-03-10
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Amend.4

ENVIRONMENTAL ASSESSMENT NO. OR090-03-10
Amendment to O&C Logging Road Right-of-Way Permit E-476
and Right-of-Way & Road Use Agreement E-476

1.0 PURPOSE AND NEED FOR ACTION

1.1 INTRODUCTION

Reciprocal agreements were originally developed to resolve problems created by the checkerboard ownership pattern of Bureau of Land Management (BLM) and private lands in Western Oregon. Prior to 1950, many private landowners would not grant access rights to the United States across their lands and most BLM lands had no legal access. The reciprocal agreements have provided the mechanism for both parties to simultaneously secure the long-term access rights they need to reach and manage their intermingled lands. A second major goal of the regulations creating reciprocal agreements was to avoid duplicate road systems by providing the mechanism for two parties to share roads in common. Much of the existing forest road system in the Eugene District has been constructed under the provisions of reciprocal agreements.

The Proposed Action involves the amendment of an existing reciprocal right-of-way agreement. The Bureau of Land Management has entered into a number of such agreements in the past under regulations in 43 Code of Federal Regulations (CFR) 2812, which were first issued in 1950. A reciprocal agreement is composed of two separate documents: (1) a Right-of-Way and Road Use Agreement, which is a form of non-exclusive easement granting rights to the United States to use roads controlled by the private landowners (Permittee) and to construct new roads over land owned by the Permittee for the purpose of reaching public (BLM) land; and (2) an Oregon & California (O&C) Logging Road Right-of-Way Permit that grants rights to the Permittee to use roads controlled by the United States and to construct new roads over public land administered by BLM for the purpose of accessing Permittee lands. The roads and lands over which rights have been granted are specifically listed in schedules which are attached to the Agreement and Permit documents. In addition, most reciprocal agreements include an Exhibit C map showing the lands and roads of each party to the agreement. In most BLM Eugene District reciprocal agreements, rights have been granted in perpetuity.

1.2 PURPOSE OF AND NEED FOR THE PROPOSED ACTION

The Eugene District Resource Management Plan (RMP) directs the Eugene BLM to consider new locations for right-of-way projects on a case-by-case basis. Applications may be approved where the applicant can demonstrate that use of an existing route or corridor would not be feasible, the proposed project would otherwise be consistent with the RMP, and would minimize damage to the environment.

Weyerhaeuser Company (Weyco), the Permittee, has requested Amendment No. 4 to O&C Logging Road Right-of-Way Permit E-476 and Right-of-Way & Road Use Agreement E-476 in order to

acquire legal access to approximately 124 acres of its land over an existing BLM road and three short segments of new road to be constructed across public land. In addition, the BLM would like to transfer existing rights to 320 acres of Weyco land from Right-of-Way and Road Use Agreement E-340 to Right-of-Way and Road Use Agreement E-476.

The legal location of the proposed amendment would be for the Row River 7105 area: T. 20 S., R. 2 W., Sections 35 and 36, for the McCauley Creek area: T. 20 S., R. 1 W., Section 31, and for the Culp Creek area: T. 21 S., R. 1 W., Section 26.

Weyco has legal access to its lands without acquiring additional access from the BLM. Use of Weyco's current access would require new road construction over undesirable topography or require downhill logging to harvest its land. Acquiring new access over an existing BLM road is needed to provide for better road location, allow for uphill logging, and reduce impacts to soil and water. Constructing roads across BLM land is needed to locate the roads on predominately ridge top terrain, instead of mid slope locations that involve stream crossings, including the main stem of McCauley Creek.

Due to the recent merger of Willamette Industries, Inc. and Weyerhaeuser Company, the BLM would like to remove 320 acres of land from one existing agreement and add it to another agreement. This action needs to occur to reflect the current land ownership and to realign the agreements in an administrative fashion. It would give the BLM continued use of existing roads on Weyco lands and the right to construct roads, if needed, in the future. This action would have no environmental effect.

1.3 CONFORMANCE WITH LAND USE PLANS

This Environmental Analysis (EA) is tiered to and in conformance with the *Record of Decision (ROD) 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 (RMP)*. The RMP allows for granting access across public land in order to reach private lands.

1.4 ISSUES TO BE ANALYZED

- **Impacts on Water Quality**: Would water quality be impacted by road construction, road use or timber harvesting activities?
- **Impacts on Threatened & Endangered Species**: What are the impacts to threatened and endangered species from road construction, road use or timber harvesting activities?

2.0 PROPOSED ACTION AND ALTERNATIVES

2.1 PROPOSED ACTION: Legal Access and Road Construction on BLM Lands

The proposed action is to amend O&C Logging Road Right-of-Way Permit E-476 and Right-of-Way and Road Use Agreement E-476, as described in the attached draft amendment document.

The amendment would accomplish the following discretionary actions:

Acquire new legal access over existing roads:

Action 1. Add a BLM controlled segment of existing Road No. 20-2-36.1 in Sections 35 and 36, T. 20 S., R. 2 W., W.M. to Schedule 1, U. S. Lands. The addition, along with Action 2 described below, would allow the Permittee in the future to use this road, in accordance with the provisions of Agreement E-476 and Permit E-476, to have perpetual access to 43 acres, approximately, of its land in the NE $\frac{1}{4}$ Section 2, T. 21 S., R. 2 W., W.M.

Weyco currently has legal access to the tract over its own lands to the south and east. Weyco proposes to use the subject road, and construct a new spur road, described in Action 2 below, to avoid new road construction over undesirable topography on its own land. The addition of the BLM road segment would not authorize new road construction on Bureau lands.

Construct new spur roads:

Action 2. Add a fifty-foot wide strip of BLM land, designated as Weyco Road 7125, 333 feet in length, in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 20 S., R. 2 W., W.M. to Schedule 1, U. S. Lands. The addition would allow the Permittee in the future to construct a new road, in accordance with the provisions of Agreement E-476 and Permit E-476, to have perpetual access to 43 acres, approximately, of its land in the NE $\frac{1}{4}$ Section 2, T. 21 S., R. 2 W., W.M.

Action 3. Add two fifty-foot wide strips of BLM land, designated as Weyco Spurs A and B, 109 feet and 161 feet in length, respectively, in Government Lot 12 and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T. 20 S., R. 1 W., W.M. to Schedule 1, U. S. Lands. The addition would allow the Permittee in the future to construct two new roads, in accordance with the provisions of Agreement E-476 and Permit E-476, to have perpetual access to 81 acres, approximately, of its land in the NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6, T. 21 S., R. 1 W., W.M.

Weyco currently has legal access to the tract over its own lands to the south and west. Weyco proposes to construct the two new spur roads to avoid new road construction over undesirable topography on its own land, including crossing the main stem of McCauley Creek and smaller tributaries, and to bypass downhill logging.

Transfer of permittee land between existing agreements:

Remove 320 acres of Weyco land, located in S $\frac{1}{2}$ Section 26, T. 21 S., R. 1 W., from Right-of-Way and Road Use Agreement E-340 and add this land to Schedule 2, Permittee Lands, of Right-of-Way and Road Use Agreement E-476. The addition would allow the Bureau to use existing roads and/or construct new roads across these Permittee lands to access public lands.

This action would not add any rights that have not already been granted. This action is administrative in nature, and would not have any environmental impacts. Any future BLM road use or new construction would be assessed by separate NEPA analyses, prior to making a decision to approve such future road use or construction.

Project Design Features:

The road design features would include the appropriate Best Management Practices discussed in the Eugene District RMP (Appendix G, Pages 56-60). The road construction on BLM land would consist of three spur roads, totaling approximately 603 feet in length, 17 feet in width, a 12-inch depth of crushed rock surface course, with a 3-foot wide ditchline, and a maximum gradient of 8%.

Under the amended permit agreement, Weyco would be required to request terms and conditions of use from BLM prior to using the BLM road segment for hauling or other activities, including road construction on BLM land, that may disturb spotted owls. A portion of the road segment proposed for use under Action 1, and the locations of the proposed road construction under Actions 2 and 3, are within 0.25 mile of suitable spotted owl habitat. The terms and conditions would include a seasonal restriction on these activities during the critical nesting period from March 1 to July 15. The restriction may be waived, if surveys in a given year indicate spotted owls are not nesting or that no young are present.

2.1 ALTERNATIVE No. 1: No Action

Under the No Action alternative, the amendment would not be approved and WeyCo would have to develop access across its own land. This would entail major road construction over undesirable topography and four stream crossings, including stream crossings over the lower and middle fork of McCauley Creek. It is estimated that construction would require a roadway length of greater than one mile. It is assumed that this development would necessitate a downhill logging system. Also, based on the elevation of the Weyco lands of less than 2000 feet, it is assumed that the downhill logging system would be employed during the winter season.

Under the No Action alternative, the transfer of BLM's existing rights to Weyco land from Right-of-Way and Road Use Agreement E-340 to Right-of-Way and Road Use Agreement E-476 would not occur.

3.0 AFFECTED ENVIRONMENT

3.1 Soil and Water Resources

Action 1 (Acquire access on Road No. 20-2-36.1):

Road No. 20-2-36.1 has a crushed rock surface course that was built by BLM and is maintained to BLM standards. The road is located in the upper portion of the Smith Creek drainage within the Row River 5th Field Watershed. The road is hydrologically connected to two non-fish bearing tributaries of Smith Creek. The road has adequate rock depth, is maintained on a routine cycle, and has sufficient ditchline relief drainage. This road would be utilized to haul timber and crushed rock materials, and for administrative access to Weyco lands.

Action 2 (Construct Road 7125):

The proposed Weyco Road 7125 on BLM land is located on a gentle ridge top, between 1750' and 1760' in elevation, in the upper portion of the Smith Creek drainage within the Row River 5th Field Watershed. The proposed road would be constructed at 0% to 5% gradient, and would involve little to no cut and fill. The topographic location is very stable. The drainage from the new road construction would be away from the existing BLM Road No. 20-2-36.1. The soils within the right-of-way are predominately in the Peavine series: moderately deep (20-40 inches), well drained, silty clayloams.

There are no wetlands within the proposed right-of-way and no streams located within one site tree of the proposed right-of-way.

Action 3 (Construct Spurs A & B):

The proposed Weyco Spurs A and B on BLM land are located on gentle ridge top and gentle to moderate slopes, between 1550' and 1620' in elevation, in the McCauley Creek drainage within the Row River 5th Field Watershed. The proposed roads would be constructed at 0% to 8% gradient. The soils within the rights-of-way are predominately in the Ritner and Bellpine series: moderately deep (20-40 inches), well drained, and cobbly silty clayloams and silty clayloams, respectively.

There are no wetlands in, or adjacent to, the proposed rights-of-way. The rights-of-way are not located within the Riparian Reserves of any streams.

3.2 Threatened and Endangered Species

3.2.1 Northern Spotted Owl (*Strix occidentalis caurina*)

Actions 1 and 2 (Acquire access on Road No. 20-2-36.1 & construct Road 7125):

Known or suspected occurrences of spotted owls in the survey area: Private party information on any survey or monitoring that may have occurred within or near the proposed Weyco harvest is unknown. BLM information indicates there are no known permanent spotted owl sites on BLM land within 1.2 miles of the proposed Weyco harvest or the BLM actions.

Habitat:

The proposed BLM actions are within designated Critical Habitat Unit (CHU) OR-21. The proposed Weyco harvest is adjacent to this CHU. The CHU currently has 750 acres of suitable habitat and 300 acres of dispersal habitat. The proposed Road 7125 is located within dispersal habitat. There is a stand of unsurveyed suitable nesting habitat within 200 feet of the proposed road construction on BLM land and within 0.25 mile of a portion of Road No. 20-2-36.1. Weyco would be harvesting dispersal habitat: 43 acres of 41 year old timber.

Action 3 (Construct Spurs A & B):

Known or suspected occurrences of spotted owls in the survey area: Private party information on any survey or monitoring that may have occurred within or near the proposed Weyco harvest is unknown. Spur A would be located approximately 0.25 mile from a stand of suitable nesting habitat; the stand is the core area for the Smith Creek East owl site (MSNO #0147A), with the site center located approximately 0.50 mile from Spur A. Spur B would be located approximately 0.25 mile from a stand of suitable nesting habitat; the stand is the core area for the McCauley Creek owl site (MSNO #2108), with the site center located approximately 0.75 mile from Spur B.

Habitat:

The proposed BLM action is within designated Critical Habitat Unit (CHU) OR-21. The proposed Weyco harvest is adjacent to this CHU. The CHU currently has 750 acres of suitable habitat and 300 acres of dispersal habitat. Spur A would not be located within dispersal habitat on BLM land; the stand age is 30 years. Spur B would run through a stand on BLM land with a birth date of 1900. However, the proposed route takes advantage of an old tractor road where the trees to be removed are less than 80 years of age. Weyco would be harvesting suitable habitat: 81 acres of 80 to 100 year old timber.

3.2.2 Northern Bald Eagle (*Haliaeetus leucocephalus*)

About 370 acres of the 800 acres designated as Bald Eagle Habitat Areas (BEHA) in the vicinity of Dorena Reservoir are currently older than 100 years and are considered potential nesting or winter roost habitat.

Two pairs of bald eagles presently have nests associated with Dorena Reservoir. Both nests are beyond 1.5 miles from the proposed action.

All portions of the proposed action are 0.5 mile or greater from the nearest BEHA.

Fisheries

No threatened or endangered (T&E) species occur in the area of the proposed action. The vicinity is located above the Dorena Reservoir Dam. No known T&E species occur above the dam.

Botany

No threatened or endangered (T&E) species occur in the area of the proposed action.

3.3 Survey and Manage Species

Crater Lake Tightcoil (*Pristiloma arcticum crateris*)

Action 1 (Acquire access on Road No. 20-2-36.1):

Mollusk species would not be affected on BLM lands because no habitat modification would occur.

Actions 2 and 3 (Construct Road 7125 and Spurs A & B):

The proposed roads are below 2000' elevation, therefore, no surveys are required (**Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan**, Version 3.0, 2003, Duncan, Burke, Dowlan, and Hohenlohe).

Red Tree Vole (*Arborimus longicaudus* aka *Phenacomys longicaudus*)

Action 1 (Acquire access on Road No. 20-2-36.1):

Red tree voles would not be affected on BLM lands because no habitat modification would occur.

Actions 2 and 3 (Construct Road 7125 and Spurs A & B):

There is no habitat for proposed Spur A. The locations of proposed Road 7125 and Spur B contain poor quality habitat because the routes would take advantage of old tractor roads. Surveys were conducted and no red tree vole nests were found within the proposed right-of-ways.

Fungi

The project area is within the range of, but does not contain appropriate habitat for *Bondarzewia mesenterica*. No surveys are therefore required; however, surveys for other species in October 2002 confirmed the lack of habitat and sites of this perennial Survey and Manage fungus.

Bryophytes

Of the Component 2 ("survey before ground-disturbing activity") species, the proposed action and alternatives are within the known range of and contain suitable habitat for *Schistostega pennata* and *Tetraphis geniculata*. Surveys were conducted as directed in current protocols and no sensitive bryophyte species were detected.

Lichens

Of the Component 2 ("survey before ground-disturbing activity") species, the proposed action and alternatives are within the known range of, and could possibly contain, suitable habitat for *Bryoria tortuosa*, *Hypogymnia duplicata*, *Leptogium burnetiae* variety *hirsutum*, *Leptogium cyanescens*, *Lobaria linita*, *Platismatia lacunosa*, *Pseudocyphellaria rainierensis*, and *Ramalina thrausta*. Surveys were conducted as directed in current protocols and no sensitive lichen species were detected.

Vascular plants

Of the Component 2 ("survey before ground-disturbing activity") species, the proposed action and alternatives are within the known range of, and possibly contain, suitable habitat for *Botrychium montanum* and *Cypripedium montanum*. Surveys were conducted as directed in current protocols. Though late in the season, plants were detectable, and no sensitive vascular plant species were detected.

4.0 ENVIRONMENTAL CONSEQUENCES

This incorporates the analysis of cumulative effects in the *USDA, Forest Service and the USDI, Bureau of Land Management Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Related Species Within the Range of the Northern Spotted Owl* (NSO FSEIS), February, 1994, (Chapters 3 & 4) and the *Eugene District Proposed Resource Management Plan/Environmental Impact Statement* (RMP EIS), November, 1994 (Chapter 4). The Proposed Action and alternatives would not have cumulative effects on resources beyond those analyzed in the documents. The following analysis has a cumulative effects section that supplements those analyzed in the documents, and provides site-specific information particular to the actions considered here.

The Proposed Action and alternatives would have environmental effects. However, none of the alternatives would have effects beyond those described in the RMP EIS and the NSO FSEIS. Impacts based upon site specific analysis of the alternatives are shown below.

4.1 Proposed Action

4.1.1 Issue No. 1: Road Construction, Road Use and Timber Harvesting Impacts on Water Quality

Direct and Indirect Effects:

Road Construction: The proposed spur roads would not cross any channels and no stream channels are within 200 feet of the new construction area. No impacts to stream temperature, riparian vegetation, or channel stability are expected from the action on federal land. No impact to low flows, water yield, turbidity, or peak flows are expected. The road construction would not extend the existing stream network.

Use of Existing Roads: The haul route would be over paved roads, except for 2½ to 3½ miles from the county road to the vicinity of new road construction where the surface course is crushed rock. The action would increase traffic over the existing roads for the short term during the period of haul. A slight increase in erosion and sedimentation is probable from the increased use of existing roads during the period of haul. However, due to the maintained condition of the gravel surface course, sediment impacts are expected to be minor and localized. Erosion from the existing roads is expected to be low.

It is unlikely that the Proposed Action would retard attainment of the Aquatic Conservation Strategy (ACS) Objectives because the existing roads are graveled or paved and because no stream channels are within 200 feet of the closest fifty-foot wide strip. The Proposed Action would not affect spatial or temporal connectivity; the aquatic system; instream flows; floodplain inundation; species composition or structural diversity of aquatic plant communities; nor habitat for riparian-dependent species.

Timber Harvesting: Timber harvesting on federal ownership would be confined to three fifty-foot wide strips of land for a total length of 603 feet within the clearing limits for new road construction. The strips of land are not hydrologically connected to any streams or wetlands, therefore no impact to water quality is expected.

Cumulative Effects:

Road construction on BLM land would add approximately 0.25 acres of permanent compaction to this watershed. Road construction on private land would add approximately 2.05 acres of permanent compaction to this watershed. This would increase the cumulative impact of compaction

to the Row River Watershed by a small degree relative to the total road network in the watershed. The location of the new roads would be on a ridgetops and slopes of low gradient. No cumulative impacts to water quality are expected from road construction or existing road use.

Timber harvest design features would be in conformance with the revised Oregon Forest Practices Act. Rates of soil displacement and erosion would be lower under the Proposed Action than the No Action alternative due to an uphill yarding system. Potential erosion and the consequential delivery of sediment by overland flow to adjacent streams would be less under the Proposed Action than the No Action alternative.

4.1.2 Issue No. 1: Road Construction, Road Use and Timber Harvesting Impacts on Threatened & Endangered Species

Northern Spotted Owl

Direct & Indirect Effects:

Action 1 (Acquire access on Road No. 20-2-36.1):

The BLM action may affect, but is not likely to adversely affect spotted owls due to disturbance from timber and crushed rock materials hauling across the existing BLM road, because no hauling would occur during the critical nesting period if nesting owls were present. It would have no effect due to habitat modification on BLM land as the action would authorize only permitted road use.

Actions 2 & 3 (Construct Road 7125 and Spurs A & B):

The BLM action may affect, but is not likely to adversely affect spotted owls due to disturbance from road construction and subsequent hauling. No operations would occur during the critical nesting period if nesting owls were present. No suitable nest trees (trees greater than 80 years of age) would be removed due to road construction.

Cumulative Effects:

The cumulative effects of habitat removal by the BLM and Weyco actions would be to fragment and degrade the available dispersal habitat in the area; the CHU would continue to function for dispersal, but spotted owls would have less area in which to forage and be at greater risk of predation from other raptors.

Weyco would be harvesting 43 acres of 41 year old timber from the Row River 7105 harvest area and 81 acres of 80 to 100 year old timber from the McCauley Creek harvest area. Both of the areas are within the South Willamette/North Umpqua Area of Concern. Presently, dispersal habitat is not limited. Viewing dispersal habitat as defined by the 11-40 standard: i.e. forest stands having an average tree diameter at breast height (4½ feet) of 11 inches or greater with a minimum of 40% canopy closure, both quarter townships in the vicinity are over 50%. The township 20S-02W SE¼ is currently at 54% (869/1,624 acres); the township 20S-01W SW¼ is currently at 74% (697/937 acres).

The McCauley Creek harvest unit most likely provides foraging habitat for the Smith Creek East and McCauley Creek owl sites. Both of the owl sites have less than 40% suitable habitat within their home ranges. Given the condition of these owl sites, the age of the stand to be harvested, and the proximity of the harvest unit to two known owl sites, the removal of 81 acres of foraging habitat may affect and is likely to adversely affect the owl pairs. The USFWS concluded that loss of 81 acres of suitable habitat would be unlikely to result in take due to harm because surveys to date indicate only barred owl presence at these two activity centers, and spotted owl reproduction has not occurred in the last six years.

Northern Bald Eagle

No BEHAs would be affected by the BLM or Weyco actions; neither would there be any cumulative effects. The proposed action would not disturb bald eagles.

4.2 ALTERNATIVE No. 1: No Action

4.2.1 Issue No. 1: Road Construction, Road Use and Timber Harvesting Impacts on Water Quality

Direct and Indirect Effects:

Road Construction: This project would not prevent attainment of the ACS Objectives on federal lands, because no ground disturbing activity would occur. No direct or indirect impacts to water quality are anticipated because no new roads would be constructed on BLM lands.

Use of Existing Roads: No direct or indirect impacts to water quality are anticipated because no existing BLM roads would be used.

Timber Harvesting: No timber harvesting would occur on public lands.

Cumulative Effects:

New road construction exclusively on private lands would require an estimated length of greater than one mile in contrast to 0.8 mile under the Proposed Action. This would involve construction over steeply sloped topography and four stream crossings, including the fish bearing lower and middle fork of McCauley Creek. The short term effect of implementing this alternative may be some sedimentation to the streams from the road construction operations. Sediments generated as a result of this activity could negatively affect fish in McCauley Creek.

Higher rates of soil displacement and erosion are likely under this alternative due to the strong probability of employment of a downhill yarding timber harvest system on steep terrain. Because of this potential erosion, there is a greater risk that sediment could reach the adjacent streams by overland flow or via the cut slope ditchline of the newly constructed roads until the Weyco harvest unit is revegetated.

4.2.2 Issue No. 1: Road Construction, Road Use and Timber Harvesting Impacts on Threatened & Endangered Species

Northern Spotted Owl

Direct & Indirect Effects:

There would be no direct or indirect effects on BLM lands due to habitat modification or disturbance because no road construction would occur along with the associated harvest of right-of-way timber on BLM lands, and no BLM existing roads would be used.

Cumulative Effects:

The cumulative effects would be similar to the Proposed Action. There is a chance that the effects could be greater than the Proposed Action depending on the timing of the road construction and harvest operations. The greater length of required road construction could also remove additional dispersal habitat.

Northern Bald Eagle

The effects would be similar to the Proposed Action.

4.3 Unaffected Resources

The following resources are either not present or would not be affected by any of the alternatives: Areas of Critical Environmental Concern, prime or unique farm lands, floodplains, Native American religious concerns, cultural resources, air quality, solid or hazardous wastes, invasive or non native species, Wild and Scenic Rivers, Wilderness, minority populations, and low income populations.

5.0 CONSULTATION AND COORDINATION

5.1 List of Preparers

The following BLM resource specialists have examined the alternatives described in this assessment and have provided either written or verbal input used for developing effects analysis:

Participant	Title	Resource / Discipline
Jeff Apel	Forester	Engineering
Alison Center	Wildlife Biologist	Wildlife
Don Meckley	Civil Engineering Technician	Team Leader/EA Writer
Mike Southard	Archaeologist	Cultural Resources
Steve Steiner	Hydrologist	Hydrology and Soils
Chuck Vostal	Fisheries Biologist	Fisheries
Ron Wold	Realty Specialist	Right-of-Way Access

5.2 Consultation

Wildlife

Pursuant to the Endangered Species Act, formal consultation was completed with the U.S. Fish and Wildlife Service (USFWS) on this proposed action. The USFWS issued a Biological Opinion on May 15, 2002. The proposed action is considered a discretionary road right-of-way covered under the programmatic *Biological Opinion 1-7-02-F-428 (Bureau of Land Management's Proposed FY 2002/2003 Program for the Issuance of Right-of-Way Authorizations in the Salem and Eugene Districts, Oregon)*.

Pursuant to this Biological Opinion, USFWS negotiated with Weyco to further minimize the potential impacts of the McCauley Creek harvest unit of 81 acres of suitable habitat to the Smith Creek East and McCauley Creek owl sites. Surveys indicate that the spotted owl pairs for these two activity centers have not successfully reproduced since 1996, or before.

To fulfill Oregon State Forest Practices Act requirements, the Lower Fork and Middle Fork of McCauley Creek will retain a no-touch buffer of 100 feet and 70 feet, respectively. Upland leave trees will be clumped to buffer snags located in the center of the unit. Following discussions with Weyco, an additional number of leave trees (10-15% of the leave tree requirement) will be retained and provide an increased buffer to the existing riparian and clumped areas.

USFWS has confirmed that they were not concerned about the Row River 7105 harvest unit and chose not to negotiate on the impacts.

Reasonable and prudent measures for avoiding disturbance to spotted pairs and their progeny are included in the proposed project design features. The BLM would provide WeyCo with mandatory terms and conditions, and the conservation recommendations contained in the U.S. Fish and Wildlife Service (FWS) biological opinion for this action involving effects to threatened species.

Fisheries

Consultation with the National Oceanic and Atmospheric Administration (NOAA) Fisheries is not required for any of the alternatives analyzed herein. Consultation with NOAA Fisheries on the Weyco proposed timber harvest is not required.

5.3 Public Participation

A public notice advertising the availability of this EA and preliminary FONSI appeared in the Eugene Register-Guard on May 21, 2003. Additionally, this environmental assessment was sent to the following members of the public and organizations:

Carol Logan, Kalapooya Sacred Circle Alliance
Chad Hanson, John Muir Project
Charles and Reida Kimmel
Confederated Tribes of the Siletz
Confederated Tribes of the Grande Ronde
Craig Tupper
David Simone
James Johnston
Jan Wroncy
Jim Goodpasture
John Bianco
John Poynter
Kris and John Ward
Lane County Land Management
Leroy Pruitt

Molly Widmer
Neal Miller
Oregon Dept. of Forestry
Oregon Dept. of Fish and Wildlife
Oregon Dept. of Environmental Quality
Oregon Natural Resources Council
Pam Hewitt
Peter Saraceno
Robert Davison, Wildlife Management Institute
Roseburg Forest Products
Sierra Club - Many Rivers Group
Swanson Group, Inc.
The Pacific Rivers Council
Tom Stave, U of O Library
Weyerhaeuser Company

6.0 REFERENCES

USDI, Bureau of Land Management. November 1994. Eugene District Proposed Resource Management Plan/Environmental Impact Statement. Eugene District Office, Eugene, Oregon.

USDI Bureau of Land Management. June 1994. Eugene District Record of Decision and Resource Management Plan. Eugene, Oregon: Eugene District Office.

USDA, Forest Service and USDI Bureau of Land Management. February 1994. Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl. Portland, Oregon.

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

Finding of No Significant Impact
for
Amendment to O&C Logging Road Right-of-Way Permit E-476
and Right-of-Way & Road Use Agreement E-476

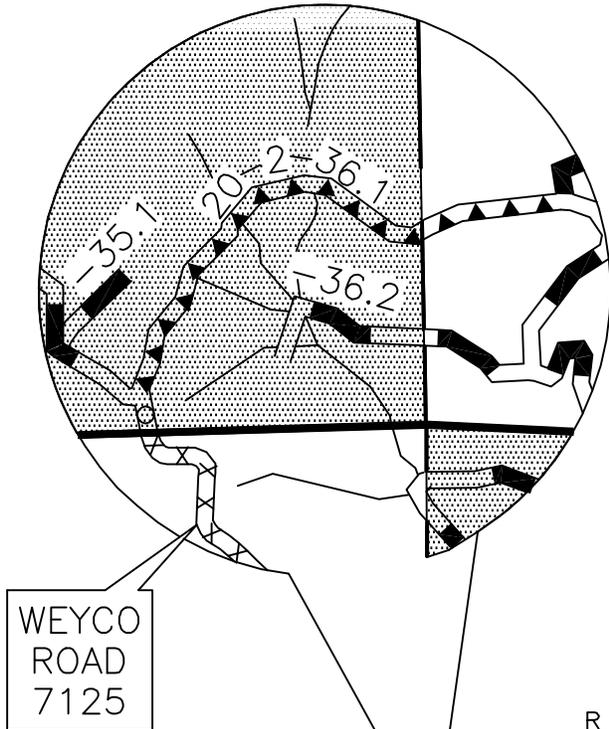
Determination:

On the basis of the information contained in the Environmental Assessment, (OR-090-EA-03-10) and all other information available to me, it is my determination that implementation of the proposed action or alternative will not have significant environmental impacts not already addressed in the *Record of Decision (ROD) 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)* as amended by the *Record of Decision (ROD) for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines, January 2001*. Environmental Assessment OR 090-EA-03-10 is in conformance with the above documents and does not, in and of itself, constitute a major federal action having significant effect on the human environment. Therefore, a new environmental impact statement (EIS) or supplement to the existing EIS is unnecessary and will not be prepared.

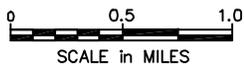
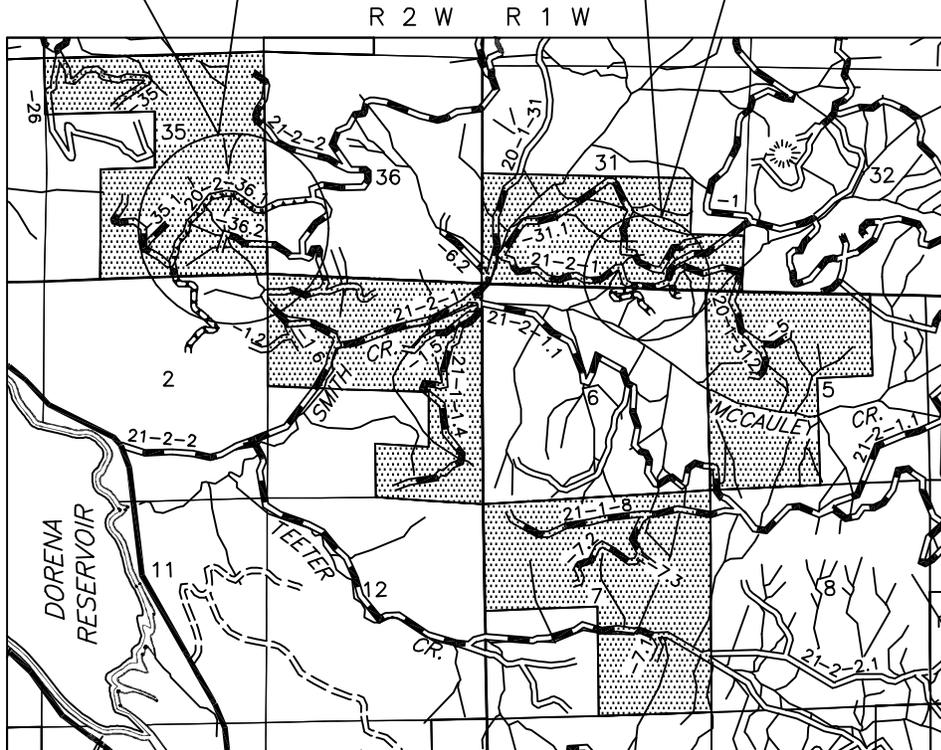
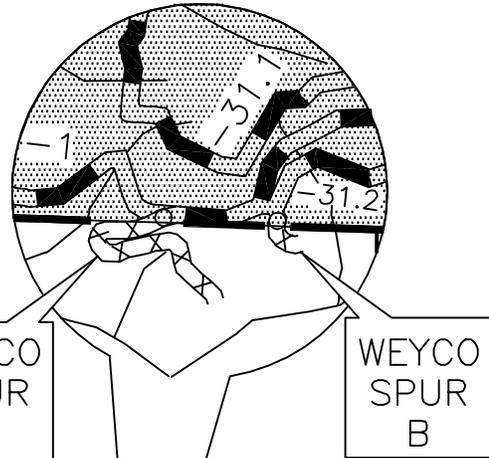
Field Manager, Upper Willamette Resource Area

Date

ACTIONS 1 & 2



ACTION 3



LEGEND

- | | | | |
|---|--|--|---|
|  | EXISTING ROAD PROPOSED FOR THE AGREEMENT |  | PROPOSED ROAD CONST ON BLM MANAGED LAND |
|  | BLM MANAGED LAND |  | ROADS TO BE CONST ON PRIVATE LAND |