Mainline II Thinning Project

Decision Documentation and Decision Rationale

Environmental Assessment Number OR080-05-11

September 2007

United States Department of the Interior
Bureau of Land Management
Oregon State Office
Salem District
Marys Peak Resource Area

Township 14 South, Range 6 West, Sections 17 and 19, Willamette Meridian
Upper Alsea River and Marys River 5th field Watersheds.
Benton County, Oregon

Responsible Agency:	USDI - Bureau of Land Management
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BLM
Salem District

As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/AE-07/092+1792

I. Introduction

The Bureau of Land Management (BLM) conducted an environmental analysis for the Mainline II thinning project, which is documented in the *Mainline II Thinning Project Environmental Assessment* (Mainline II Thinning EA) (EA# OR080-05-11) and the associated project file. This project is a proposal to thin approximately 152 acres within the stands of Matrix and Riparian Reserve Land Use Allocations (LUA's). A Finding of No Significant Impact (FONSI) was signed on January 3, 2007 and the EA and FONSI were then made available for public review.

The decision documented in this Decision Rationale (DR) is based on the analysis documented in the EA. This decision authorizes the implementation of only those activities directly related to and included within the timber sale.

II. Decision

I have decided to implement the Mainline II Thinning Project as described in the proposed action (EA pp. 6-29) with modifications described below, hereafter referred to as the "selected action". The selected action is shown on the map attached to this Decision Rationale. This decision is based on site-specific analysis in the Mainline II Thinning Project Environmental Assessment (EA # OR080-05-11), the supporting project record, management recommendations contained in the Benton Foothills and South Fork Alsea River watershed analyses; as well as the management direction contained in the Salem District Resource Management Plan (May 1995), which are incorporated by reference in the EA.

The following is a summary of this decision.

1. ***Timber Harvest:*** Approximately 152 acres of 50 to 60 year old mixed-conifer stands will be thinned by removing suppressed and co-dominant and occasional dominant trees. The EA stated approximately 158 acres would be treated, however, since the completion of the EA, final boundary determinations have resulted in a reduction of 6 acres. Generally, the largest trees will be left. Average canopy closure will be no less than 40 percent after harvest. Approximately 36 percent of the project area will be harvested using ground-based logging equipment, and approximately 64 percent will be harvested using skyline yarding systems.

2. ***Road Work***
   - The total mile of roads to be constructed is approximately 0.9 miles. Up to 3.3 acre of vegetation will be cleared for the road rights-of-way, which includes the area needed for adjacent landings. Following harvest, all of the new construction will be blocked within two years of harvest.
   - Total miles of existing roads to be renovated under BLM and private control to accommodate log-hauling will consist of 4 miles. Renovation will include brushing, blading, drainage structure improvement or replacement, and spot rocking at deficient locations (EA Section 2.2.2.1).

3. ***Fuels Treatments:*** Debris cleared during road construction will be scattered outside of the clearing limits and debris accumulation on landings and roads which are a result of yarding units 17A and 19A will be machine piled, covered with polyethylene plastic and burned under favorable smoke dispersal conditions.

All design features and mitigation measures described in the EA (pp. 7-10) will be incorporated into the timber sale contract.

III. Compliance with Direction:

The analysis documented in the Mainline II Thinning EA is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). This project has been designed to conform to the *Salem District Record of Decision and Resource Management Plan***,** May 1995 (RMP) and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (EA pp. 1-2). All of these documents may be reviewed at the Marys Peak Resource Area (RA) office.

Survey and Manage Review

The Bureau of Land Management (BLM) is aware of the August 1, 2005, U.S. District Court order in Northwest Ecosystem Alliance et al. v. Rey et al. which found portions of the *Final Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (January, 2004) (EIS) inadequate. Subsequently in that case, on January 9, 2006, the Court ordered:

- set aside the 2004 Record of Decision *To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern spotted Owl* (March, 2004) (2004 ROD) and
- reinstate the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines* (January, 2001) (2001 ROD), including any amendments or modifications in effect as of March 21, 2004.

The BLM is also aware of the November 6, 2006, Ninth Circuit Court opinion in Klamath-Siskiyou Wildlands Center et al. v. Boody et al., No. 06-35214 (CV 03-3124, District of Oregon). The court held that the 2001 and 2003 Annual Species Reviews (ASRs) regarding the red tree vole are invalid under the Federal Land Policy and Management Act (FLPMA) and National Environmental Policy Act (NEPA) and concluded that the BLM's Cow Catcher and Cotton Snake timber sales violate federal law.

This court opinion is specifically directed toward the two sales challenged in this lawsuit. The BLM anticipates the case to be remanded to the District Court for an order granting relief in regard to those two sales. At this time, the ASR process itself has not been invalidated, nor have all the changes made by the 2001-2003 ASR processes been vacated or withdrawn, nor have species been reinstated to the Survey and Manage program, except for the red tree vole. The Court has not yet specified what relief, such as an injunction, will be ordered in regard to the Ninth Circuit Court opinion. Injunctions for NEPA violations are common but not automatic.

We do not expect that the litigation over the Annual Species Review process in Klamath-Siskiyou Wildlands Center et al. v. Boody et al will affect this project, because the development and design of this project exempt it from the Survey and Manage program. In Northwest Ecosystem Alliance et al. v. Rey et al the U.S. District Court modified its order on October 11, 2006, amending

paragraph three of the January 9, 2006 injunction. This most recent order directs: "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities on projects to which the 2004 ROD applied unless such activities are in compliance with the 2001 ROD (as the 2001 ROD was amended or modified as of March 21, 2004), except that this order will not apply to:

a. Thinning projects in stands younger than 80 years old;
b. Replacing culverts on roads that are in use and part of the road system, and removing culverts if the road is temporary or to be decommissioned;
c. Riparian and stream improvement projects where the riparian work is riparian planting, obtaining material for placing in-stream, and road or trail decommissioning; and where the stream improvement work is the placement large wood, channel and floodplain reconstruction, or removal of channel diversions; and
d. The portions of project involving hazardous fuel treatments where prescribed fire is applied. Any portion of a hazardous fuel treatment project involving commercial logging will remain subject to the survey and management requirements except for thinning of stands younger than 80 years old under subparagraph a. of this paragraph."

BLM has reexamined the objectives of Mainline II Project 1 as described in the (Mainline II Environmental Assessment (Section 2.1). Project 1 will consist of commercial thinning and density management of approximately 152 acres of 60 year old stands.

"On July 25, 2007, the Under Secretary of the Department of Interior signed a new Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Forest Service Land and Resource Management Plans Within the Range of the Northern Spotted Owl that removed the survey and manage requirements from all of the BLM resource management plans (RMPs) within the range of the northern spotted owl. "In any case, this project falls within at least one of the exceptions (exception a) listed in the modified October 11, 2006 injunction." Therefore, the decision to eliminate Survey and Manage is effective on this project.

Compliance Aquatic Conservation Strategy

On March 30, 2007, the District Court, Western District of Washington, ruled adverse to the US Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration (NOAA-Fisheries) and USFS and BLM (Agencies) in *Pacific Coast Fed. of Fishermen's Assn. et al v. Natl. Marine Fisheries Service, et al and American Forest Resource Council,* Civ. No. 04-1299RSM (W.D. Wash)((PCFFA IV). Based on violations of the Endangered Species Act (ESA) and the National Environmental Policy Act (NEPA), the Court set aside:

- the USFWS Biological Opinion (March 18, 2004),
- the NOAA-Fisheries Biological Opinion for the ACS Amendment (March 19, 2004),
- the ACS Amendment Final Supplemental Environmental Impact Statement (FSEIS) (October 2003), and
- the ACS Amendment adopted by the Record of Decision dated March 22, 2004.

Previously, in *Pacific Coast Fed. Of Fishermen's Assn. v. Natl. Marine Fisheries Service,* 265 F.3d 1028 (9th Cir. 2001)*(PCFFA II),* the United States Court of Appeals for the Ninth Circuit ruled that because the evaluation of a project's consistency with the long-term, watershed level ACS objectives could overlook short-term, site-scale effects that could have serious consequences to a listed species, these short-term, site-scale effects must be considered. The following

paragraphs show how the Mainline II Timber Sale meets the Aquatic Conservation Strategy in the context of PCFFA IV and PCFFA II.

Existing Watershed Condition

The Mainline II Project area straddles the crest of the Coast Range with tributaries flowing towards both the coast (Upper Alsea River 5th-field watershed) and the Willamette Valley (Marys River 5th-field watershed). Tributaries draining the east side of the project flow into Muddy Creek (Willamette River). Tributaries draining the western sections of the project flow into the South Fork of the Alsea River. Neither the Marys River Watershed nor the Upper Alsea River Watershed are key watersheds.

Upper Alsea River Watershed
Fifty-two percent of the Upper Alsea River watershed is managed by BLM, 47% is private and 1% is managed by the Forest Service. Approximately 37% of the total BLM managed lands consist of stands greater than 80 years old and approximately 27% of BLM managed lands are located in riparian areas (within 100 feet of a stream)

Marys River Watershed
The majority of land (97%) is owned by other land owners (mainly private timber companies and agriculture based property owners) and is managed for timber production and agriculture products. Public lands comprise a small portion (3%) of the analysis area, and hydrologic conditions and trends will be driven primarily by management of private forest landowners.

Late seral and/or old growth (greater than 80 years old) forests comprise 12% of the total BLM managed land in the watershed. There is a total of about 23,887 acres of riparian vegetation within 100 ft of stream channels in the Marys River watershed; BLM manages about 1,407 acres (6%) and private landowners about 22,405 acres (94%). The earliest harvests on BLM managed land have been regenerated and are progressing towards providing mature forest structure. Most of the private industrial lands have been and will continue to be moved from mid condition class to the early condition class.

Review of Aquatic Conservation Strategy Compliance:

I have reviewed this analysis and have determined that the project complies with the ACS on the project (site) scale. The following is an update of how this project complies with the four components of the Aquatic Conservation Strategy, originally documented in the EA, Table 6, p. 37. The project will comply with:

Component 1 – Riparian Reserves: by maintaining canopy cover along all streams and the wetlands will protect stream bank stability and water temperature. Riparian Reserve boundaries will be established consistent with direction from the *Salem District Resource Management Plan*. There will be a small amount (350 feet) of new road construction on the edge of the Riparian Reserve;

Component 2 – Key Watershed: by establishing the Mainline II project is not within a key watershed,

Component 3 –Watershed Analysis: The South Fork Alsea River Watershed Analysis was

completed in 1995 and the Benton Foothills Watershed Analysis was completed in 1998. The following are watershed analysis findings that apply to or are components of this project:

South Fork Alsea River Watershed Analysis

Evaluate the approximately 2500 acres of dense, single story Douglas-fir stands within Riparian Reserves that are suitable for density management treatments to determine high priority stands for treatment. It is expected that about 50% of these acres will be suitable and treatable as high priority stands to help attain old-growth forest conditions within LSR and to meet the Aquatic Conservation Strategy (see Map 16 for potential treatment areas). Riparian stands dominated by hardwood trees and stands with densely stocked, small diameter conifers will be priority stands for treatment (p. 85).

Stands with a high level of stocking would grow much larger trees if density management is performed. Another old-growth feature is its' lack of uniformity, both in stocking levels and in structural levels. Areas with uniformly high stocking levels could be silviculturally manipulated to produce more diverse patterns of stocking levels. Also, single story stands lack structural diversity, and could benefit from density management which reduces overstory stocking, so that an understory could grow (p. 91).

Benton Foothills Watershed Analysis

In project areas between 20 and 70 years old, thin trees to increase growth and wood volume production and enhance species composition (p. 123).

Riparian Reserves in the analysis area lack older forest characteristics. Approximately 1,636 acres of the Riparian Reserves are in early and mid seral age stands. Many of these stands tend to be overstocked, and lack vertical structure. Consider these stands for density management treatments (pgs 125, 126).

Component 4 – Watershed Restoration: by maintaining more than half of the canopy cover, implementing project design features to protect aquatic and riparian resources, and creating some structural diversity, the project will not preclude future restoration projects.

In addition I have reviewed this project against the ACS objectives at the project or site scale with the following results. The no action alternative does not retard or prevent the attainment of any of the nine ACS objectives because this alternative will maintain current conditions. The Selected Action does not retard or prevent the attainment of any of the nine ACS objectives for the following reasons.

Aquatic Conservation Strategy Objectives (ACSOs)	Project 1 Alternative 1 (EA section 3.2)
1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features.	Does not prevent the attainment of ACSO 1. Treating Riparian Reserves to increase species vigor, diversity, and CWD will help restore the distribution and complexity of landscape features in the watershed.
2. Maintain and restore spatial and temporal connectivity within and between watersheds.	Does not prevent the attainment of ACSO 2. Long term connectivity of terrestrial watershed features will be improved by increasing the availability and proximity of functioning riparian habitat.

Aquatic Conservation Strategy Objectives (ACSOs)	Project 1 Alternative 1 (EA section 3.2)
3. Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.	Does not prevent the attainment of ACSO 3. No-treatment buffers adjacent to all surface water will maintain the physical integrity of the aquatic system. Some short-term alteration of stream channels will occur during culvert replacements.
4. Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.	Does not prevent the attainment of ACSO 4. No detectable effects to water quality will be anticipated from the proposed action. Stream buffers will eliminate disturbance of streamside vegetation; no trees will be cut from the stream bank or where roots are stabilizing the stream bank.
5. Maintain and restore the sediment regime under which aquatic ecosystems evolved.	Does not prevent the attainment of ACSO 5. The proposed project is designed to minimize the risk of a mass soil movement event (slump/landslide). No-treatment buffers and PDF's will minimize any potential sediment from harvest, burning, and road-related activities from reaching water bodies.
6. Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.	Does not prevent the attainment of ACSO 6. The proposed alternative will not measurably alter instream flows. Because the proposed project will affect less than 1% (well below the 20% threshold for detectable effects) of the forest cover in the South Fork Alsea River and Marys River 5th-field watersheds, it will be unlikely to produce any detectable effect on stream flows.
7. Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.	Does not prevent the attainment of ACSO 7. Project design features, such as no-treatment buffers, coupled with the small % of vegetation proposed to be removed, will maintain groundwater levels and floodplain inundation rates.
8. Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands.	Does not prevent the attainment of ACSO 8. Vegetation management within the Riparian Reserve will help restore structural diversity.
9. Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.	Does not prevent the attainment of ACSO 9. Density management will help restore RR habitat by increasing species and structural diversity.

IV. Alternatives Considered

The EA analyzed the effects of the proposed action and the no action alternatives. No unresolved conflicts concerning alternative uses of available resources (section 102(2) (E) of NEPA) were identified. An alternative with no new road construction was considered but not analyzed in detail. A no new road construction alternative would reduce the project treatment area by 61% (63

acres). With Matrix objectives in mind, a 61% reduction in the treatment area will not meet the Purpose and Need for RMP Matrix LUA objectives as well as the proposed action, is not a reasonable alternative, subsequently it was dropped from further analysis. No additional action alternatives were identified that would meet the purpose and need of the project and have meaningful differences in environmental effects from the proposed action (EA Section 2.2.2). Descriptions of the "action" and "no action" alternatives are contained in the EA, pages 15-36.

V. Decision Rationale

Considering public comment, the content of the EA and supporting project record, the management recommendations contained in the *Benton Foothills and South Fork Alsea Watershed Analyses*, and the management direction contained in the RMP, I have decided to implement the selected action as described above. The following is my rationale for this decision.

1. The selected action:
   - Meets the purpose and need of the project (EA section 2.1), as shown in *Table 1*.
   - Complies with the *Salem District Record of Decision and Resource Management Plan***,** May 1995 (RMP) and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (EA pp. 1 & 2).
   - This project is in compliance with Judge Marsha Pechman's January, 2006 ruling on the 2004 Record of Decision for Survey and Manage Standards and Guidelines, as stated in Point (3) on page 14 of the January 9, 2006, Court order in Northwest Ecosystem Alliance et al. v. Rey et al. No additional surveys are planned for the area as currently designed.
   - Will not have significant impact on the affected elements of the environment (EA FONSI pp. ii-v) beyond those already anticipated and addressed in the RMP EIS.
   - Has been adequately analyzed.

Table 1: Comparison of the Alternatives with Regard to the Purpose of and Need for Action (EA section 3.1)

Purpose and Need (EA section 2.1)	Proposed Action	No Action
1. Manage timber stands in the Matrix (LUA) that balances a marketable timber sale between wood volume production, quality of wood, and timber value at harvest while maintaining a forest ecosystem that supports plant and animal populations and protects riparian areas and water resources	Thinning will accelerate growth on approximately 152 acres of a 60 year old stand. Offers approximately 2,400 MBF of timber for sale. Minor species in the stand will be maintained on site. The proposed action will be unlikely to alter the current condition of aquatic systems either by affecting their physical integrity, water quality, sediment regime or in-stream flows.	Does not meet this purpose and need. The sparse ground-cover and single canopy conditions will remain until natural disturbances occurred to open up the stand. As the stand approached stagnation, the residual trees will not be as vigorous as the managed stand with reduced crown sizes. The stand will likely develop more slowly than in a thinned stand, possibly resulting in not attaining the desired tree diameter, crown and wood quality for Matrix objectives. Approximately 2,400 MBF of timber will not be made available to the community.
2. Manage early to mid-seral stands in Riparian Reserve LUA so that growth of trees can be accelerated to restore large conifers to Riparian Reserves; habitat for populations of native	Will reduce stand densities on approximately 78 acres of RR and allow reserved conifers to increase diameter and height	Does not meet this purpose and need. Natural disturbance (likely wind) would be the agent for creation of stand structural diversity.

riparian-dependent plants, invertebrates, and vertebrate species can be enhanced or restored, and structural stand diversity can be improved on a site-specific and landscape level in the long term.	growth. This action will result in increased sizes of future LWD, coarse woody debris, and snags. Will accelerate the development of changes in some stand components and help develop certain elements of diversity sooner by releasing the understory.	The number and diversity of understory and shrubs/forbs species in many areas may remain low. Stand mortality would increase, creating increased amounts of small CWD, snags and instream LWD. Trees would continue at their present rate of growth, slowing as the canopy closes. Tree growth would stagnate and not meet the need for development of future large down wood, coarse woody debris, and snags.
3. To maintain and develop a safe, efficient and environmentally sound road system that provides access for timber harvest, silvicultural practices, reduces potential human sources of wildfire ignition, provides for fire vehicle access and reduces environmental effects associated with identified existing roads within the project area.	Constructs 0.9 miles of new roads. Maintenance and renovation of roads in the project area will improve existing road system and improve stability.	No change. Maintain existing road densities.
	Will implement maintenance on feeder roads, allowing for continued access.	Delay maintenance on feeder roads, main routes would be maintained. Maintenance on feeder roads would be delayed resulting in increased road related runoff due to the risk of culverts plugging and failing over time.

The No Action alternative was not selected because it does not meet the Purpose and Need directly, or delays the achievement of the Purpose and Need (EA Section 2.1), as shown in *Table 1*.

VI. Public Involvement/Consultation/Coordination

Public Scoping:

A scoping letter, dated November 23, 2005, was sent to 26 potentially affected and/or interested individuals, groups, and agencies. One response was received during the scoping period.

A description of the project was included in the December 2005, and March, June and September 2006 project updates to solicit comments on the proposed project.

EA and FONSI Comment Period and Comments:

The EA and FONSI were made available for public review from January 8, 2007 to February 6, 2007. The notice for public comment was published in a legal notice by the *Gazette Times* newspaper.

Two comment letters were received. The first letter was from the Confederated Tribes of Grande Ronde Community of Oregon. The second letter was received from the Oregon Wild. Responses to their comments can be found in Appendix A of the Decision Rationale.

Consultation/Coordination:

Wildlife:
The Mainline II Thinning timber sale was submitted for Informal Programmatic Consultation with the U.S. Fish and Wildlife Service (USFWS) as provided in Section 7 of the Endangered Species Act (ESA) of 1973 (16U.S.C. 1536 (a)(2) and (a)(4) as amended).

Consultation for this proposed action was facilitated by its inclusion within a programmatic Biological Assessment (BA) that analyzes all projects that may modify the habitat of listed wildlife species on federal lands within the Northern Oregon Coast Range during fiscal years 2007 and 2008. The resulting Letter of Concurrence (ref# 1-7-2006-I-0190, dated October 3, 2006) concurred with the BA, that this action was not likely to adversely affect spotted owl dispersal habitat. This proposed action has been designed to incorporate all appropriate design standards set forth in the BA which form the basis for compliance with the Letter of Concurrence.

Fish:
Consultation with NOAA-NMFS is required for projects that 'may affect' listed species. Protection of EFH as described by the Magnuson/Stevens Fisheries Conservation and Management Act and consultation with NOAA-NMFS is required for all projects which may adversely affect EFH of coho or Chinook salmon. The proposed Mainline II Thinning project is not expected to affect EFH due to distance of all activities associated with the Mainline II Thinning project from occupied habitat.

The proposed actions associated with the Mainline II Thinning Project are not expected to cause any effects to the listed fish or listed critical habitat in the Upper Alsea River or Marys River Watersheds. A determination has been made that this proposed project will have 'no effect' on UWR steelhead and Chinook salmon. This 'no effect' determination is based on the distance upstream of the project area from ESA listed fish habitat (approximately 26 miles downstream). Due to the "no effect" determination this project was not consulted upon with the NOAA NMFS.

VII. Conclusion

I have determined that change to the Finding of No Significant Impact (FONSI, January 2007) for the Mainline II Thinning Project is not necessary because I've considered and concur with information in the EA and FONSI. The comments on the EA were reviewed and no information was provided in the comments that lead me to believe the analysis, data or conclusions are in error or that the proposed action needs to be altered. There are no significant new circumstances or facts relevant to the proposed action or associated environmental effects that were not addressed in the EA.

Protests: In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for this timber sale will not become effective or be open to formal protest until the Notice of Sale is published "in a newspaper of general circulation in the area where the lands affected by the decision are located". Protests of this sale must be filed within 15 days of the first publication of the notice. For this project, the Notice of Sale will be published in the *Gazette Times* newspaper on or around October 15, 2008. The planned sale date is November 19, 2008.

Contact Person: For additional information concerning this decision, contact Bill Caldwell (503) 315-5961, Marys Peak Resource Area, Salem BLM, 1717 Fabry SE, Salem, Oregon 97306.

Approved by: Trish Wilson 10/12/07

Trish Wilson
Marys Peak Resource Area Field Manager

Date

VIII. Appendix A: Response to Public Comments Received on the Mainline II Thinning Project (EA #OR080-05-11)

Note: This section addresses comments on the Mainline II Thinning project, received during the public comment period, which ended February 6, 2007. Two comment letters were received from The Confederated Tribes of Grand Ronde Community of Oregon (1/9/07) and Oregon Wild (2/6/07). The comments, (in italics type), may have been paraphrased for clarity or conciseness, but the complete text of the comment was available to the Interdisciplinary Team (IDT) making the response. The full text of the comment letter is available in the NEPA/ EA file.

Oregon Wild (February 6, 2007)

1. Comment: *The BLM should do all they can to retain the dead wood features which are ecologically valuable parts of the maturing forest ecosystem. Choose several dense pockets of snags and keep workers out of those areas.*

Response: We are also concerned with ecological values on BLM land in addition to fulfilling our objective of providing a supply of timber from General Forest Management Area. See design features Section 2.2.2.2.

2. Comment: *Please ensure strict contract compliance and adherence to BMPs no matter who wins the contract for this sale.*

Response: Project Design Features listed in EA Section 2.2.2.2 lists the Best Management Practices (BMPs) necessary to minimize the effect of the treatments and protect the ecological resources. These design features and BMPs will be incorporated and administered in strict accordance within the timber sale contract.

3. Comment: *Do not assume that the red tree vole site is not viable. The ground-based RTV survey protocol is ineffective and cannot be used to make confident determinations of presence or absence, let alone population size.*

Response: Although the second red tree vole (RTV) survey did not indicate current activity, a decision was made to reserve the RTV area which also has an uncommon fungi species present and is generally a diverse riparian area.

4. Comment: *When conducting commercial thinning projects take the opportunity to implement other critical aspects of watershed restoration especially reducing the impacts of the road system.*

Response: BMP's will be a part of the project and will meet the Aquatic Conservation Strategy objectives.

5. Comment: *Focus on treating the youngest stands that are most "plastic" and amenable to restoration.*

Response: The stands that will be treated are growing and contain desirable structural characteristics which allow for positive responses from these treatments as indicated by the stand analysis and growth modeling (see Silviculture Report in NEPA file).

6. Comment: *Generally thin from below, retaining the largest trees. Retain some trees in clumps. Retain and protect under-represented conifer and non-conifer trees and shrubs. Use creativity to establish diversity and complexity both within and between stands. Use skips and gaps within units to help achieve diversity. Gaps should be small, while skips should be a little larger. Gaps should not be clearcut but rather should retain some residual structure in the form of live or dead trees. Variability should be implemented at numerous scales ranging from small to large, including:*

Response: Thinning from below, retention of trees in clumps and under-represented conifers and all hardwood trees are included within the Marking Guide (EA Section 10.3, Appendix 3A and 3B) for this project.

Small gaps are a part of the riparian reserve portion of the project prescription. To promote species diversity in the stand, the design features allow a wide range of basal area and other features. No openings larger than .25 acres will be allowed within 100 feet of streams. To promote the survival of large live limbs, the removal of trees adjacent to nine large residual trees will occur and all hardwoods will be reserved (unless felling is necessary for safety or operational considerations). In addition golden chinquapin trees will be enhanced by favoring the reservation of golden chinquapin trees over Douglas-fir trees. Diversity within the 320 acre stand will be maintained through the mosaic of treated and untreated areas along with protection of existing diversity.

The nearby Dawson Thinning (2003) sale retained an average density of 160 square feet per acre. Seventeen acres along the northwest boundary will remain untreated riparian area. Over 5,000 lineal feet of SPZ's along streams that dissect the stand adds another 13 acres of untreated areas. A four acre area in the southeast portion of the area will be untreated as the area contains a pocket of existing windthrown trees. The untreated red tree vole and fungi protection areas and hardwood-conifer patches are scattered throughout the stand and will provide an additional 20 acres of diverse stands. The remaining upland area planned for basal area retention will provide variability through the variations in stems per acre and the range of basal area reserved for both the Matrix and Riparian Reserve areas.

7. Comment: *Retain abundant snags and coarse wood both distributed and in clumps so that thinning mimics natural disturbance. Retention of dead wood should generally be proportional to the intensity of the thinning, e.g., heavy thinning should leave behind more snags not less. Retain wildlife trees such as hollows, forked tops, broken tops, leaning trees, etc.*

Response: EA Section 2.2.2.2 (Project Design Features) addresses the protection of existing snags, coarse woody debris and other wildlife habitat. The riparian reserve marking is designed to develop diverse habitat.

8. Comment: *Thin heavy enough to stimulate development of understory vegetation, but don't thin too heavy. Recognize that thinning captures mortality and that plantation stands are already lacking critical values from dead wood due to the unnatural stand history of all clearcut and planted stands.*

Response: This is a good rule of thumb to reach objectives of both upland and riparian reserves.

Recent wind throw has added to the CWD. Also, the harvest process and future storms are expected to add additionsl CWD.

9. Comment: *If using whole tree yarding or yarding with tops attached to control fuels, the agency should top a portion of the trees and leave the greens in the forest in order to retain nutrients on site.*
Response: Whole tree yarding is not a regular practice for our thinning especially for this age of stand. The timber sale contract will require all logs to be cut into lengths not to exceed 40 feet in length.

10. Comment: *Avoid impacts to raptor nests and enhance habitat for diverse prey species. Train marking crews and cutting crews to look up and avoid cutting trees with nests of any sort and trees with defects.*

Response: Several marking guide items in the EA page 55 are designed to protect or promote wildlife habitat. Looking up is a good practice for identify wildlife trees.

11. Comment: *Take proactive steps to avoid the spread of weeds. Use canopy cover to suppress weeds.*

Response: The project is is compliance with the Mary's Peak integrated non-native plant management plan. The project has a design feature of re-vegeting exposed ground with red fescue and/or native plants to prevent the establishment of noxious weeds (EA pages 16 and 17)

12. Comment: *Buffer streams from the effects of heavy equipment and loss of bank trees and trees that shade streams. Mitigate for the loss of LWD input by retaining extra snags and wood in riparian areas. Recognize that thinning captures mortality that is not necessarily compensated by future growth.*

Response: Streams are buffered by a stream protection zone to protect the streams. LWD loss is mitigated by project design features. Also we can expect new snags and LWD as a result of the stand treatment.

13. Comment: *Where road building is necessary, ensure that the realized restoration benefits far outweigh the adverse impacts of the road.*

Response: Design features and BMP will be used on all road construction to mitigate its effect. Roads are located on ridges where possible and constructed only when needed to accomplish the project objectives.

<u>Confederate Tribes of Grande Ronde Community of Oregon (January 9, 2007)</u>

1. Comment: *The Confederate Tribes of Grande Ronde Community of Oregon considers the area of Marys Peak a Traditional Cultural Property known as chanti imanwi. While the project does not seem to have significant impact on cultural resources the Tribe asks that prior to the start of the thinning a cultural resource survey be conducted.*

Response: During an interview with Eirik Thorsgard, a Cultural Protection Specialist with the Confederate Tribes of Grande Ronde Community of Oregon, it was noted that the cultural project near Mary's Peak is 10 miles from the Mainline II project area in question. Our cultural resource protection

protocol was also discussed which includes:

- Post-project surveys being conducted according to standards based on slope defined in the Protocol appendix.
- Ground disturbing work will be suspended if cultural material is discovered during project work until an archaeologist can assess the significance of the discovery.

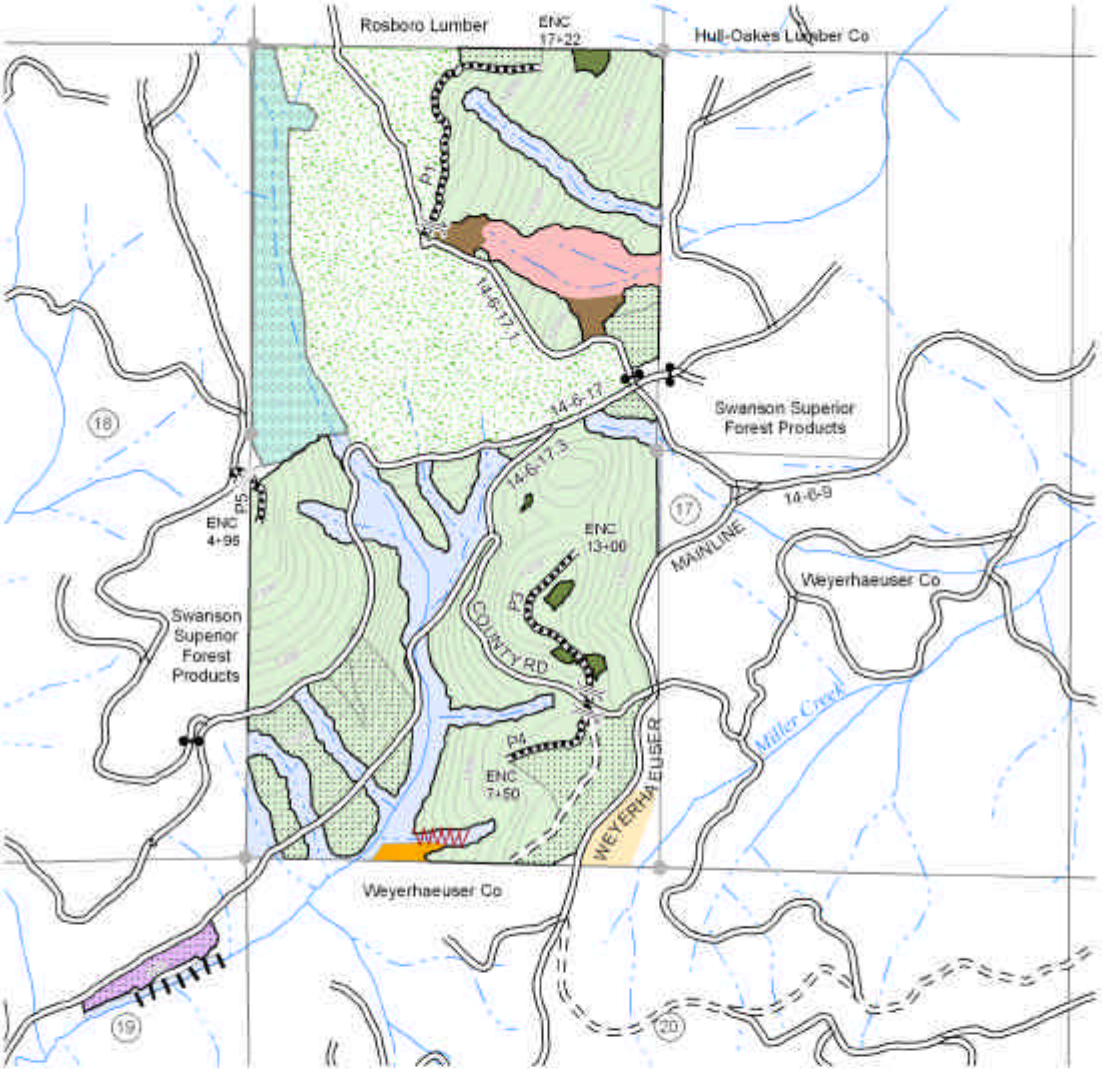
Mr. Thorsgard was in agreement with the BLM protocol in meeting the need to protect cultural resources on this project.

United States Department of the Interior - BUREAU OF LAND MANAGEMENT

SELECTED ACTION MAP

MAINLINE II

T. 14 S., R.6 W., Section 17 & 19, W. M. - SALEM DISTRICT - OREGON



- Found Corner
- Gate
- Fishbearing Stream
- Non-fishbearing Stream
- Existing Road
- Natural Surface Road
- Road to be constructed and blocked
- Barrier to be constructed

Reserve Areas

- Stream Protection Zone
- Nonforest - Hardwood Stand
- Low Density Conifer Stand
- Red Tree Vole Protection Area
- Logging Feasibility Problem
- Fungi Protection Area
- Untreated Riparian Reserve
- 2003 Dawson Thinning Area

- Large woody debris placement (Project 2)
- Unit 17A - 149 acres (Project 1)
- Unit 19A - 3 acres (Project 1)
- Ground-Based Yarding
- Skyline Yarding
- Full suspension required over stream

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N

0 250 500 1,000 1,500 Feet

October 3, 2007