

# Wiley Thin Timber Sale

## Decision Notice And Finding Of No Significant Impact

USDA Forest Service  
Willamette National Forest Service  
Sweet Home Ranger District  
Linn County, Oregon

### Location

The Wiley Thin timber sale project is located in the Wiley Creek subwatershed of the South Santiam watershed. The legal location is:

- **T14S, R2E, Sections 12, 15, 21 and 26.**

### Decision

It is my decision to implement **Alternative 2** of the Wiley Thin Timber Sale Environmental Assessment (EA). This alternative will harvest approximately 2243 CCF by commercially thinning 80 acres of mid seral, managed forest using ground-based logging methods. Most harvest acres are classified as Matrix lands in the Willamette National Forest Land and Resource Management Plan as amended. Unit 1, which is about 18 acres, is within a Late-Successional Reserve (LSR). Harvest operations will use existing road systems and temporary logging spurs, without constructing new system roads. Commercially thinning will leave varying levels of residual canopy closures (mostly 40% and above) in proposed units. A 1.2-acre parcel in unit 4c will be thinned down to 30% residual canopy closure to remove mistletoe-infected western hemlock and re-establish a healthy forest of Douglas-fir, western redcedar, and western white pine. Mitigation measures have been defined (EA, pages 14-15) to prevent or minimize project effects on resources.

It is also my decision to implement KV projects listed by priority in Appendix B of the EA. This project will likely be implemented in 2005 through 2006 by one or more timber sales.

### Reasons for My Decision

I selected Alternative 2 because it meets the objectives for this project, reasonably responds to identified needs for action, and is designed to protect forest resources. Project objectives were to (1) reduce overstory density levels in densely stocked managed stands, and (2) offer wood fiber to regional markets as part of the District's timber target. The following discussion summarizes the needs for action described in the EA (page 6) and how my selected alternative responds to these needs. The environmental assessment had defined two "Needs for Action":

**Need 1:** Improve tree growth potential and/or wood fiber quality in densely stocked managed forests. Over the next 10-15 years, overstocked conditions will negatively affect tree growth rates and stand vitality if these stands are not thinned. Current stocking levels will also continue to suppress understory habitat development and likely increase natural mortality rates.

Alternative 2 uses thinning prescriptions to improve the growth potential of residual trees on 80 acres and moves the project area towards desired future conditions described by the Forest Plan (page IV-227-30).

**Need 2:** Meet District timber targets assigned through the Forest budgeting process. Alternative 2 contributes 1661 CCF toward the Forest's Probable Sale Quantity. Alternative 2 provides this volume in a cost effective manner using ground-based and cable logging systems and the existing permanent road network.

### **Other Alternatives Considered**

**Alternative 1** (No Action) proposed no timber harvest within the project area at this time. This option is a required alternative in the NEPA process. I did not select Alternative 1 because it did not meet the project's purpose and needs for action, and no circumstances within the project area or changes to management direction under the Forest Plan as amended compelled me to select the "No Action" alternative.

### **Public Response**

The 30-day public comment period for this environmental assessment started on August 9, 2004 with a public notice of this comment period published in the Eugene Register-Guard newspaper. Only one letter from Oregon Natural Resources Council (ONRC) was received during this comment period. Comments in the ONRC letter concerned documenting temporary road construction, designing thinning prescriptions, protecting soil and water quality during operations, protecting northern spotted owls, and retaining more coarse woody debris and snag habitat. A summary of these concerns and the agency's response has been added to the end of Chapter 4 of the EA.

After reviewing the analysis documents describing project effects, I am confident that resource effects have been suitably analyzed and described, and the project is well designed to protect resources and provide desired future habitat conditions. In response to ONRC's question about temporary road construction, information about temporary roads by unit has been added to the alternative description in the EA (page 16). These are haul and forwarder roads that will be ripped, planted and closed after harvest operations are complete.

Copies of public scoping letters and emails about this project are located in the project analysis file at the Sweet Home Ranger District. Comments from these letters and emails were duly considered during project design. In addition, a summary list of organizations consulted with prior to release of the environmental assessment for its 30-day public comment period can be found in the EA (page 37).

## **Consistency with Other Laws and Regulations**

The National Forest Management Act (NFMA) and its implementing regulations require specific findings to be made when implementing the Forest Plan (16 USC 1604(i)). I have reviewed my decision and document the following findings:

### ***Consistency with the Forest Plan:***

I have determined that Alternative 2 is consistent with the Willamette National Forest Land and Resource Management Plan, as amended. This finding is supported by the Wiley Thin EA prepared in accordance with Forest Plan Standards and Guidelines, as cited throughout the EA and documents in the project's analysis file. The EA documents how this proposal and its purposes respond to resource management direction in the Forest Plan.

The selected alternative does not prevent attainment and may enhance attainment of the Aquatic Conservation Strategy Objectives (ASCO) at the 5<sup>th</sup> field watershed scale, as outlined in the Forest Plan. Project effects on attainment of ACSO's are also discussed in the EA (page 33).

### ***New Survey and Manage Direction:***

The *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (March 2004) has dropped the Survey and Manage mitigation measures. Most of the former survey and manage species found in project area are now considered Sensitive Species. Discussion of these species is located on page 32 in the EA.

### ***New Aquatic Conservation Strategy Direction:***

The *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forest Within the Range of the Northern Spotted Owl, Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy* was signed on March 22, 2004. This new direction is meant to redirect the monitoring and attainment of ACSO's to a fifth-field watershed scale over the long term. The Wiley Thin Timber Sale EA was prepared to comply with this new ACS interpretation, and addresses ACSO's primarily through protection of riparian reserves and retention of legacy habitat elements within harvest units.

### ***Road Management Decisions:***

I find that decisions on temporary road openings, subsequent road closures, routine road maintenance work, use of temporary skid trails in harvest units, and use of system roads for log haul under this project are adequately informed by the *Willamette National Forest Road Analysis* (1998) and consistent with current USDA Forest Service transportation system policies. This project creates no lasting change to access and travel management or significant increase in road-related impacts within the subwatershed. These findings are supported by the project's environmental analysis in accordance with Forest Roads Analysis.

## **Finding Of No Significant Impact**

My review of results in the environmental assessment indicates there will be no significant effects on the quality of the human environment if Alternative 2 is implemented as proposed. I

have therefore determined that this action is not a major federal action that will significantly affect the human environment. An environmental impact statement is not needed, and will not be prepared. My determination was made considering the following rationale, starting with the context and intensity factors listed in the Code of Federal Regulations' definition of "significantly" (40 CFR 1508.27).

**Context:**

***“The significance of an action must be analyzed in several contexts such as society as a whole, the affected region, the affected interests, and the locality.....in the case of site-specific actions (such as this one), significance would usually depend on the effects at the locale rather than the world as a whole”.***

The Wiley Thin Timber Sale implements management direction set forth in the Willamette National Forest Plan, as amended. The Willamette National Forest is one of nineteen national forests in the Pacific Northwest (Region 6) and encompasses 1,686,582 acres. Proposed harvest on 81 acres represents less than 1% of the Wiley 5<sup>th</sup> field subwatershed (40,577 acres) and even less of the South Santiam 4<sup>th</sup> field watershed. Harvest has been occurring in the Wiley subwatershed for over 50 years, and has involved more than 80% of subwatershed acres. Most previous harvest has taken the form of regeneration harvest.

Most proposed harvest acres in this project are classified by the Forest Plan as matrix lands, which are allocated for wood fiber production through timber harvest. Approximately 18 proposed harvest acres are part of the Wiley Creek Late Successional Reserve (LSR). Harvest in LSR's is permitted if trees are less than 80 years old and harvest is intended to promote development of late-successional habitat.

When viewed in the context of past management actions in the subwatershed and on these project acres, the number of proposed harvest acres, and their current management direction, this project is not a significant action. Therefore, the effects of the selected action on the resources and species within the project area (as disclosed in Chapter 3 of the EA) are not significant.

**Intensity:**

***1) Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effects will be beneficial.***

Effects of the proposed actions for this project will likely be both beneficial and adverse, as documented in Chapter 3 of the EA (pages 21 to 36), but not significantly so in either case. Proposed harvest can be described as adverse by disturbing existing forest habitat, disturbing forest soil on sloped terrain, and increasing the site conditions favorable for noxious weed invasion. Conversely, analysis shows proposed thinning is beneficial by encouraging healthier stand development and late seral habitat diversity over time; producing local economic benefits from timber sales; and providing funding for resource enhancement projects within the sale area (as authorized by the K.V. Act of 1930).

Overall, effects to resources in this subwatershed will be local to the project area. While effects from proposed actions are defineable and measureable, their influence on watershed functions

and values, forest resource inventories, and the local economies lacks an intensity that is expected to be significant.

**2) *The degree to which the proposed action affects public health or safety.***

No impacts to public health or safety are anticipated. Air quality will not be significantly affected during logging operations or related project activities. A limited amount of burning of harvest slash piles near roadways and landings will put smoke into the local airshed. Burning will occur in late fall or winter to meet Oregon Department of Environmental Quality smoke management guidelines for minimizing smoke intrusions into populated areas (EA, page 28).

Water quality risks from proposed actions will be low due to the retention of no-harvest riparian reserves (EA, pages 18-19). Oregon Occupational Health and Safety Act regulations will be followed during project implementation.

Increased truck traffic on forest roads is not expected to create significant conflicts with forest visitors as most of the road system is gated to public use and use levels of open roads is generally low. Timber haul will be scheduled to avoid summer and fall weekends, holidays and popular hunting seasons.

The project will not result in any adverse human health and/or environmental effects that disproportionately impact minorities and low-income populations as defined in Executive Order #12898.

**3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.***

There are no significant historic resources, parklands, prime farmlands, or wild and scenic rivers affected by this project. The Doe Mountain Special Interest Area was established to protect the location of heritage resource sites. This area is located near proposed Unit 1 but is not within harvest unit boundaries and will not be affected by harvest operations. A heritage resource survey has been completed in the entire project area and known prehistoric resource sites have been deleted from proposed harvest units and will be protected during project operations (EA, page 33). Field surveys were conducted according to an inventory plan approved by the Oregon State Historic Preservation Office (SHPO) and developed under agreement between the USDA Forest Service R6/PNW, Oregon SHPO, and the Advisory Council on Historic Preservation. A clause will be included in the timber sale contract to provide for additional protection measures in the event that new material or sites are discovered during ground disturbing activities.

Hydrologic channel conditions within the project area are reasonably stable and the density of channels is typical for the subwatershed. Channel conditions have been most affected by past harvest activities where terrain is steep and no riparian reserves were maintained. Special habitat areas, including small wetlands, have been mapped within the project area and buffered to protect their features and processes from project effects. No reduction in the amount of wetlands or adverse effects to wetlands will result from the selected actions (EA, page 23).

All proposed harvest units are classified as dispersal habitat for northern spotted owls. One owl pair has been documented near thinning Unit 4 and a single male was located near Unit 1.

Alternative 2 *may affect, but not likely to adversely affect* dispersal habitat by removing up to 60% canopy closure on some acres. Stocking level reductions will have long-term benefits to local forest resources by promoting larger, more structurally diverse trees and by creating more down wood and snag habitat. Creation of snag and down wood habitat by the proposed actions will improve owl habitat quality over time in treated stands. By reducing stocking levels, proposed thinnings will also create improved habitat by improving growth rates and canopy heights of residual trees. Alternative 2 also *may affect, but not likely to adversely affect* spotted owls near Unit 4 through noise disturbance during harvest operations in the latter half of the nesting season (July 16-September 30). Harvest operations in Unit 1 will be restricted throughout the spotted owl nesting season (January 15-September 30) and have *no effect* on spotted owls.

Through consultation with the U. S. Fish and Wildlife Service, terms and conditions of the Biological Opinion for Fiscal Year 2003-2004 Habitat Modification Projects in the Willamette Province (February 27, 2003) will be followed to minimize resource effects.

The above effects and conditions created by Alternative 2 are not seen as having a significant impact to the human environment with regard to unique characteristics within the geographic area of this project.

**4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.***

The Wiley Thin Timber Sale EA is based on current and available scientific information and site-specific data. Methodologies used to estimate project effects described in Chapter 3 of the EA are widely used for similar projects and have been reviewed by research and academic communities. I am not aware of any credible, peer-reviewed scientific questioning of the methods used in this analysis, nor its results.

A small contingent of public land activists consistently raise objections over most timber sales on federal public lands. However, no substantial opposition has been expressed during the scoping and EA review periods for the Wiley Thin Timber Sale. In fact, one environmental organization that has traditionally opposed timber sale projects has expressed support for commercial thinning in managed stands.

**5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.***

The predicted effects of this project are not highly uncertain, nor do they involve any unique or unknown risks. Timber sale projects have been conducted in this subwatershed for over 50 years, and their effects are reasonably understood within the realm of current scientific information.

To the extent that we do not know what may happen in this area during a 250-year return interval flood, a landscape scale wildfire, or a subduction earthquake, these potential environmental effects are uncertain or unknown, but this type of uncertainty is not unique in the daily lives of humans, nor are these uncertain events part of the proposed action.

**6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.***

Given current Forest Plan land allocations and management direction, the selected action will not establish a precedent for future actions that may have significant effects.

The Forest Plan is the vehicle for directing decisions about future considerations. Site-specific proposals such as the Wiley Thin Timber Sale and its related actions may create or affect future opportunities. However, my decisions for the Wiley Thin Timber Sale do not establish any precedent for how or when decisions on future opportunities will be made.

**7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.***

Essentially the entire analysis presented in Chapter 3 of the project EA constitutes an evaluation of cumulative impacts for the Wiley Thin Timber Sale and past forest management activities in this subwatershed. Discussions in Chapter 3 consider effects from past, present, and reasonably foreseeable future actions, when describing effects from Alternative 2. Project effects, when viewed in this cumulative context, are well within the cumulative levels anticipated by the Forest Plan, and not significant.

**8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.***

An appropriate review has been conducted for this project analysis, and no significant property(s), which may be eligible for inclusion in the National Register Historic Places, were found in the project area.

This document meets the requirements of Section 106 and 110 of the National Historic Preservation Act.

Cultural resources, as mentioned above in Item 3, have been surveyed for and no significant cultural resources are known to exist within harvest unit boundaries or other areas potentially affected by ground disturbing activities.

**9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.***

The Wiley Thin Timber Sale Biological Evaluation (BE) addresses project effects on endangered and threatened species and their habitat. Formal consultation with U.S. Fish and Wildlife Service (USFWS) as required by Section 7 of the Endangered Species Act was completed for northern spotted owls within the Willamette Province.

Noise disturbance to an owl pair near Unit 4 will likely occur during the latter half of the nesting season. Logging activity, including log haul, will be scheduled outside critical nesting season (March 1 through July 15) but could occur during the remainder of the nesting season resulting in a “*may affect, not likely to adversely affect*” determination.

Thinning 80 acres of dispersal owl habitat (see Item 3) will have short-term negative effects on habitat and result in a “*may affect, not likely to adversely affect*” determination for units with residual canopy closures below 60 percent. This project is consistent with the terms and conditions of the Biological Opinion for Fiscal Year 2004-2005 Routine Habitat Modification Projects in the Willamette Province (February 27, 2003).

***10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.***

All Federal, State, and local laws protecting the environment will be followed. Proposed actions under Alternative 2 meet State of Oregon air and water quality standards and comply with all regulations in the National Environmental Policy Act and National Forest Management Act. Appendices A and B contain PETS species surveyed for in the project area and potential project effects. Proposed actions have been designed to avoid or minimize project effects on these species in accordance with the recent USFWS Biological Opinion (see #9 above).

**Administrative Review or Appeal Opportunities**

This decision is subject to appeal pursuant to 36 CFR 215. Only individuals or organizations that submitted substantive comments during the comment period may appeal this decision. Notice of appeal must meet requirements under 36 CFR 215.14, “Content of an Appeal”. Appeals must be received by the Appeal Deciding Officer within 45 days from the date of publication of this notice in the *Register Guard*, Eugene Oregon. Appeals delivered by

Mail to: **Forest Supervisor**  
**ATTN: APPEALS**  
**Willamette National Forest**  
**P.O. Box 10607**  
**Eugene, Oregon 97401**

Or hand delivery to: **211 East 7<sup>th</sup> Ave. Eugene OR,**

Or FAX to: **(541) 225-6222**

Appeals can also be filed electronically at: **appeals-pacificnorthwest-regional-office@fs.fed.us**. Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. E-mails submitted to email addresses other than the one listed above, or in formats other than those listed, or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.



This project will not be implemented until 5 days after the end of the 45-day comment period, or in case of appeal of the decision, 15 days after final disposition of the appeal.

Responsible Official: \_\_\_\_\_

Michael L. Rassbach, District Ranger  
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Date

For additional information or a copy of project documents contact:

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