

Finding of No Significant Impact
Revised CAN-CAN Regeneration Harvest Project Plan
Environmental Assessment

South River Field Office, Roseburg District
EA# OR-105-05-06

Date Prepared: May 23, 2006

The South River Field Office, Roseburg District, Bureau of Land Management (BLM), has completed the environmental assessment (EA) for the Revised Can-Can Regeneration Harvest Project Plan. Two alternatives were analyzed (EA, pp. 4 - 8), consisting of no action (Alternative One) and the proposed action (Alternative Two). The stands selected for timber harvest are located in Section 5, T. 30 S., R. 4 W.; Sections 9, 10, 11 and 15, T. 30 S., R. 5 W.; Sections 23 and 26, T. 31 S., R. 5 W.; and Sections 13 and 25, T. 31 S., R. 6 W., W.M.

The following Critical Elements of the Human Environment will not be affected because they are not present: Areas of Critical Environmental Concern (ACEC); wetlands; park lands; prime farmlands; wild and scenic rivers; Wastes, Hazardous or Solid; and wilderness (EA, p. 10). Consequently, no unique characteristics would be impacted (Council on Environmental Quality (CEQ) Regulations - 40 CFR § 508.27(b) (3)).

Environmental Justice

The action is consistent with Executive Order 12898 which addresses Environmental Justice in minority and low-income populations (EA, p. 10). The BLM has not identified any impacts to low-income or minority populations, internally or through public involvement. Employment associated with the project will involve local contractors who engage in similar types of work throughout Douglas County. Correspondence with local American Indian tribal governments has not identified unique or special resources in the project area of a religious nature, or which provide employment, subsistence or recreational opportunities.

Cultural and Historical Resources

Pedestrian surveys of all proposed units were conducted in conjunction with a literature search of catalogued cultural and historical sites, as addressed in the EA (p. 23). No cultural or historical resources of a significant nature were identified. The BLM has received concurrence from the Oregon State Historic Preservation Office. As a consequence, there would be no adverse impacts to scientific, cultural, or historical resources (40 CFR § 1508.27(b) (8)).

Special Status and Survey & Manage Botanical Species

Field surveys for Special Status botanical species were conducted on all three of the proposed timber sale areas, as documented in Appendix C of the EA. As will be documented in any forthcoming timber sale decisions from the Revised CAN-CAN Regeneration Harvest Project Plan EA, these surveys included all Survey & Manage species whose known or suspected range

includes the Roseburg District that were subject to management under the provisions of the 2001 *Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines*, as amended or modified through March 21, 2004, and for which pre-disturbance surveys are deemed practical.

Wayside aster (*Eucephalus vialis*), a Bureau Sensitive species and Category, was located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10, T. 30 S., R. 5 W., beside BLM Road No. 30-5-15.0 which provides access to Unit F (1) of the Myrtle Morgan timber sale area (EA, p. 21). No other Special Status or Survey & Manage botanical species were identified in any of the three sale areas.

To protect the wayside aster population, proposed construction of a new section of road that replaces an existing jeep road, will be located to the north of the plant population and the boundaries of the site marked for identification. Any right-of-way timber will be directionally felled away from the site. Disturbance of the site by personnel or equipment engaged in road construction or timber harvest will be prohibited (EA, pp. 46).

As described in the EA (pp. 46-47), surveys for most Survey & Manage fungi species are not considered practical, so their presence cannot be substantiated. If any of these species are present in the proposed regeneration harvest units, loss of the sites would likely result as a consequence of the removal of substrate and modification of micro-climate, as described in the *Final Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (pp. 150-154). It is anticipated, however, that the network of late-successional forest managed by the BLM within the watershed, much in land use allocations reserved from regeneration harvest, will provide in excess of 31,000 acres of potential habitat for these species.

Special Status and Survey & Manage Wildlife Species

A meta-analysis of available demographic data for the **northern spotted owl** was conducted in 2004 by Anthony et al. combining population data from 14 study areas located throughout the range of the spotted owl. In 1999, Lint et al. found that owl populations were declining range-wide, particularly in the State of Washington. This information was synthesized with existing literature in *Scientific Evaluation of the Status of the Northern Spotted Owl* in 2004 by Courtney et al. Causes of population decline could not be identified with certainty, but researchers feel that a combination of previous habitat loss, recent loss of habitat to wildfire, predation on spotted owls, weather, prey abundance, and competition from barred owls is responsible. Researchers also noted that the importance of each of these agents likely varies by region.

Spotted owl populations in the Klamath Mountains physiographic province were shown to be stable or declining very slightly. This finding is consistent with the prediction of the Northwest Forest Plan that populations would slowly decline and eventually reach equilibrium with available habitat. Courtney et al. stated that: “the fact of such a decline is not in and of itself unexpected or reason to doubt the effectiveness of the core NWFP strategy.”

Direct effects to owls would be solely associated with the removal of 520 acres of suitable habitat (EA, p 31), consistent the assumptions of the Roseburg District *Proposed Resource Management Plan/Environmental Impact Statement* (PRMP/EIS, pp. 4-54 to 4-64).

Harvest of Unit I in the proposed Hi-Yo Silver timber sale would remove 95 acres of nesting, roosting and foraging habitat in CHU OR-63. This would reduce available nesting, roosting and foraging habitat on Federally-managed lands in the CHU by roughly 2.3 percent, from 4,062 acres to 3,967 acres. As discussed in the EA (p. 34) the impact to the function of the CHU would be negligible, as nesting, roosting and foraging habitat is well-distributed throughout the CHU.

Harvest of the proposed Screen Pass timber sale would remove 121 acres of nesting, roosting and foraging habitat in CHU OR-32. This would reduce available nesting, roosting and foraging habitat on Federally-managed lands in the CHU by roughly 0.35 percent, from 34,414 acres to 34,293 acres. As stated in the EA (p. 35), this would also constitute a negligible effect and would not preclude the intended function of this CHU.

The BLM consulted with the U.S. Fish and Wildlife Service (Service) on the effects of timber harvest on the northern spotted owl. The effects of the removal of suitable nesting, roosting and foraging habitat are addressed in the August 29, 2005 *Biological Opinion for fiscal year 2003-2008 Management Activities* (1-15-05-F-0512).

The Service found in the Opinion (p. 78) that conducting surveys and applying seasonal restrictions, where indicated, would minimize the possibility of directly injuring or killing individual owls. Timber harvest would, however, indirectly affect owls “. . . by removing habitat elements necessary for nesting, roosting, foraging, and dispersal.” This could result in indirect effects that include: displacement from nest areas; concentration into smaller, fragmented areas of suitable habitat that may already be occupied; increased competition for nest sites; increased risk to predation; reduced prey base; diminished reproductive success; declines in productivity and recruitment; reduction in future nesting opportunities; and reduced dispersal capabilities. Based on these factors the Service concluded that regeneration harvest was likely to adversely affect spotted owls. In the Opinion (p. 79), the Service concluded although some sites on the Roseburg District would be rendered non-viable, the effect is not expected to appreciably reduce the likelihood of spotted owl survival and recovery, noting that such declines were anticipated in the Northwest Forest Plan, and that the best available information indicates that there is no reason to believe that the conservation strategy of the Northwest Forest Plan is flawed.

As discussed in the EA (p. 31), because the location of the units is beyond the 65 yard disturbance threshold, now referred to as the “disruption” threshold by the U.S. Fish and Wildlife Service, no disturbance to nesting owls is anticipated. All units are more than a quarter-mile from either known owl activity center so no direct effects during the nesting and post-fledging periods are anticipated from removal or modification of suitable habitat.

As a condition of consultation, a provision will be included in the timber sale contracts requiring the purchaser to notify the BLM in writing, prior to February 1st in any year in which contract operations are planned so that the BLM may conduct protocol surveys of suitable, unsurveyed

habitat within a quarter-mile of each timber sale unit. If nesting owls are located, harvest operations within a quarter-mile of any nest site will be subject to seasonal restrictions from March 1 through September 30.

In the FY 2003-2008 Biological Opinion (1-15-05-F-0512), effects to CHU OR-32 (pp. 91-92) and OR-63 (pp. 97-99) from timber management, including regeneration harvest, are also addressed. It is the conclusion of the Service that the intended function of the CHUs will not be precluded.

As discussed in the EA (p. 33), surveys would be conducted for **northern goshawks**, according to accepted protocol (Woodbridge et al.). Surveys have determined that the Myrtle Morgan timber sale area is not occupied. If surveys of the Screen Pass and Hi-Yo Silver project areas establish site occupancy, seasonal restrictions would be applied to prevent disturbance within one-quarter mile of nest sites between March 1st and July 30th, or until it is determined that fledged young have dispersed. A 30-acre core area would be established around active and alternate nest sites to preserve their integrity (ROD/RMP, p. 49).

As described in the EA (p. 33), the **red-tailed hawk** nest in Unit F (1) of the Myrtle Morgan timber sale area has been buffered and seasonal restrictions will be implemented on the unit. These actions are expected to provide for persistence of the site.

There are two wildlife species that might be present in the project areas that are subject to management and protection under the standards and guidelines of the *Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines*, as amended or modified through March 21, 2004. These are the Chace sideband snail (*Monadenia chaceana*), also designated as a Bureau Sensitive species, and the great gray owl (*Strix nebulosa*).

Surveys for **Chace sideband snails** were conducted on the three timber sale areas with two sites identified in the Screen Pass sale area and a third in the Hi-Yo Silver sale area. No snails were located in the Myrtle Morgan sale area. Measures described in the EA (pp. 32 - 33) will provide protection to known sites and provide for persistence of the populations.

Suitable habitat for **great gray owls** is characterized by: (1) large diameter nest trees, (2) forest canopy providing roosting cover, and (3) proximity [within 200m] to openings ten acres or larger in size that could be used as foraging areas. An evaluation indicated no natural meadows or openings ≥ 10 acres within 200m of units in the Screen Pass and Hi-Yo Silver sale areas. Suitable habitat was identified adjacent to Unit H (#3) in the Myrtle Morgan sale area. Management direction from the ROD/RMP (p. 44) and standards and guidelines from the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (p. C-21) specify establishment of a 300 foot no harvest buffer around meadows and natural openings. Establishment of the buffer resulted in the removal of approximately nine acres from the unit.

Fish and Essential Fish Habitat

There are no fish species listed as threatened or endangered or currently proposed for listing under the Endangered Species Act. Oregon Coast coho salmon and Oregon Coast steelhead trout remain Bureau Sensitive species, though. With the establishment of Riparian Reserves on all intermittent and perennial streams adjacent to or within proposed timber sale units, there will be no effect on large in-stream wood, pool habitat, sediment, substrate and stream bank stability (EA, pp. 37 - 39). As a consequence, timber harvest has no measurable potential for directly affecting any fish species or Essential Fish Habitat.

Sediment could be generated in association with road construction and renovation, timber hauling, and road decommissioning. To a great extent haul routes do not cross fish-bearing streams or other perennial streams where sedimentation could be expected. Where the haul route is in close proximity to perennial and fish-bearing streams, haul will be restricted to the dry season to effectively eliminate the possibility of introducing sediment into streams. Road renovation will focus on reducing potential sources for sediment. With implementation of measures described in the EA (pp. 38, 39, 44 and 45), the potential for sediment and effects to fish and Essential Fish Habitat is considered negligible.

For the reasons described above, there will be no significant adverse impacts to any special status species or critical habitat (40 CFR § 1508.27 (b) (9)). Any impacts would be within the range and scope of those analyzed in the Roseburg District PRMP/EIS.

Implementation of the District *Integrated Weed Management Program*, in association with project design and contract provisions will minimize risk of introduction or spread of noxious weeds in association with road construction and timber harvest. Eradication measures will be implemented, as well as measures to discourage weed establishment. These will include mulching and seeding disturbed areas with native grasses to discourage weed establishment, and pressure washing or steam cleaning logging and road construction equipment prior to move-in to avoid introducing weeds from outside the project area (EA, p. 24). These actions are consistent with requirements of the Lacey Act; the Federal Noxious Weed Act of 1974, as amended; and Executive Order 13112, Invasive Species.

Of the ten points listed under 40 CFR § 1508.27(b), the following were considered and found not to apply to the action: significant beneficial or adverse effects; significant effects on public health or safety; effects on the quality of the human environment that are likely to be highly controversial; anticipated cumulatively significant impacts; highly uncertain or unknown risks; and no precedents for future actions with significant effects.

The proposed action conforms with all applicable Federal, State, and local laws and regulations (40 CFR § 1508.27(b) (10)). Impacts on the human environment will not exceed those anticipated in the PRMP/EIS.

Pursuant to Executive Order 13212, the BLM must consider the effects of this decision on National Energy Policy. Within the project area there are no known energy resources with commercial potential (EA, p. 10). There are no pipelines, electrical transmission lines, energy producing or processing facilities. As a consequence, there will be no known adverse effect on National Energy Policy.

Based on the analysis of potential environmental impacts contained in the environmental assessment, I have determined that there will be no significant impact on the human environment within the meaning of Section 102 (2) (c) of the National Environmental Policy Act of 1969, and an environmental impact statement is not required. I have determined that the action conforms to management direction from the Roseburg District *Record of Decision and Resource Management Plan*, approved by the Oregon/Washington State Director on June 2, 1995.

William S. Haigh
Field Manager
South River Field Office

Date