

Canyon Creek Salvage Project

Final Decision and Decision Rationale for Canyon Creek Salvage Project

Environmental Assessment Number OR080-07-12

August 10, 2007

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

Township 7 South, Range 6 West, Section 28, Willamette Meridian
Rickreall Creek 5th field Watershed.
Polk County, Oregon

Responsible Agency: USDI - Bureau of Land Management

Responsible Official: Trish Wilson, Field Manager
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BLM/OR/WA/PL-07/054+1792

I. Introduction

The Bureau of Land Management (BLM) has conducted an environmental analysis for the Canyon Creek Salvage Project, which is documented in the Canyon Creek Salvage Environmental Assessment (EA, # OR080-07-12) and the associated project file. The Proposed Action of the Canyon Creek Salvage Project EA is to remove a portion of the blow down and damaged trees within Adaptive Management Area and Riparian Reserve Land Use Allocations (LUA's) to reduce the potential for bark beetle infestations. The proposed action will also decrease overall fire hazard and resistance to control the spread of fire and allow the timber sale purchaser of Canyon Creek Thinning (OR-080-05-301) to complete the site preparation contract requirement. A timber sale will be offered in fiscal year 2007. Trees will be ground based yarded on approximately 14 acres. A Finding of No Significant Impact (FONSI) was signed on July 9, 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 Canyon Creek Salvage Project as described in the proposed action (EA pg. 7) hereafter referred to as the "selected action" with the following exception.

The proposed action included the removal of recently blown down trees within 13 acres of a 50 year old stand and within one acre of a 100 year-old stand in AMA LUA. One of the purposes of the project is to reduce the immediate fire hazard and risk resulting from the blow down of trees. The location of the blow down trees within the 100 year old stand does not pose a substantial fire hazard and risk (approximately 500 feet to the nearest road), thus the need to remove these trees is not needed. Subsequently, the removal of blow down trees within the 100 year old stand will not occur.

The selected action is shown on the map attached to this Decision Rationale. This decision is based on site-specific analysis in the Canyon Creek Salvage Project Environmental Assessment (EA # OR080-07-12), the supporting project record, 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.

- The removal of a portion of the blowdown trees on approximately 13 acres of BLM managed lands within the Rickreall Creek fifth-field watershed.
- The cutting and yarding of trees will be accomplished utilizing wheeled or tracked equipment operating off of the existing roadway.
- Larger accumulations of debris along existing roads will be either machine piled or hand piled. All machine and hand piles will be burned.
- All design features and mitigation measures described in the EA (pp. 8-10) will be incorporated into the timber sale contract.

III. Compliance with Direction:

The analysis documented in the Canyon Creek Salvage 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 office.

Survey and Manage Species Review

Marys Peak RA 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. The Marys Peak RA is also aware of the recent January 9, 2006, Court order which:

- 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 order further directs "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities....unless such activities are in compliance with the provisions of the 2001 ROD (as amended or modified as of March 21, 2004)".

The litigation over the amendment that eliminated the Survey & Manage mitigation measure from the Northwest Forest Plan does not affect the Canyon Creek Salvage.

I have attached the documentation of the wildlife and botany compliance reviews undertaken by resource area staff with my concurrence and signature. Therefore, based on the preceding information regarding the status of surveys for Survey & Manage wildlife and botany species and the results of those surveys, it is my determination that the Canyon Creek Salvage project complies with the provisions of the 2001 ROD, as amended or modified as of March 21, 2004. For the foregoing reasons, this decision is in compliance with the 2001 ROD as stated in Point (3) on page 14 of the January 9, 2006, Court order.

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. No action alternatives were identified that will meet the purpose and need of the project and have meaningful differences in environmental effects from the proposed action (EA Section 3.1). Complete descriptions of the "action" and "no action" alternatives are contained in

the EA, pages 16-27.

V. Decision Rationale

Considering public comment, the content of the EA and supporting project record, 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 1.5), 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).
 - The Canyon Creek Salvage project is in full and complete compliance with the 2001 Survey and Manage FSEIS and ROD. 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. (DR Appendix B and C – Compliance with Survey and Manage Direction). 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. i-iii) 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 2.1)

Purpose and Need (EA section 2.1)	No Action	Proposed Action
Remove a portion of the blow down trees to reduce the risk of bark beetle infestations and the fire hazard associated with the high loading of surface fuels.	Does not meet. If an infestation and/or wildfire occurred, it could result in the death of numerous adjacent live trees. This could result in the delay of a healthy forest ecosystem by reducing future large trees, down wood and snag development.	Meets. Removal of some of the blow down trees will meet the need to reduce the risk of infestations and wildfire that could result in the death of some green trees within and adjacent to the proposed project areas.
Allow for the completion of timber sale contract requirements as stated in Canyon Creek Thinning (OR-080-05-301) Sec. 41. ff (site preparation work).	Does not meet. Without the removal of blow down trees located within the patch cut areas, site preparation requirements can not be completed. Consequently, appropriate reforestation of the site would be delayed and in some areas would not be accomplished.	Meets. Allows for the removal of blow down trees which currently prevent site preparation from being implemented as stated in the Canyon Creek Thinning Timber Sale Contract.

Purpose and Need (EA section 2.1)	No Action	Proposed Action
Develop and test new management approaches relating to activities that would occur within the Canyon Creek Salvage riparian area.	Does not meet. Would not allow for the development and testing of new management approaches to protect large wood while removing a portion of blow down trees within riparian stands.	Meets. Allows for the protection of large wood both near and further from the SPZ while protecting the remaining riparian stands closely associated with the blow down from bark beetle infestation and fire risk.

2. 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

Scoping: A letter asking for scoping input on the proposal was mailed on June 7, 2007 to adjacent landowners and individuals who expressed an interest in management activities in the resource area as a whole or in this area. Letters were also sent to the Confederated Tribes of Grande Ronde; Confederated Tribes of the Siletz; Federal, State, County and local government organizations; and Special Interest groups. One E-Mail letter and one letter were received during the scoping period. A summary of the responses received was included in EA Section 8.2 – Response to Scoping Comments.

Comment Period and Comments:

The original EA and/or notice of availability of EA were mailed to approximately 15 agencies, individuals and organizations on July 9, 2007. A legal notice was placed in a local newspaper (*Polk County Itemizer Observer*) soliciting public input on the action from July 11 to August 9, 2007. One comment letter (Oregon Wild) was received. Responses to their comments can be found in Section IX of the Decision Rationale.

Consultation/Coordination:

Wildlife: U.S. Fish and Wildlife Service

To address concerns for effects to listed wildlife species and potential modification of critical habitats, the proposed action was consulted upon with the U.S. Fish and Wildlife Service, as required under Section 7 of the Endangered Species Act. The proposed action would follow all applicable terms and conditions from the following document: Letter of Concurrence for Effects to Northern Bald Eagles, Northern Spotted Owls, and Marbled Murrelets from the North Coast Province Fiscal Year 2007-2008 activities that may affect, but are not likely to adversely affect, due to activities that modify habitat and create disturbance, U.S. Department of the Interior; Bureau of Land Management, Eugene District and Salem District, and the U.S. Department of Agriculture; Siuslaw National Forest, Tracking Number: 1-7-2006-I-0190 (dated 10/4/2006). The proposed action would have no effect to northern spotted owl and marbled murrelet because there is no spotted owl or marbled murrelet habitat in or near the project area.

Fish: National Oceanic Atmospheric Administration National Marine Fisheries Service (NMFS)

Proposed treatments: timber felling, timber yarding, and hauling were addressed under the Canyon Creek Commercial Thinning Timber Sale Project (January 16, 2004). The NMFS Letter of Concurrence (February 17, 2004) agreed with the BLMs determination that these proposed actions were ‘may affect, not likely to adversely affect’. The proposed salvage action will have no impacts beyond those previously analyzed which may affect UWR steelhead trout. Project design features from the Biological Assessment and Letter of Concurrence include no harvest activity within stream protection zones and dry season hauling intended to prevent impacts to aquatic habitats.

The Magnuson-Stevens Fisheries Management and Conservation Act (MSA) required consultation with NMFS for actions which adversely affect Essential Fish Habitat (EFH). With the incorporation of project design features, combined with the distance of all activities associated with the Canyon Creek Salvage project from occupied EFH, the proposed action is not expected to adversely affect EFH. Therefore no consultation with NMFS for MSA-EFH is necessary for this project.

Compliance with the Aquatic Conservation Strategy

On March 30, 2007, the District Court, Western District of Washington, ruled adverse to the U. S. 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.

I have reviewed this analysis and have determined that the project meets the Aquatic Conservation Strategy in the context of PCFFA IV and PCFFA II [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 4, p. 27. 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*.

No new road construction will occur within RMP Riparian Reserves;

Component 2 – Key Watershed: the Canyon Creek Salvage project is not within a Key Watershed.

Component 3 – Watershed Analysis: The *Rowell, Mill, Rickreall and Luckiamute Watershed Analysis* was completed in 1998. The following are watershed analysis findings that apply to or are components of this project:

Existing Watershed Condition

The Canyon Creek Salvage project area is in the 117,145-acre Rickreall Creek 5th field watershed which drains into the Willamette River. Approximately three percent of the watershed is managed by BLM, less than one percent is Forest Service, and 96% is managed by other landowners, (mainly industrial timber companies). The *Rowell, Mill, Rickreall and Luckiamute Watershed Analysis* describes the events that contributed to the current condition such as early hunting/gathering by aboriginal inhabitants, road building, agriculture, water diversions, wildfire, and timber harvest.

Late seral (greater than 80 years old) forests comprise 8 percent of the federal ownership in the watershed. We can infer then, that commercial harvest or stand replacement fire has occurred on approximately 92% of the Federal lands in the watershed. The earliest harvests 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. Current riparian vegetation on federal lands is composed of greater than 29 percent timber.

The Proposed Action proposes salvage logging on 14 BLM managed acres (less than 0.01% of the total watershed). Foreseeable harvest on BLM managed land consists of the K-Line Late Successional Reserve Enhancement, 200 acres. Private industrial landowners are expected to continue with a similar harvest rotation as has occurred in the watershed since the 1940s.

Component 4 – Watershed Restoration: by reducing the amount of blow down timber in the project area, treating the residual fuels and planting seedlings will be expected to result in long-term restoration of a coniferous forest.

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 would 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 2.4)
1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features.	Does not prevent the attainment of ACSO 1. Treatments would likely reduce the potential for bark beetles to kill live green trees, thus protecting the remaining stands diversity and complexity locally. The small scale of the proposed project would have no effects on distribution, diversity, and complexity at a watershed scale. Treatments adjoining roads would protect remaining stands from fire risk and protection to surrounding stands from catastrophic impacts thus protecting the distribution, diversity, and complexity.
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 would be improved by increasing the availability and proximity of functioning riparian habitat.
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 would maintain the physical integrity of the aquatic system.
4. Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.	Does not prevent the attainment of ACSO 4. No measurable effects to water quality would be anticipated from the proposed action. Stream buffers of at least 50 feet would eliminate disturbance of streamside vegetation; no trees would be cut from the stream bank or where roots are stabilizing the stream bank. Activities that would take place directly in or adjacent to stream channels is intended to protect the stream function, to reduce impacts to downstream channels due to culvert blockage.
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 project design features would 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 would not measurably alter instream flows. The proposed timber harvest would affect only 0.01% of the forest cover in the Rickreall Creek watershed – well below the 20% threshold for measurable effects. Only salvage of blow down trees, not live trees is proposed. Removal of downed trees would not affect 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, would maintain groundwater levels and floodplain inundation rates.
8. Maintain and restore the species	Does not prevent the attainment of ACSO 8. Vegetation

Aquatic Conservation Strategy Objectives (ACSOs)	Project 1 - Alternative 1 (EA section 2.4)
composition and structural diversity of plant communities in riparian areas and wetlands.	management within the Riparian Reserve would help restore structural diversity. Treatments would also reduce beetle kill and fire hazard thus protecting species composition and diversity from radical changes.
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. The SPZ maintains populations of riparian dependent species. Retaining diverse CWD features in the RR, consistent with design features, should maintain habitats disturbed from blow down events while at the same time reducing beetle mortality and fire hazards in the remaining stands thus protecting the habitat of native plants, invertebrates, and vertebrate riparian dependent species.

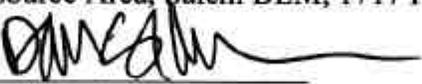
VII. Conclusion

I have determined that change to the Finding of No Significant Impact (FONSI – July 2007) for the Canyon Creek Salvage 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 selected action needs to be altered. There are no significant new circumstances or facts relevant to the selected 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 decision record 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 decision record will be published in the *Polk County Itemizer Observer* newspaper on or around August 15, 2007.

Contact Person: For additional information concerning this decision, contact Gary Humbar (503) 315-5981, Marys Peak Resource Area, Salem BLM, 1717 Fabry SE, Salem, Oregon 97306.

Authorized Official:


 for Trish Wilson, Field Manager
 Marys Peak Resource Area

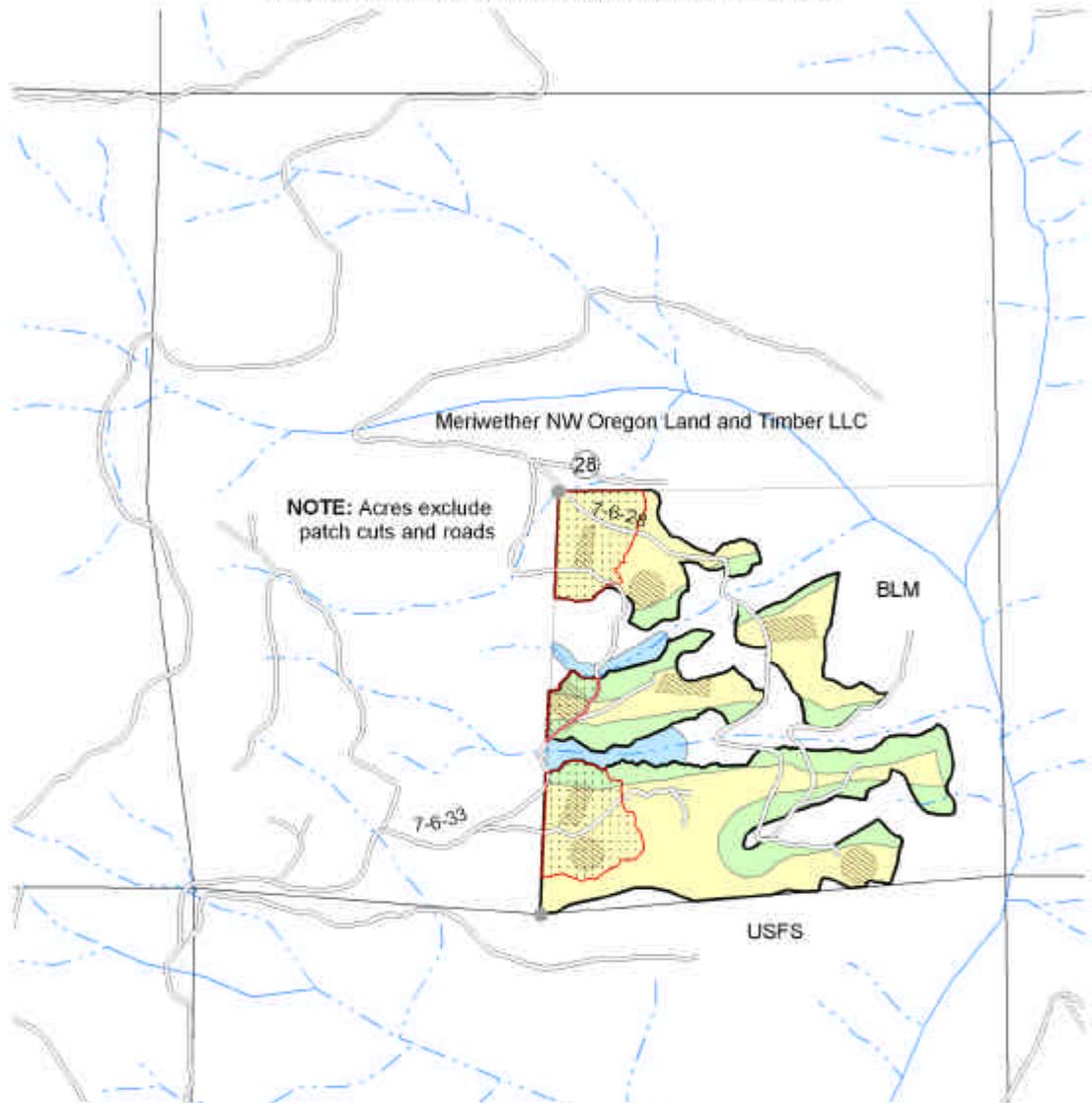
Date: 8/13/07

VIII. Map

United States Department of the Interior - BUREAU OF LAND MANAGEMENT

CANYON CREEK SALVAGE SELECTED ACTION MAP

T. 7 S., R. 6 W., Section 28, W. M. - SALEM DISTRICT - OREGON



Legend

- | | | | |
|-------|---------------------------|---|-----------------------------------------------------------|
| ● | Found Corners | ▨ | Patch Cuts |
| — | Existing Roads | ■ | Riparian Reserve |
| - - - | Non-fishbearing stream | ■ | Stream Protection Zone |
| — | Fishbearing stream | ■ | Approximate location of blowdown trees (group) - 13 acres |
| □ | Previously Harvested Area | ■ | Ground Based Yarding |
| ■ | Adaptive Management Area | | |

August 10, 2007

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IX. **Response to Public Comments Received on the Canyon Creek Salvage Project (EA#OR080-05-08)**

Note: This section addresses comments on the Canyon Creek Salvage Project received during the public comment period, which ended August 9, 2007. One comment letter was received from Oregon Wild (7/19/07). 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 Canyon Creek Salvage Project NEPA file.

**Oregon Wild, Doug Heiken
Received July 19, 2007**

1. Conserve blowdown values

The blowdown area has created a patch of mortality that is a valuable addition to the structural complexity of the landscape. In this area of BLM checkerboard managed land such patches of dead wood are exceedingly rare. Large wood has a tremendous benefit to wildlife and if beetles thrive they will help naturally thin the forest while providing food for various wildlife species. .

Response: The North Coast Range Adaptive Management Area was designated to be managed for the restoration and enhancement of late-seral/old-growth characteristics and for the production of timber products. In disturbance areas greater than 10 acres it is appropriate to salvage some of the down timber. The trees that fell in this disturbance were only 53 years old with an average diameter of 11 inches; the desired size for large dead wood is 20 to 24 inches. The desired future condition for this stand at age 80-110 is at least 53 standing green trees per acre (12 for snags, 16 for CWD, and 25 for green trees). A moderate or typical level of CWD is required to meet the management objectives for the NCRAMA in younger stands that have fallen below desired future condition levels. A moderate amount of CWD appropriate for this area will be 6 trees per acre. Leaving all the snags and at least six trees per acre for CWD should mitigate the effects of salvaging most of the CWD from those areas with less than 53 standing green trees per acre. Once these patches attain the age of 80-110 years additional dead wood of the desired size will be created from the standing green trees.

2. Consider the management options from a ecological standpoint

The agency should consider the following options before deciding on the final decision.

- 1. . View this patch of blowdown as a rare and valuable improvement in the structural complexity in the landscape and choose the No Action Alternative.*
- 2. View this patch of blowdown as a rare and valuable improvement in the structural complexity, reassess the desirability of the adjacent thinning project, then remove the bare minimum number of down trees necessary to facilitate the completion of the thinning project as modified by this reassessment.*

3. View this patch of blowdown as a rare and valuable improvement in the structural complexity, then remove the bare minimum number of down trees necessary to facilitate the completion of the thinning project as originally designed.

4. View this patch of blowdown as a rare and valuable improvement in the structural complexity, then share the windfall equally among the ecosystem and the economy by allowing the removal of only half of the down trees.

5. View the patch of blowdown and the slight risk of beetles as a threat to the forest and an impediment to the pre-ordained thinning project and remove the impediment in order to complete the thinning as planned.

We urge BLM to more carefully consider options one through four before leaping to number five.

We particularly object to the removal of down trees from the one acre of 100 year old stand and the riparian reserve.

Response: Although we do not consider this particular blow down event (trees blown down adjacent to recent harvest activity) rare (approximately every 250 years) we recognize the importance of the structural complexity created by this event.

As stated in the purpose and need, (EA Sec. 1.5) and the proposed action (EA Sec. 2.3), the removal of a portion of the blow down trees will reduce the potential for bark beetle infestations while retaining an adequate amount of CWD to meet wildlife and aquatic habitat needs. The proposed action will also decrease overall fire hazard and resistance to control the spread of fire and allow the timber sale purchaser of Canyon Creek Thinning (OR-080-05-301) to complete site preparation contract.

The No Action Alternative will increase the likelihood that a short lived (3-4 year) Douglas-fir bark beetle infestation will kill some of the remaining standing Douglas-fir trees. Without the removal of a portion of the blow down trees, fire risk and hazard will remain high. If a fire did start it would be harder to control and could result in the death of additional green trees, thus reducing the goal of enhancing late successional forest conditions (ie large trees, understory development, appropriate amounts of CWD). In addition, without the removal of logs within the patch cut areas, fuels treatments will not be completed as contractually required in the 2003 Canyon Creek Thinning Timber Sale.

Except for fuels treatments, the adjacent thinning project has been implemented. Without the removal of blow down trees within the patch cut areas, fuels treatments will not be possible. Without fuels treatment and site preparation, successful reforestation within patch cut areas will not be achieved, thus resulting in the delay of late successional forest conditions.

The project will remove approximately 50% of the total blow down trees within the project area. The removal of approximately 50% of the blow down trees will reduce the potential adverse effects resulting from bark beetle infestations, fire hazard and risk while meeting the need of enhancing late successional forest conditions (appropriate amount of CWD) within the North Coast Adaptive Management Area.

Appendix A – Compliance with Current Survey and Manage Direction

2001 ROD Compliance Review: Survey & Manage Botany Species

Environmental Analysis File Salem District Bureau of Land Management

Project Name: **Canyon Creek Salvage** Prepared By: **Ron Exeter**
Project Type: Blowdown Timber Salvage Date: July 6, 2007
Location: **(Coast Range physiographic province)** T. 7S., R. 6W., Section 28 SW1/4
S&M List Date: **December 2003.**

Table A. Survey & Manage Species Known and Suspected in the Salem District. Species listed below were compiled from the 2003 Annual Species Review (IM-OR-2004-034) and includes all species in which pre-disturbance surveys may be needed (Category A, C and non-fungi Category B species if the project occurs in old-growth as defined on page 79-80 of the 2001 ROD) and lists known sites of other survey and manage species that are known to occur within the project area. In addition, the table indicates whether or not a survey was required, survey results and site management.

The following survey protocols and literature were used in determining species known range, habitat and survey methodology. All field surveys were completed by intuitive controlled methods.

Fungi:

Survey Protocols for *Bridgeoporus (=Oxyporus) nobilissimus* (Version 2.0, May 1998)
Handbook to Strategy 1 Fungal Species in the Northwest Forest Plan (October 1999)
Handbook to Additional Fungal Species of Special Concern in the Northwest Forest Plan. (2003).

Lichens:

Survey Protocols For Component 2 Lichens (Version 2.0, March 1998)
Management Recommendations for Survey and Manage Lichens (Version 2.0, March 2, 2000)
Survey Protocols for Survey and Manage Category A & C Lichens in the Northwest Forest Plan Area
[Version 2.1 (2003)]
2003 Amendment to the Survey Protocol for Survey and Manage Category A & C Lichens. (Version 2.1 Amendment, September 2003)

Bryophytes:

Survey Protocols For Protection Buffer Bryophytes (Version 2.0)

Vascular Plants:

Survey Protocols for Survey and Manage Strategy 2 Vascular Plants (Version 2.0, December 1998).

All species:

Rare, Threatened and Endangered Species of Oregon; Oregon Natural Heritage Information Center (May 2004).

Species	S&M Category	Survey Triggers			Survey Results			Site Management
		Within Range of the Species?	Project Contains Suitable habitat?	Project may negatively affect species/habitat?	Surveys Required?	Survey Date (month/year)	Sites Known or Found?	
Fungi								
<i>Bridgeoporus nobilissimus</i> ^{1a}	A	NO	NO	NO	NO ²	N/A	None	N/A
Lichens								
<i>Bryoria pseudocapillaris</i> ^{1a}	A	NO	NO	NO	NO ³	N/A	None	N/A
<i>Bryoria spiralifera</i> ^{1a}	A	NO	NO	NO	NO ³	N/A	None	N/A
<i>Dendriscoaulon intricatatum</i> ^{1c}	A	YES	NO	NO	NO ⁴	N/A	None	N/A
<i>Hypogymnia duplicata</i> ^{1c}	C	YES	NO	NO	NO ⁴	N/A	None	N/A
<i>Leptogium cyanescens</i> ^{1c}	A	YES	YES	NO	YES	7/2007	None	N/A
<i>Lobaria linita var. tenuoir</i> ^{1b}	A	YES	NO	NO	NO ⁴	N/A	None	N/A
<i>Nephroma occultum</i> ^{1c}	C	YES	NO	NO	NO ⁴	N/A	None	N/A
<i>Niebla cephalota</i> ^{1b}	A	NO	NO	NO	NO ³	N/A	None	N/A
<i>Pseudocyphellaria perpetua</i> ^{1c}	A	YES	YES	NO	YES	7/2007	None	N/A
<i>Pseudocyphellaria rainierensis</i> ^{1c}	A	YES	NO	NO	NO ⁴	N/A	None	N/A
<i>Teloschistes flavicans</i> ^{1a}	A	NO	NO	NO	NO ³	N/A	None	N/A
Bryophytes								
<i>Schistostega pennata</i> ^{1b}	A	YES	NO	NO	NO ⁴	N/A	None	N/A
<i>Tetraphis geniculata</i> ^{1b}	A	YES	YES	NO	YES	7/2007	None	N/A
Vascular Plants								
<i>Botrychium minganense</i> ^{1c}	A	NO	NO	NO	NO ⁵	N/A	None	N/A
<i>Botrychium montanum</i> ^{1b}	A	NO	NO	NO	NO ⁵	N/A	None	N/A
<i>Coptis asplenifolia</i>	A	NO	NO	NO	NO ⁷	N/A	None	N/A
<i>Coptis trifolia</i> ^{1b}	A	NO	NO	NO	NO ⁵	N/A	None	N/A
<i>Corydalis aquae-gelidae</i> ^{1a}	A	NO	NO	NO	NO ⁶	N/A	None	N/A
<i>Cyripedium fasciculatum</i> ^{1a}	C	NO	NO	NO	NO ⁵	N/A	None	N/A
<i>Cyripedium montanum</i> ^{1c}	C	NO	NO	NO	NO ⁵	N/A	None	N/A
<i>Eucephalis vialis</i> ^{1a}	A	NO	NO	NO	NO ⁵	N/A	None	N/A
<i>Galium kamtschaticum</i>	A	NO	NO	NO	NO ⁷	N/A	None	N/A
<i>Plantanthera orbiculata</i> var. <i>orbiculata</i>	C	NO	NO	NO	NO ⁷	N/A	None	N/A
Category B Species (equivalent effort surveys needed if project area includes old-growth as defined in 2001 ROD glossary, p. 79-80)								
None. ⁸	B	-	NO	NO	NO ⁸	N/A	None	N/A

Additional Category B, D, E & F known sites located within the proposed project Area							
No known sites.							

- 1 These species are former species of concern; (a) Bureau sensitive, (b) bureau assessment or (c) bureau tracking species.
- 2 This species is known from high elevations containing true fir and the only site in the Oregon Coast Range is at approximately 4000 feet on the top of Marys Peak. There are no true firs within the proposed project area.
- 3 This species known range within the NW Forest Plan is along the immediate coast or within the coastal fog zone within sight or sound of the Pacific Ocean but often extending up to 15 miles inland.
- 4 These species are known primarily from mature and old-growth, Doug-fir, Western Hemlock and Pacific silver-fir. Field surveys are not required if the species is not known to exist in the proposed project area or in the vicinity, and if it is determined that probable suitable habitat is unlikely to exist in the proposed project area.
- 5 These species are not known to occur on Bureau of Land Management lands within the Salem District. These species have no known sites in the Oregon Coast Range physiographic province.
- 6 This species is known to occur on Bureau of Land Management lands within the Salem District in the Cascades Resource Area. This species has known sites in the Western Cascades physiographic province but none in the Oregon Coast Range physiographic province.
- 7 This species is only known from western Washington. There are no known sites in Oregon.
- 8 Surveys are not required. The project area is less than 100 years of age and the project does not meet the definition on page 79-80 of the 2001 ROD.

STATEMENT OF COMPLIANCE: Pre-disturbance surveys and management of known sites required by protocol standards to comply with 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 the 2001 ROD was amended or modified as of March 21, 2004) were completed for Canyon Creek Salvage Project. There are no known Category A, B, C, D, E, and F species within the Canyon Creek Salvage Project.

SUMMARY OF SURVEY RESULTS :

The original Canyon Creek Timber Sale was surveyed for Threatened and Endangered (T&E) and Bureau Special Status (SS) and Special Attention vascular plants, lichens, bryophytes and spring fungi on May 5th and 6th, 2003. The surveys were completed by intuitive controlled surveys. There were no previous known sites of any of these species, nor were any found during surveys. The timber salvage areas associated with the Canyon Creek Salvage sale were surveyed on July 5th, 2007 utilizing intuitive controlled surveys. No T&E or bureau special status or survey and manage species were found.

Therefore, based on the preceding information (refer to Table A above) regarding the status of surveys and site management for Survey & Manage botanical species, it is my determination that Canyon Creek Salvage Project complies with 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 the 2001 ROD was amended or modified as of March 21, 2004). For the foregoing reasons, this contract is in compliance with the 2001 ROD 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.

for 
 Trish Wilson, Field Manager
 Marys Peak Resource Area, Salem District BLM

8/13/07
 Date

2001 ROD Compliance Review: Survey & Manage Wildlife Species

Environmental Analysis File

Prepared By:

Salem District BLM – Marys Peak Resource Area

Gary A. Licata, Wildlife Biologist

Project Name: Canyon Creek Salvage Project

Date: 06/26/07

Survey & Manage List Date: Dec. 19, 2003

Table A. Survey & Manage Wildlife Species. The species listed are known to occur in the Salem District or are suspected to occur according to the following protocols; *Survey Protocols for Amphibians under the Survey & Manage Provision of the Northwest Forest Plan v3.0* (1999), *Survey protocol for the Great Gray Owl within the Range of the Northwest Forest Plan v3.0* (Jan. 2004), *Survey Protocol for the Red Tree Vole v2.1* (Oct. 2002) and *Survey Protocol for S&M Terrestrial Mollusk Species v3.0* (Feb. 2003) or to the *Survey Protocol For Aquatic Mollusk Species From The Northwest Forest Plan Version 2.0* (Oct. 1997).

SPECIES	S&M CATEGORY	SURVEY TRIGGERS			SURVEY RESULTS			SITE MANAGEMENT?
		Within range of the species?	Project contains suitable habitat?	Project may negatively affect species/habitat?	Surveys Required?	Survey Date (month/year)	Sites Known or Found?	
Vertebrates								
Larch Mountain Salamander ¹ (<i>Plethodon larselli</i>)	A	No	NA	NA	NA	NA	NA	NA
Great Gray Owl ² (<i>Strix nebulosa</i>)	A	No	NA	NA	NA	NA	NA	NA
Oregon Red Tree Vole ³ (<i>Arborimus longicaudus</i>)	C	Yes	No	No	No	NA	NA	NA
Mollusks								
Puget Oregonian ⁴ (<i>Cryptomasix devia</i>)	A	No	NA	NA	NA	NA	NA	NA
Crater Lake Tightcoil ⁵ (<i>Pristiloma arcticum crateris</i>)	A	No	NA	NA	NA	NA	NA	NA

Evening Fieldslug ⁶ (<i>Deroceras hesperium</i>)	B	Yes	No	No	No	NA	NA	NA
Columbia Dusksnail ⁷ (<i>Lyogyrus</i> n. sp. 1)	A	No	NA	NA	NA	NA	NA	NA
Basalt Juga ⁸ (<i>Juga</i> [<i>Oreobasis</i>] n. sp. 2)	A	No	NA	NA	NA	NA	NA	NA

NA = Not Applicable

- ¹ In the Salem District, the range of the Larch Mountain salamander is only in the very northern portion of the Cascades Resource Area, within 14 miles of the Columbia River, east of the confluence with the Sandy River according to *Survey Protocols for Amphibians under the Survey & Manage Provision of the Northwest Forest Plan v3.0* (1999) pages 262 and 269.
- ² In the Salem District, the range of the great gray owl is only within the Cascades Resource Area. Pre-disturbance surveys for great gray owls are required if the project area has meets the conditions outlined in the *Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004) which gives the following guidance: The required habitat characteristics of suitable habitat in Oregon Western Cascades Physiographic Province include: (1) large diameter nest trees (38-42 inch dbh in mixed conifer/fir/oak/madrone), (2) forest for roosting cover, and (3) proximity [within 200m] to openings that could be used as foraging areas (page 13). Suitable nesting habitat adjacent to natural openings smaller than 10 acres is not necessary to be surveyed (page 5). The stands should be in proximity to natural-openings and pre-disturbance surveys are not suggested in suitable nesting habitat adjacent to man-made openings at this time (pg. 14).
- ³ In the Salem District, surveys for red tree voles are required to be conducted only in suitable habitat of the North Mesic Zone of their range. The southern portion of the Marys Peak Resource Area (Alsea River Watershed) and the Willamette Valley are not within the North Mesic Zone.
- ⁴ In the Salem District, the range of *Cryptomastix devia* is limited to the Tillamook Resource Area and Clackamas County and Multnomah County in the Cascades Resource Area.
- ⁵ In the Salem District, *Pristiloma articum crateris* is suspected to occur above 2,000 feet elevation in the Cascades Resource Area only. This species is "limited to perennially wet situations in mature conifer forests, among rushes, mosses and other surface vegetation or under rocks and woody debris within 10 m of open water in wetlands, springs, seeps and riparian areas, generally in areas which remain under snow for long periods in the winter." Unless these specific habitats will be disturbed, no surveys are necessary.
- ⁶ In the Salem District, *Deroceras hesperium* has the potential to occur in all three resource areas however it is "limited to moist surface vegetation and cover objects within 30 m (98 ft.) of perennial wetlands, springs seeps and riparian areas." Unless these specific habitats will be disturbed, no surveys are necessary. Where habitat is present, equivalent-effort pre-disturbance surveys are required for this species.
- ⁷ *Lyogyrus* n. sp. 1 is a Columbia Gorge endemic, found on both sides from east and south of Portland to Hood River, Oregon. Most sites are in Gorge tributaries; a few other sites occur in drainages originating from near Mount Hood, Oregon, to Mount St. Helens, Washington. In the Salem District, it is likely to be found only in the Cascades Resource Area, and only in cold, pure, well-oxygenated springs within a few miles of the Columbia River in Multnomah County.

8 *Juga n. sp. 2* is a Columbia Gorge endemic, and is found sporadically in springs in the central and eastern portions of the Columbia Gorge on the Oregon side only in Hood River and Wasco counties, Oregon, including sites in Mount Hood National Forest and sites in Columbia Gorge National Scenic Area. In the Salem District, it is likely to be found only in the Cascades Resource Area, and only in cold, pure, well-oxygenated springs within a few miles of the Columbia River in Multnomah County.

Statement of Compliance. There are no known sites and pre-disturbance surveys are not required to comply with 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 the 2001 ROD was amended or modified as of March 21, 2004); also complies with any site management for any Category B, D, and E species as identified in the 2001 ROD (as modified).

The salvage project area is not within suitable habitat for the red tree vole or the evening fieldslug.

Therefore, based on the preceding information (refer to Table A above) regarding the status of surveys and site management for Survey & Manage wildlife species, it is my determination that Canyon Creek Salvage Project complies with 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 the 2001 ROD was amended or modified as of March 21, 2004). For the foregoing reasons, this project is in compliance with the 2001 ROD 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.

Signature: 
PRINTED NAME, DAN SCHREINDORFER ^{Acting} Resource Area Manager

Date: 8/13/07