

## Neuman Road Thinning Project

Decision Documentation and Decision Rationale

Environmental Assessment Number OR080-04-05

August 2006

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

Township 7 South, Range 7 West, Sections 1 and 2, Willamette Meridian  
Mill Creek 5<sup>th</sup> field Watershed.  
Polk County, Oregon

Responsible Agency:                   USDI - Bureau of Land Management

Responsible Official:                 Brad Keller, Field Manager  
Marys Peak Resource Area  
1717 Fabry Road SE  
Salem, OR 97306  
(503) 375-5968

For further information, contact:   Andy Frazier  
Marys Peak Resource Area  
1717 Fabry Road SE  
Salem, OR 97306  
(503) 315-5979



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/PT-06/046-1792**

## I. Introduction

The Bureau of Land Management (BLM) conducted an environmental analysis for the Neuman Road thinning project, which is documented in the *Gold Goose/Neuman Road Thinning Project Environmental Assessment* (Gold Goose/Neuman Road Thinning EA) (EA# OR080-04-05) and the associated project file. This project (Neuman Road Thinning) is a proposal to thin approximately 101 acres leaving variable densities within the stands of Late Successional Reserve (LSR) and Riparian Reserve Land Use Allocations (LUA's). A Finding of No Significant Impact (FONSI) was signed on June 27, 2005 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 Neuman Road Thinning Project as described in the proposed action (EA pp. 39-43) 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 Gold Goose/Neuman Road Thinning Project Environmental Assessment (EA # OR080-04-05), the supporting project record, management recommendations contained in the *Rowell Creek, Mill Creek, Rickreall Creek, and Luckiamute River Watershed Analysis, (September 1998)*; 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 101 acres of 40 to 55 year old mixed-conifer stands will be thinned by removing suppressed, co-dominant, and occasional dominant trees. Generally, the largest trees will be left. Approximately 4% of the treatment area would have gaps (approximately 4, one acre patch cuts) created. Gaps would allow for the understory to develop with diverse species and future multiple canopy layers from new regeneration as well as the development of existing tolerant species such as grand fir and western hemlock. Gap creation was not included in the EA and FONSI and was identified as a desired condition following additional reconnaissance. Average canopy closure will be no less than 40 percent after harvest. Approximately 20 percent of the project area will be harvested using conventional ground-based logging equipment, and approximately 80 percent will be harvested using skyline yarding systems.
2. **Road Work**
  - Total miles of roads to be constructed and reconstructed will increase from 0.28 miles to 0.37 miles as additional field reconnaissance identified additional road work was needed. Up to 1.1 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 and reconstruction will be decommissioned following harvest operations. Decommissioning

could include water-barring, ripping road surface, blocking access, piling slash and grass seeding exposed surfaces.

- Total miles of existing roads to be renovated under BLM and private control to accommodate log-hauling will consist of 3 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 would be scattered outside of the clearing limits and debris accumulation on landings and roads which are a result of yarding units 1A, 1B and 2A would be machine piled, covered with polyethylene plastic and burned under favorable smoke dispersal conditions was included in the original EA. To further reduce the fire hazard after harvest operations are completed, some additional methods of fuel treatments are planned than originally included in the EA. These treatments would include:

- Light accumulations of debris cleared during road construction, reconstruction and along roads that will remain in drivable condition following the completion of the project will be scattered along the length of rights-of-way.
- Large accumulations of debris on landings and along existing roads that will remain in drivable condition will be machine piled. At least 90% of the slash in the ¼” to 6” diameter range within 20 feet of the road edge will be piled for burning.

All design features and mitigation measures described in the EA (pp. 41 - 43) are incorporated into the timber sale contract.

### **III. Compliance with Direction:**

The analysis documented in the Gold Goose/Neuman Road 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. 6 &-7). All of these documents may be reviewed at the Marys Peak Resource Area (RA) 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
- reinstated 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 Neuman Road Thinning project. This is because biological surveys for Survey & Manage species were completed prior to the 2004 ROD and meet the 2001 protocol (2001 ROD as amended or modified as of March 21, 2004). Therefore, this project complies with the Northwest Forest Plan prior to that amendment. Even though the Survey & Manage program had been eliminated, Marys Peak RA staff conducted surveys and provided management prescriptions consistent with the former Survey & Manage survey protocols and management recommendations.

The EA (p. 9) tiers to the 2004 EIS and identifies plan conformance with the ROD. This was correct and legitimate for the time the EA was written. As a matter of fact, however, the Neuman Road Thinning project complies with the 2001 ROD as well.

I have attached the documentation of the wildlife and botany compliance reviews undertaken by resource area staff with my concurrence and signature. Based on the survey results, there are currently no known sites of Survey & Manage species that require management within the project area. 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 Neuman Road Thinning 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.

The Salem District is also aware of ongoing litigation Pacific Coast Federation of Fishermen's Associations et al. v. National Marine Fisheries Service et al. (W.D. Wash.) related to the 2004 supplemental environmental impact statement for the Aquatic Conservation Strategy (ACS). The Magistrate Judge issued findings and recommendations to the court on March 29, 2006. The court has not found this amendment to be "illegal," nor did the Magistrate recommend such a finding. Given the court has not yet adopted the findings and recommendations we will appropriately continue to follow the current direction in the 2004 ROD, until ordered otherwise. The Neuman Road Thinning EA tiers to this document as to the clarification of how to address the ACS. Since it was only a clarification, and did not alter any of the on-the-ground components of the standards and guidelines designed for achieving the ACS objectives, whether the court upholds the amendment or not should have little practical effect at the project level.

#### **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 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 17-29.

## V. Decision Rationale

Considering public comment, the content of the EA and supporting project record, the management recommendations contained in the *Rowell Creek/Mill Creek/Rickreall Creek/Luckiamute River Watershed Analysis*, 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 3.1), 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. 6 & 7).
- The Neuman Road Thinning project is in full and complete compliance with the 2001 Survey and Manage FSEIS and ROD, as modified by the 2003 Annual Species Review (ASR). 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. 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)**

<b>Purpose and Need (EA section 2.1)</b>	<b>Alternative 1 (101 ac-ground/skyline)</b>	<b>No Action</b>
Development of late-successional forest habitat (patch openings, clumps, coarse woody debris), retain remnants and limbs, snag creation and protection etc.)	Reduces stand densities to allow target conifers to increase diameter and height growth. Accelerate changes in some stand components to develop certain elements of diversity sooner by releasing understory conifers, increasing large down wood and snags by density management.	Does not meet this purpose and need. Creates high level of small size CWD for the next decade or two in all stands within the project area.
Offer a marketable density management sale.	Offers approximately 1,111 MBF of timber for sale through 101 acres of density management.	Does not meet this purpose and need.
Increase structural diversity in relatively uniform conifer stands.	Reduces tree densities within stands to increase diameter growth and more open stand conditions to preserve limbs and high crown ratios. Increases species diversity and understory regeneration, shrubs, forbs etc.	Does not meet purpose and need. Creates a highly dense, uniform, stand with small diameter stand and receding crown ratios, loss of limbs and loss of tree growth. Understory regeneration, shrubs etc. would be lacking.
Increase growth of trees and improve the spatial and structural stand diversity in portions of Riparian Reserves.	Increases future potential of coarse woody debris and stream large wood sources.	Does not meet purpose and need. Growth decreases over time, keeping diameters small thereby not meeting the need for large down wood and snags or large wood sources for streams.
Provides appropriate access for timber harvest and Silvicultural practices used to meet the objectives above, while minimizing increases in road densities.	Builds 765 feet of new roads and reconstructs 1,205 feet of existing roads. Following harvest, all of the new road construction and reconstruction would be decommissioned.	No change. Maintain existing road densities.
	Would implement maintenance on feeder roads, allowing for continued access.	Delay maintenance on feeder roads, main routes would be maintained.

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 3.1*), as shown in *Table 1*.

## **VI. Public Involvement/Consultation/Coordination**

### Public Scoping:

A description of the proposal was included in the March and June 2004 Salem Bureau of Land Management Project Update which was mailed to more than 1070 individuals and organizations.

A letter asking for scoping input on the proposal was mailed on April 2, 2003, to adjacent landowners and individuals who expressed an interest in management activities in the resource area as a whole or in this area. One response was received during the scoping period.

### EA and FONSI Comment Period and Comments:

The EA and FONSI were made available for public review March 9, 2005 to April 11, 2005. The notice for public comment was published in a legal notice by the *Polk County Itemizer Observer* newspaper; and posted on the Internet under Environmental Assessments at <http://www.or.blm.gov/salem/html/planning/index.htm>

One comment letter (Oregon Natural Resources Council) was received. Responses to their comments can be found in Appendix A of the Decision Rationale.

### Consultation/Coordination:

The Neuman Road Thinning timber sale was submitted for Formal 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 was completed on December 1, 2004 [(Biological Opinion (BO) reference #1-7-2005-F-0005)]. As a result of consultation, the USFWS concluded that the FY 2005-2006 Habitat Modification Projects in the Northern Oregon Coast Range on federal lands (including Neuman Road Thinning) are not likely to jeopardize the continued existence of the spotted owl and is not likely to destroy or adversely modify designated critical habitat for the spotted owl. The selected action would follow all applicable terms and conditions set forth in this Biological Opinion.

Upper Willamette River (UWR) steelhead trout and UWR Chinook salmon are listed as threatened under the Endangered Species Act. The area where the proposed action is located has one stream (Gooseneck Creek) that provides habitat for UWR Steelhead (approximately one mile down stream from the project area). Upper Willamette River Chinook salmon are downstream more than twenty-five miles from the project area; therefore this project would have no effect on UWR Chinook salmon. A "May Affect, Not Likely to Adversely Affect" determination was made for the project due to the small size, scope, and duration of this project. An informal consultation with National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS) was requested via an informal consultation letter which included an analysis of project affects consistent with BLM Instruction Memorandum (OR-2005-012) Analytic Process for Developing Biological Assessments for Federal Actions Affecting Fish within the Northwest Forest Plan Area on April 12, 2005. A letter of

concurrence with the determination of "may affect, not likely to adversely affect" to listed fish was received by the BLM from NOAA NMFS on April 26, 2005.

Protection of Essential Fish Habitat (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 UWR Chinook salmon. The proposed Neuman Road Thinning project is not expected to affect EFH due to distance of all activities associated with the Neuman Road Thinning project from occupied habitat.

A letter of concurrence was issued by NOAA on December 29, 2005, designating critical habitat for UWR steelhead and UWR Chinook salmon as published in the Federal Register on September 2, 2005. The letter of concurrence adopted the determination that this project "may affect, not likely adversely affect" critical habitat for UWR steelhead listed fish species.

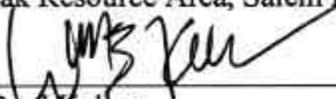
## VII. Conclusion

I have determined that change to the Finding of No Significant Impact (FONSI, February 2005) for the Neuman Road 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.

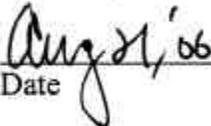
Protests: In accordance with Forest Management Regulations at 43 CFR 5003.2, the decision for this timber sale will not become effective or be open to formal protest until the Notice of Sale is published "in a newspaper of general circulation in the area where the lands affected by the decision are located". 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 *Polk County Itemizer Observer* newspaper on or around April 30, 2007. The planned sale date is May 30, 2007.

Contact Person: For additional information concerning this decision, contact Andy Frazier (503) 315-5979, Marys Peak Resource Area, Salem BLM, 1717 Fabry SE, Salem, Oregon 97306.

Approved by:

  
Brad Keller

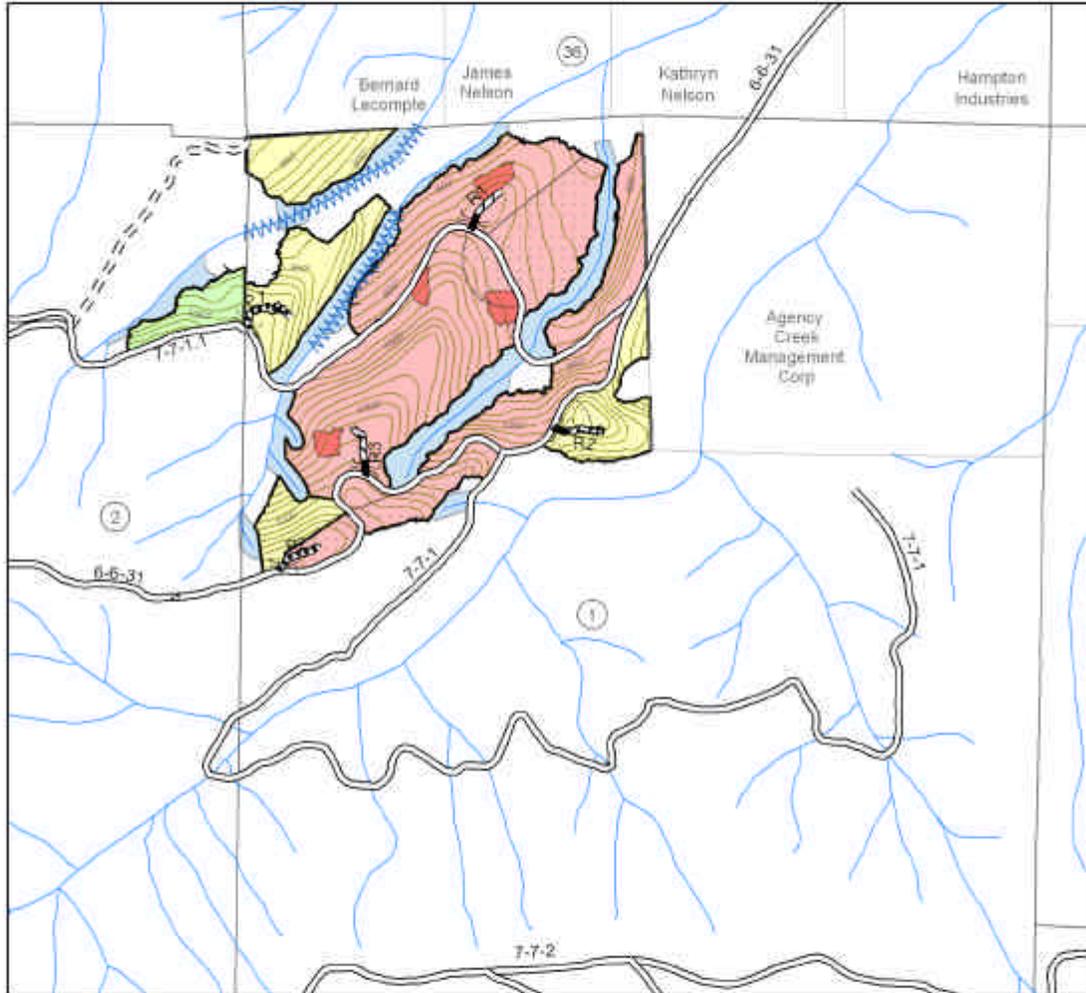
Marys Peak Resource Area Field Manager

  
Date

# NEUMAN ROAD PROJECT MAP

Selected Action

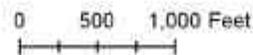
T. 7 S., R. 7 W., Sections 1 & 2, W. M. - SALEM DISTRICT - OREGON



## LEGEND

- |                         |  |                      |
|-------------------------|--|----------------------|
| Streams                 | Barrier to be constructed following harvest operations | Ground-Based Yarding |
| Found Corner            | Full Suspension Required Over Stream                   | Skyline Yarding      |
| Existing Road           | Road to be constructed and decommissioned              | Unit 1A - 70 acres   |
| OHV Trail               | Road to be renovated and decommissioned                | Unit 1B - 27 acres   |
| 20' Contours (in Units) | Stream Protection Zone                                 | Unit 2A - 4 acres    |
|                         | EA Unit Boundary                                       | Patch Cut Areas      |

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Original data was compiled from multiple source data and may not meet U.S. National Mapping Accuracy Standard of the Office of Management and Budget.



## VIII. Appendix A: Response to Public Comments Received on the Neuman Road Thinning Project (EA#OR080-04-05)

Note: This section addresses comments on the Neuman Road Thinning project, received during the public comment period, which ended April 11, 2005. A comment letter was received from ONRC (4/7/05). 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 Gold GooseNEPA/ EA file.

### 1. Skyline Yarding Corridors

*Concerned that skyline yarding corridors over live streams could adversely affect aquatic habitat and other stream functions. We would like to see the BLM monitor the effects of these yarding corridors on function of terrestrial migration and aquatic environments.*

Approximately 10 skyline corridors would be required across 2 streams (See Selected Action Map). Full suspension would be required across the streams and through the full extent of the stream protection zone. Trees felled for yarding within the stream protection zone would remain on site. With the implementation of project design features, measurable long term effects on site productivity from this type of disturbance are minimal to none. These small openings next to area streams would not increase direct solar radiation and therefore would not increase stream temperature due to topographic shading, large numbers of remaining trees and riparian vegetation close to the stream, and narrow channel width. Very little ground disturbance is anticipated from felling and leaving trees within the stream protection zones.

### 2. Legacy Snags

*EA suggests that there are few large legacy snags within the proposed thinning area. EA states that existing snags “would be reserved, except where they pose a safety risk or affect operability.” Due to the paucity of snags in the coast range, all large snags must be retained. Small diameter snags should be reserved as much as possible, especially where they exist in clumps. A concern exists that valuable snags would have to be felled to be in compliance with OSHA standards. We would support Neuman Road Thinning if full protections were afforded to large diameter snags.*

**Response:** We understand your concern that safety/operational issues should not diminish that large diameter snags are important legacy features and should be retained in treatment units. We believe the design features for the protection of existing down logs and snags and the retention of as stated in the EA page 42 removes any incentive for needlessly felling or removing them. In addition the retention of some larger snapped out green trees, the creation of several new large snags and down logs (emphasize grand fir snags were larger green trees are abundant), and letting residual trees grow larger for future recruitment (EA page 40) will provide the necessary enhancement of future CWD resources.

The Marys Peak RA will be enhancing recently harvested density management projects by creating snags and CWD (girdling/falling/leaving average stand diameter reserve trees), falling and leaving on site trees that are encroaching on and ultimately impeding the survival of the live crowns of old growth trees and by falling trees into live streams for LWD enhancement purposes.

Approximately \$40,000/year will be spent on these types of habitat enhancement projects from Fiscal Years 2007 through 2010.

The Marys Peak RA collected pre harvest (2000) and post harvest (2003) snag and CWD data within a LSR enhancement project (Crooked Alder) to determine the effectiveness of CWD enhancement in conjunction with the timber sale contract requirements. The data indicates that overall, the volume of CWD increased from 244 cu/ft/ac to 3,164 cu/ft/ac and the number of pieces of CWD increased from 7.5 pieces/ac to 120 pieces/ac. Since 2001, when implementing LSR enhancement projects, the Marys Peak RA has included the reservation of all existing CWD and the creation of new CWD within the timber sale contract. We understand that CWD is an important component of late successional forest conditions and will continue to enhance this condition through LSR projects.

It has also been our fairly extensive experience that the loss of large diameter snags for operational/safety reasons rarely happens in our units, but is occasionally necessary in close proximity to roads, landings, and yarding corridors/skid trails.

## Appendix B: 2001 ROD Compliance Review: Survey & Manage Wildlife Species

Environmental Analysis File  
Salem District BLM, Marys Peak Resource Area

Project Name: **Nueman Road LSR Enhancement Project**

Prepared By: **Scott Hopkins**  
Preparation

Project Type: **Density Management Thinning**

Date: **2/27/2006**

Location: **T.07S., R.07W., Section 01, and 02.**

S&M List Date: **12/19/2003**

**Table A. Survey & Manage Wildlife Species Known and Suspected on Salem District BLM.** The species listed below were compiled from the 2003 Annual Species Review (IM-OR-2004-034) and incorporates those vertebrate and invertebrate species whose known or suspected range includes the Salem District according to: Survey Protocols for Amphibians under the Survey & Manage Provision of the Northwest Forest Plan, version 3.0 (1999), Survey protocol for the Great Gray Owl within the Range of the Northwest Forest Plan, version 3.0 (Jan. 2004), Survey Protocol for the Red Tree Vole, version 2.1 (Oct. 2002) and those mollusk species that are known or suspected within the District according to the Survey Protocol for S&M Terrestrial Mollusk Species version 3.0 (Feb. 2003).

Species	S&M Category	Survey Triggers			Survey Results			Buffers?
		Within Range of the Species?	Project Contains Suitable habitat?	Project may negatively affect species /habitat?	Surveys Required?	Surveys completed?	Sites Found?	
<b>Vertebrates</b>								
Larch Mountain Salamander <sup>2</sup> ( <i>Plethodon larselli</i> )	A	No	NA <sup>1</sup>	NA	No	NA	NA	None
Great Gray Owl <sup>3</sup> ( <i>Strix nebulosa</i> )	A	No	NA	NA	No	NA	NA	None
Oregon Red Tree Vole <sup>4</sup> ( <i>Arborimus longicaudus</i> )	C	Yes	No	No	No	NA	NA	None
<b>Mollusks</b>								
Puget Oregonian <sup>5</sup> ( <i>Cryptomasix devia</i> )	A	No	NA	NA	No	NA	NA	None
Crater Lake Tightcoil <sup>6</sup> ( <i>Pristiloma arcticum crateris</i> )	A	No	NA	NA	No	NA	NA	None

1. NA = Not applicable.

2. 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.

3. In the Salem District, the range of the great gray owl is only within the Cascades Resource Area.

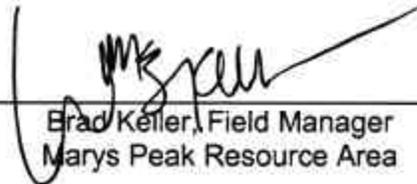
4. In the Salem District, pre-disturbance surveys are required for red tree voles in the North Mesic Zone which includes the project area. However, since the proposed treatment units do not contain any mature or old-growth forest patches, nor do they have 2 or more "predominant" conifer trees per acre (Survey Protocol for the Red Tree Vole, Version 2.1, October 23, 2002), surveys are not required.

5. In the Salem District, the range of *Cryptomasix devia* is limited to the Tillamook Resource Area and Clackamas County and Multnomah County in the Cascades Resource Area.

6. In the Salem District, *Pristiloma arcticum crateris* is suspected to occur above 2000 feet elevation in the Cascades Resource Area only.

Statement of Compliance. Within the Neuman Road LSR Enhancement Project there are no pre-disturbance surveys required for Survey and Manage wildlife species in order 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). There are no known sites of any Category B, D, E, and F species within the Neuman Road LSR Enhancement Project.

Therefore, based on the preceding information (refer to Table A above), it is my determination that the Neuman Road LSR Enhancement 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.

  
\_\_\_\_\_  
Brad Keller, Field Manager  
Marys Peak Resource Area

  
\_\_\_\_\_  
Date

## Appendix C: 2001 ROD Compliance Review: Survey & Manage Botany Species vers. 01-25-2006)

### Environmental Analysis File Salem District Bureau of Land Management

Project Name: **Neuman Road**                      Prepared By: **Ron Exeter**  
Project Type: **Commercial thinning**              Date: April 17, 2006  
Location: **(Coast Range physiographic province)** T. 7S/., R. 7W., Section 1 and 2. WM.  
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.

A habitat review of the Neuman Road thinning project was conducted to determine if suitable habitat for each survey and manage species, listed in table A occurs within the proposed project area and if any of the species known range falls within the vicinity of the project area. This review was conducted utilizing BLM and USGS resource maps, aerial photo's, agency (GeoBOB) and non-agency (ONHP) databases and individual species management recommendations and survey protocols. All field surveys were conducted utilizing the intuitive controlled survey method.

In addition to the GeoBOB and ONHP databases, the following references were utilized in determining species known range and habitat requirements.

#### Fungi:

- Survey Protocol Guidance For Conducting Equivalent Effort Surveys Under the Northwest Forest Plan Survey and Manage Standard and Guidelines. (March 2006).
- Survey Protocols for *Bridgeporus (=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 Protocol Guidance For Conducting Equivalent Effort Surveys Under the Northwest Forest Plan Survey and Manage Standard and Guidelines. (March 2006).
- Pseudocyphellaria perpetua* Supplemental Guidance for Pre-Disturbance Surveys Under the Northwest Forest Plan Survey and Manage Standard and Guidelines (March 2006).
- 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).

**Table A.**

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?	
<b>Fungi</b>								
<i>Bridgeoporus nobilissimus</i>	A	YES	NO	NO	NO <sup>1</sup>	N/A	None	N/A
<b>Lichens</b>								
<i>Bryoria pseudocapillaris</i>	A	NO	NO	NO	NO <sup>2</sup>	N/A	None	N/A
<i>Bryoria spiralifera</i>	A	NO	NO	NO	NO <sup>2</sup>	N/A	None	N/A
<i>Dendriscoaulon intricatatum</i>	A	YES	NO	NO	NO <sup>4</sup>	N/A	None	N/A
<i>Hypogymnia duplicata</i>	C	YES	NO	NO	NO <sup>4</sup>	N/A	None	N/A
<i>Leptogium cyanescens</i>	A	YES	YES	NO	YES	July 2003	None	N/A
<i>Lobaria linita var.tenuoir</i>	A	YES	NO	NO	NO <sup>4</sup>	N/A	None	N/A
<i>Nephroma occultum</i>	C	YES	NO	NO	NO <sup>4</sup>	N/A	None	N/A
<i>Niebla cephalota</i>	A	NO	NO	NO	NO <sup>2</sup>	N/A	None	N/A
<i>Pseudocyphellaria perpetua</i>	A	NO	NO	NO	NO <sup>3</sup>	N/A	None	N/A
<i>Pseudocyphellaria rainierensis</i>	A	YES	NO	NO	NO <sup>4</sup>	N/A	None	N/A
<i>Teloschistes flavicans</i>	A	NO	NO	NO	NO <sup>2</sup>	N/A	None	N/A
<b>Bryophytes</b>								
<i>Schistostega pennata</i>	A	YES	NO	NO	NO <sup>4</sup>	N/A	None	N/A
<i>Tetraphis geniculata</i>	A	YES	YES	NO	YES	July 2003	None	N/A
<b>Vascular Plants</b>								
<i>Botrychium minganense</i>	A	NO	NO	NO	NO <sup>5</sup>	N/A	None	N/A
<i>Botrychium montanum</i>	A	NO	NO	NO	NO <sup>5</sup>	N/A	None	N/A
<i>Coptis asplenifolia</i>	A	NO	NO	NO	NO <sup>7</sup>	N/A	None	N/A
<i>Coptis trifolia</i>	A	NO	NO	NO	NO <sup>5</sup>	N/A	None	N/A
<i>Corydalis aquae-gelidae</i>	A	NO	NO	NO	NO <sup>6</sup>	N/A	None	N/A
<i>Cypripedium fasciculatum</i>	C	NO	NO	NO	NO <sup>5</sup>	N/A	None	N/A
<i>Cypripedium montanum</i>	C	NO	NO	NO	NO <sup>5</sup>	N/A	None	N/A
<i>Eucephalis vialis</i>	A	NO	NO	NO	NO <sup>5</sup>	N/A	None	N/A
<i>Galium kamtschaticum</i>	A	NO	NO	NO	NO <sup>7</sup>	N/A	None	N/A
<i>Plantanthera orbiculata var. orbiculata</i>	C	NO	NO	NO	NO <sup>7</sup>	N/A	None	N/A
<b>Category B Species</b> (equivalent effort surveys needed if project area includes old-growth as defined in 2001 ROD glossary, p. 79-80)								
None. <sup>8</sup>	B	-	NO	NO	NO <sup>8</sup>	N/A	None	N/A
<b>Additional Category B, D, E &amp; F known sites located within the proposed project Area</b>								
No known sites, none found.								

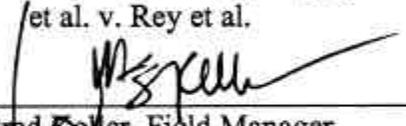
- 1 This species is known from high elevations containing true fir and the only site in the Oregon Coast Range is at approximately 4000 feet on the top of Marys Peak. There are no true firs within the proposed project area.
- 2 This species known range within the NW Forest Plan is along the immediate coast or within the coastal fog zone within sight or sound of the Pacific Ocean but often extending up to 15 miles inland.
- 3 This species is only known from Oregon at Cape Perpetua adjacent the Pacific Ocean. There are no survey protocols available. Survey protocols were due to be completed on September 30, 2005, and fully effective September 30, 2006.
- 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 80 years of age and the project does not meet the definition on page 79-80 of the 2001 ROD.

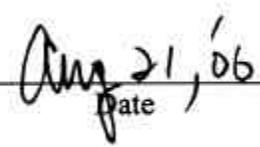
**STATEMENT OF COMPLIANCE:** Pre-disturbance surveys and management of known sites required by protocol standards to comply with the 2001 Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines (as the 2001 ROD was amended or modified as of March 21, 2004) were completed for Neuman Road thinning project. There are no known Category B, D, E, and F species within the Neuman Road thinning project.

**SUMMARY OF SURVEY RESULTS :**

The Neuman Road project area was surveyed in July of 2003. There were no previously known sites of any survey and manage species, nor were any found during surveys. There are currently no known sites of any survey and manage vascular plant, lichen, bryophyte or fungi species within or adjacent the project area.

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 the Neuman Road thinning 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.

  
 Brad Keller, Field Manager  
 Marys Peak Resource Area, Salem District BLM

  
 \_\_\_\_\_  
 Date