



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

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In Reply Refer To:

1792(ORC040)

EA#OR128-07-01 Slater Rocks EA

OR120-TS09-33 Pink Panther CT Timber Sale

DECISION DOCUMENTATION

For the

Pink Panther CT Timber Sale (OR120-TS09-33)

Slater Rocks Environmental Assessment EA#OR128-07-01

Background:

The Myrtlewood Field Office, Coos Bay District Bureau of Land Management, using input from District resource staff and the public, prepared the Slater Rocks Environmental Assessment (EA#OR128-07-01) which concluded with a Finding of No Significant Impact (FONSI) dated May 16, 2008. The EA's Proposed Action includes thinning approximately 1,400 acres of young conifer stands in the Matrix and Riparian Reserve land use allocations, construction of approximately 4.1 miles of new road, renovation/improvement of approximately 14.8 miles of existing roads, and decommissioning a total of 10.7 miles of new and existing roads. The *Pink Panther CT* Timber Sale, composed of EA Units SC 06/07/08/09/25N/25S/26/27 and 29, is part of this EA and is located in T. 30 S., R. 09 W., Sections 5 and 7, Willamette Meridian. The proposed treatment area is located in the General Forest Management Area (GFMA) and Riparian Reserve (RR) land use allocations.

The following Table shows the EA Unit numbers and the Timber Sale Unit Number for clarification. Some larger Units analyzed in the EA were broken into smaller Timber Sale Units because of logging feasibility and differing stocking levels.

Table 1: Environmental Assessment and Timber Sale Unit number alignments

EA #	SC26	SC29	SC25N	SC25S	SC07	SC06	SC09	SC08	SC27
TS #	Unit 1	Unit 2	Unit 3	Unit 4	Unit 5	Unit 6	Unit 7	Unit 8	Unit 9

Proposed Action:

The *Pink Panther CT* Timber Sale will implement commercial thinning totaling 117 acres and density management thinning totaling 53 acres in dense conifer stands. The *Pink Panther CT* Timber Sale will require construction of 0.45 miles of new roads, and renovation of 5.82 miles of existing roads. This timber sale will decommission a total of 0.90 miles of newly constructed and renovated roads.

The following table shows the relationship between the *Pink Panther CT* Timber Sale and EA estimates for treatment acres and roadwork. The difference is the result of field verification of Unit boundaries and road locations. The road renovation mileages are different because the EA analyzed the additional miles as maintenance and the Timber Sale has them designated as renovation.

Table 2: Comparison of harvest acres and road work between the EA and the Timber Sale

	Treatment Acres	New Road Construction (Miles)	Road Improvement (Miles)	Road Renovation (Miles)	Road Decommissioning (Miles)
EA Estimate	232	1.01	0.06	1.02	1.42
Timber Sale	170	0.45	0.00	5.82	0.90

Approximately 2,562 Mbf of timber is scheduled for removal. This includes approximately 1,761 Mbf from the GFMA which contributes to the Allowable Sale Quantity (ASQ). An additional 801 Mbf will come from the Riparian Reserves, but this volume does not contribute to the ASQ.

Stands within the GFMA will be thinned from below to achieve a Relative Density (RD) of roughly 35. The prescription for RR stands would also include gap creation and alder retention. Snag and/or down wood creation would occur where applicable within both land use allocations.

The EA included a complete list of Project Design Features (p. 24-30) designed to avoid, minimize, or rectify impacts on resources and are included as part of the Proposed Action. These and additional descriptions of the Proposed Action are hereby incorporated by reference. The following is a brief summary of some of these Design Features:

- Stream channels will have a minimum 50-foot no-harvest buffer.
- Harvest units using a combination of skyline cable and ground-based equipment.
- Snag and/or down wood will be created where applicable.
- Cable yarding is required with one-end or full suspension.
- All road work activities will use applicable Best Management Practices as described in the RMP.

Additionally, the EA analyzed two road use scenarios involving road rocking levels and seasons of use. The *Pink Panther CT* Timber Sale will be offered as a predominantly summer operation, utilizing dirt rather than rocked road surfaces. Application of daily timing restrictions will prevent disturbance to nesting marbled murrelets.

Compliance and Conformance

This decision is in conformance with the Coos Bay District's 2008 Western Oregon Plan Revision Record of Decision (2008 ROD) and Resource Management Plan (2008 RMP). The analysis supporting this decision tiers to the 2008 Final Environmental Impact Statement for the Revision of the Resource Management Plan of the Western Oregon Bureau of Land Management (2008 Final EIS).

Revision of a resource management plan necessarily involves a transition from the application of the old resource management plan to the application of the new resource management plan. A transition from the old resource management plan to the new resource management plan avoids disruption of the management of BLM-administered lands and allows the BLM to utilize work already begun on the planning and analysis of projects.

The 2008 ROD allowed for such projects to be implemented consistent with the management direction of either the 1995 resource management plan or the Approved Resource Management Plan attached to the Record of Decision, at the discretion of the decision-maker.

This project meets the requirements designated in the 2008 ROD for such transition projects:

1. A decision was not signed prior to the effective date of the 2008 ROD.
2. Preparation of National Environmental Policy Act documentation began prior to the effective date of the 2008 ROD.
3. This decision for the project will be signed within two years of the effective date of the 2008 ROD.
4. Regeneration harvest would not occur in a late-successional management area or deferred timber management area.
5. There would be no destruction or adverse modification of critical habitat designated for species listed as endangered or threatened under the Endangered Species Act.

Consultation with the National Marine Fisheries Service is not required, as the proposed project has been determined to have “no effect” to threatened Oregon Coast coho salmon. Additionally, project activities would not adversely effect Essential Fish Habitat under the Magnuson-Steven Fishery Conservation and Management Act (16 U.S.C. 1855(b)).

Formal and informal consultation with the U.S. Fish and Wildlife Service was requested in June 2008 for evaluation of effects to northern spotted owl and marbled murrelet. The U.S. Fish and Wildlife Service concurred with the District’s effects determination and stated that the Proposed Action “would not jeopardize the continued existence of the spotted owl or the murrelet¹.”

On July 25, 2007, the Under Secretary of the Department of Interior signed a new Survey and Manage Record of Decision² that removed the survey and manage requirements from all of the BLM resource management plans (RMPs) within the range of the northern spotted owl. Additionally, this project falls within at least one of the exceptions listed in the modified October 11, 2006 injunction against the 2004 Survey and Manage Record of Decision³.

Analysis has also concluded that implementation of the proposed actions will not contribute to the need to list any Special Status Species as identified in BLM Manual 6840 and BLM OR/WA 6840 policy. Botanical Special Status Species surveys have been completed on all units for which surveys are practical for those species included in the 2008 State Director’s Special Status Species List. These surveys did not identify any botanical Special Status Species in the *Pink Panther CT* Timber Sale area.

The Slater Rocks EA is in compliance with the Clean Water Act, the National Historic Preservation Act, and the Clean Air Act. The project area does not contain any Areas of Critical Environmental Concern, designated Wilderness, Wild & Scenic Rivers, or prime and unique farmlands. There were no concerns identified regarding Cultural Resource Values, Native American Religious Concerns, or Environmental Justice issues.

The Slater Rocks EA (EA #OR128-07-01) resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

Public Involvement:

The general public was informed of the planned EA through a letter (March 19, 2007) to those on the Field Office’s mailing list, which included adjacent landowners and the others who had requested scoping notices of timber sale EAs. An announcement was also posted on the District’s Internet site, <http://www.blm.gov/or/districts/coosbay/index.php> and in a Legal Notice in *The World* newspaper March 21, 2007 requesting comments for scoping. The public was informed of the EA and FONSI through a direct notification (May 16, 2008) and via a published Legal Notice in *The World* newspaper (May 17, 2008). The BLM received four public comments. However, no substantive comments required a change to the EA or the FONSI determination.

¹ July 30, 2008. Biological Opinion and Concurrence on the Slater Rocks Density Management Project (FWS 13420-2008-F-0098).

² July 2007. Complete Title: Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl.

³ March 2004. Complete Title: 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.

Rationale for the Decision:

I am choosing to offer the *Pink Panther CT* timber sale for the following reasons:

- Implementation of the Proposed Alternative best meets the Purpose and Need described in the Slater Rocks EA (p.5-8); the No Action Alternative does not meet the Purpose and Need.
- It is consistent with the RMP objectives and management directions for Matrix and Riparian Reserve land-use allocations as described in the *Final - Coos Bay District Resource Management Plan and Environmental Impact Statement* (RMP) and its *Record of Decision* (USDI 1995), as supplemented and amended.
- It provides timber sale volume toward the Coos Bay District Allowable Sale Quantity as required by the Oregon and California Act of 1937.
- It complies with other major applicable laws, regulations, and Bureau policies.

Administrative Remedies:

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer *Paul T. Flanagan* within 15 days of the publication date of the notice of decision/timber sale advertisement in *The World*, Coos Bay, Oregon.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and would contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Coos Bay district office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall, at the conclusion of the review, serve as the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business (4:30 pm) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay district office will issue a protest decision.

For further information, contact Aimee E.B. Hoefs, team lead, at 1300 Airport Lane, North Bend, Oregon, 97459 or (541) 756-0100.

Decision Approved by:

/s/ Paul T. Flanagan

February 24, 2009

Paul T. Flanagan
Myrtlewood Field Manager

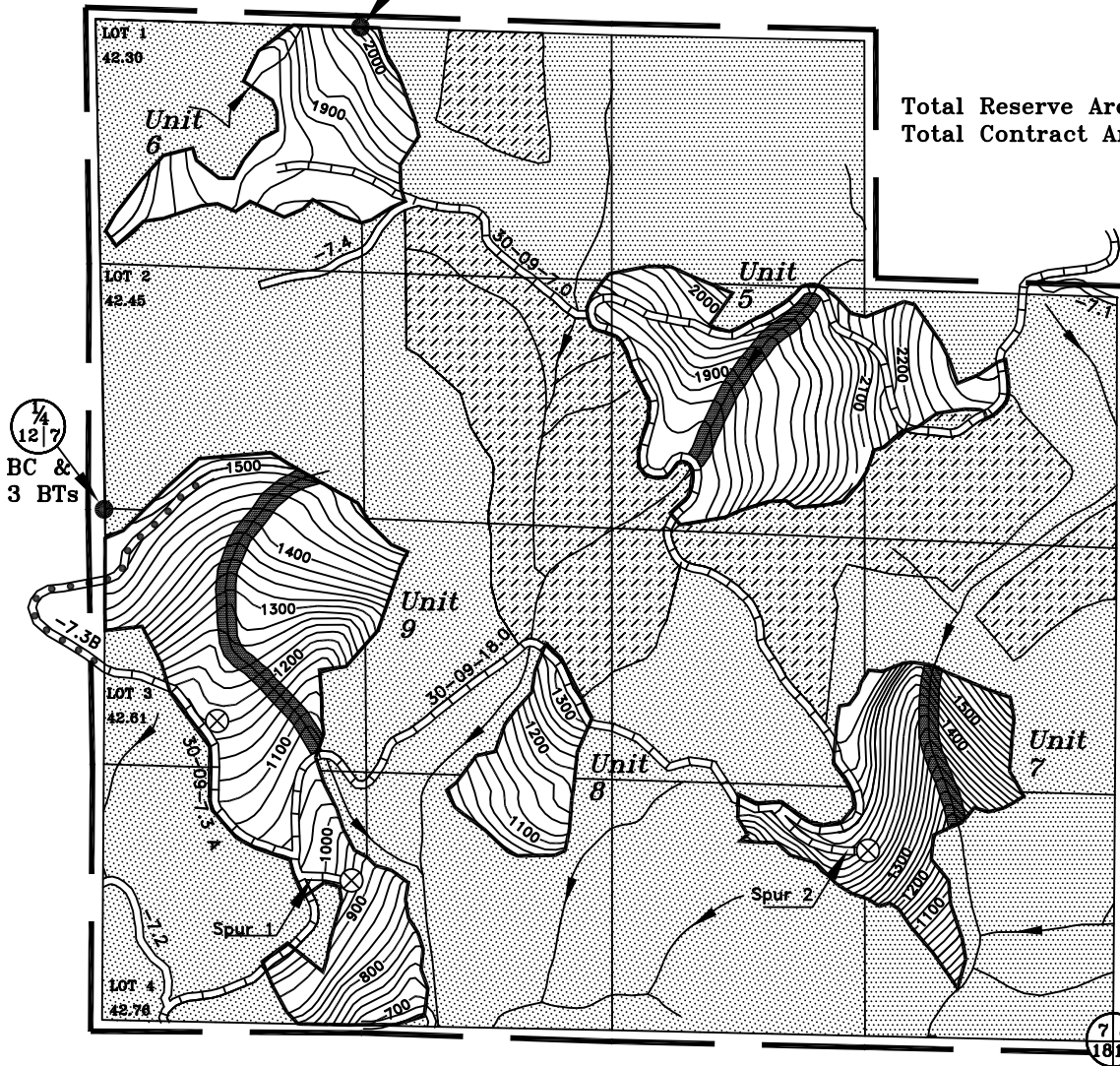
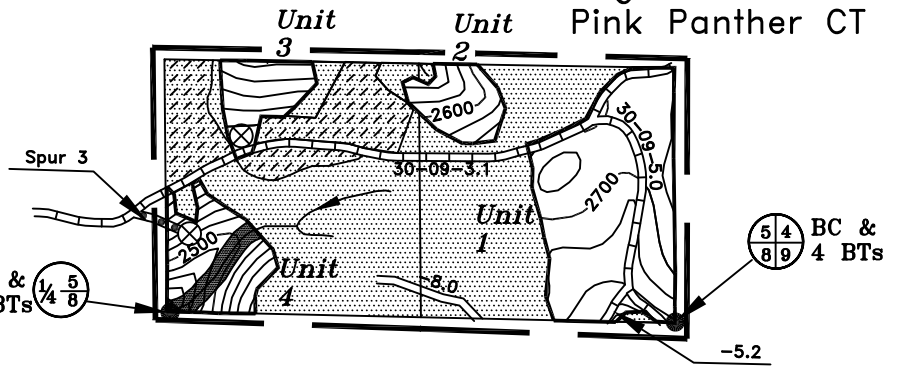
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Enclosure

TIMBER SALE CONTRACT MAP
 USDI-BLM COOS BAY DISTRICT
 T. 30 S., R. 9 W. Sec. 5 & 7

Sale NO. 09-33
 EXHIBIT A
 Page 1 Of 2
 Pink Panther CT

- Unit 1...18 ac.
- Unit 2....3 ac.
- Unit 3....4 ac.
- Unit 4....5 ac.
- Unit 5...34 ac.
- Unit 6...21 ac.
- Unit 7...22 ac.
- Unit 8...10 ac.
- Unit 9...53 ac.
- Total 170 ac.



Total Reserve Area..... 560 ac.
 Total Contract Area.....730 ac.

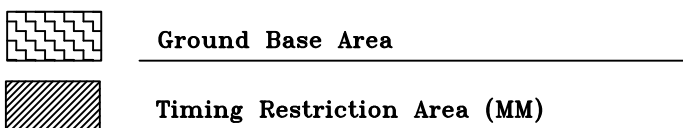
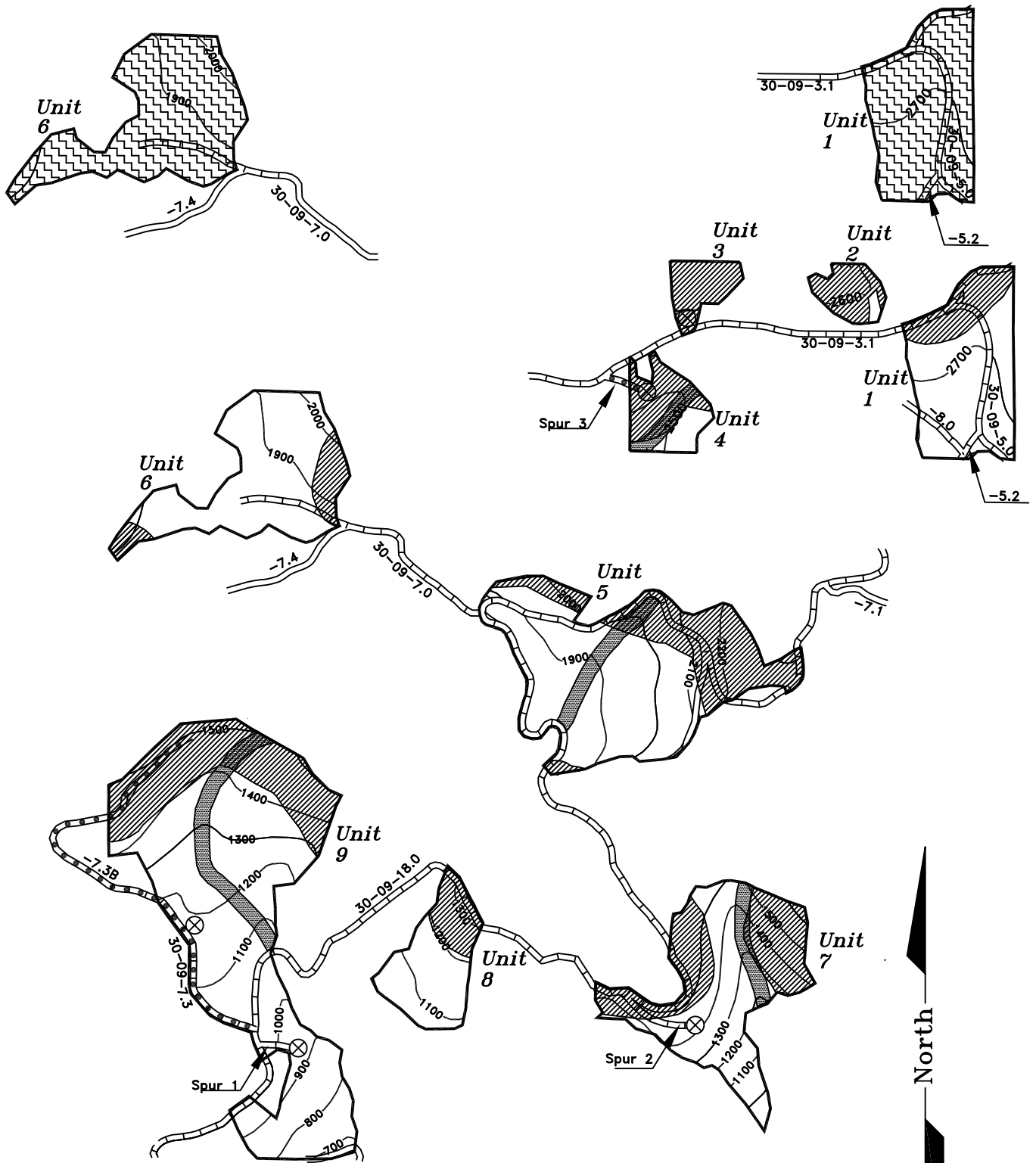


SCALE 1" = 1000'

	Partial Cut Unit		Road to be Constructed
	Reserve Area		Road to be Renovated
	50' Stream Buffer Reserve Area		Proposed Landing
	Previous Sale Area - Reserve		Stream Channel
	Existing Road		Corner Found

TIMBER SALE CONTRACT MAP
 USDI-BLM COOS BAY DISTRICT
 T. 30 S., R. 9 W. Sec. 5 & 7

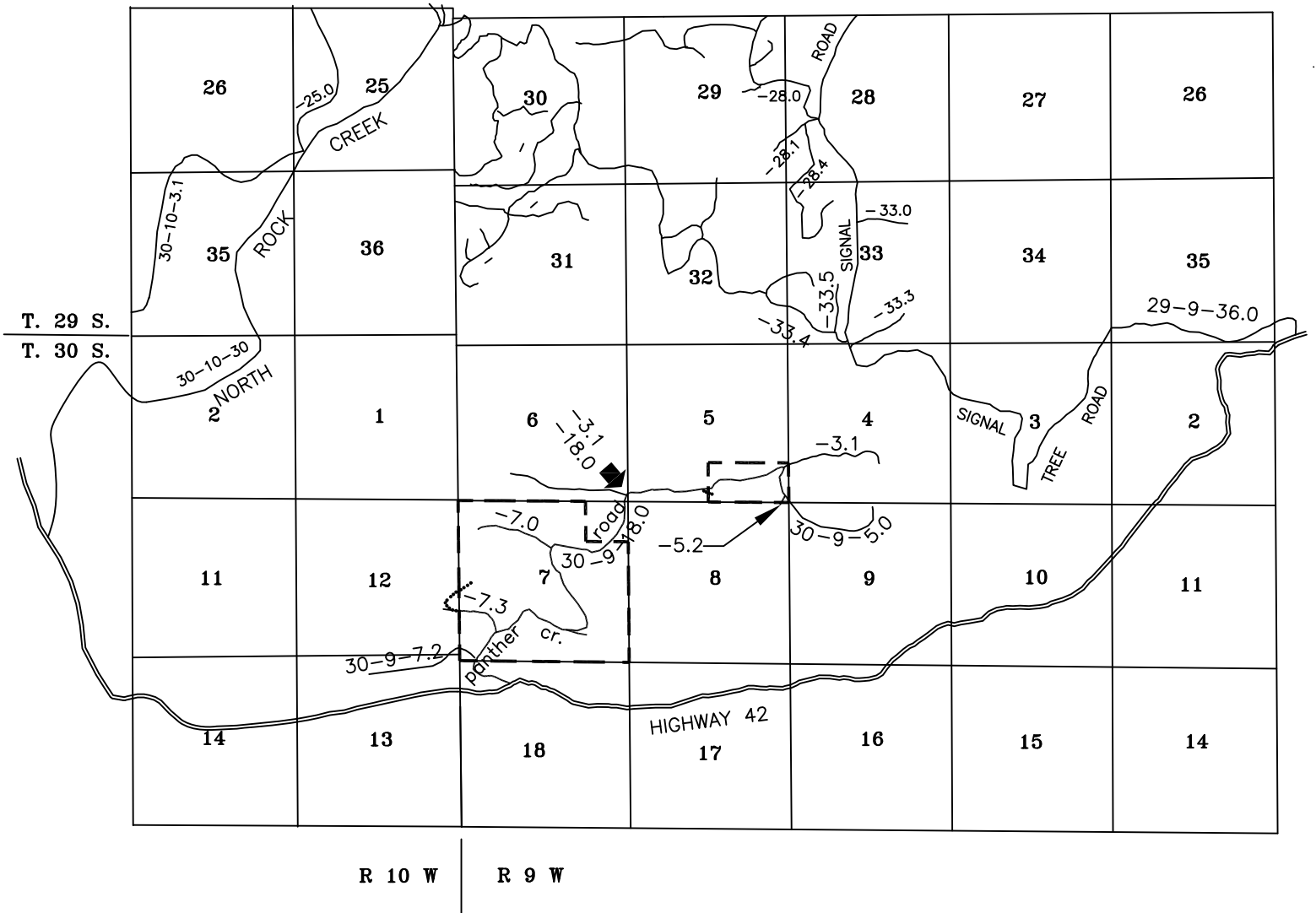
Sale NO. 09-33
 EXHIBIT A
 Page 2 Of 2
 Pink Panther CT








SCALE 1" = 1000'

TIMBER SALE CONTRACT MAP
 USDI-BLM COOS BAY DISTRICT
 T. 30 S., R. 9 W. Sec. 5 & 7

Sale NO. 09-33
 EXHIBIT A-1
 Page 1 Of 1
 Pink Panther CT



-  Existing Road
-  Road to be Constructed
-  Road Number Break
-  Section Number
-  Boundary of Contract Area



SCALE 1" = 1 Mile