

U.S. Department of the Interior
Bureau of Land Management
Roseburg District, Swiftwater Field Office

Little Hoss Regeneration Harvest Decision Record

Back in Black Regeneration Harvest Plan
Environmental Assessment
DOI-BLM-ORWA-R040-2014-0007-EA

October 18, 2016

INTRODUCTION

This document describes my decision, and reasons, regarding the course of action to be implemented by the Little Hoss Regeneration Harvest project. The Roseburg District Bureau of Land Management (BLM), Swiftwater Field Office, completed the Back in Black Regeneration Harvest Plan Environmental Assessment (Back in Black EA; DOI-BLM-OR-R040-2014-0007-EA), which was released for a 30-day public review on July 28, 2016.

The Swiftwater Field Office initiated planning and design for this project to conform with the Roseburg District's 1995 Record of Decision and Resource Management Plan (1995 ROD/RMP).

BACKGROUND

The Back in Black EA documented the analysis of BLM's proposal to implement forest management on 530 acres of BLM-administered lands within the Calapooya Creek and Lower North Umpqua watersheds. Project activities under the EA include commercial timber harvest, temporary road construction, road maintenance/renovation for the use of yarding, landings, and hauling, road decommissioning, and fuels management (Back in Black EA pp. 18-24). The Back in Black project lies within the following legal description: Sections 5, 7, and 17, T. 24 S., R. 03 W.; Sections 1 and 13, T. 24 S. R. 04 W.; and Section 17, T. 25 S., R. 4 W.; Willamette Meridian, in Douglas County, Oregon.

THE DECISION

It is my decision to authorize the Little Hoss Regeneration Harvest project, which consists of one regeneration harvest unit described and analyzed in the Back in Black EA. This starts implementation of the Proposed Action Alternative (Back in Black EA pp. 18 -34), as updated below. The Little Hoss Regeneration Harvest timber sale will provide 2.8 million board feet allowable sale quantity (ASQ) of timber available for auction.

Unit Configuration

The Little Hoss Regeneration Harvest project will harvest one unit (Unit 1), totaling 137 acres, allocated to the General Forest Management Area land use allocation (Table 1). The stands to be harvested are second-growth forests, approximately 66 years old, located in the Calapooya Creek and Lower North Umpqua River watersheds, in Section 17 of T. 25 S., R. 4 W., Willamette Meridian (Appendix A. Figure 1, Vicinity Map).

Table 1. Unit identification number, unit size, and fuels management for the Little Hoss Regeneration Harvest project, Swiftwater Field Office, Roseburg BLM in the General Forest Management Area land use allocation.

Unit Number		Unit Size (acres)	Fuels Management (acres)
<i>in the EA</i>	<i>in the decision</i>		
25-4-17A	Unit 1	137	30

Approximately 5 acres of the 142 acres (4 percent) analyzed in the EA will be excluded from regeneration harvest to protect active red tree vole trees and habitat features (e.g. large snags, large trees, large down wood).

Harvest will be accomplished using a cable yarding system (Appendix A. Figure 2, Unit Map). However, in order to make more effective decisions, the BLM may choose to utilize a ground-based harvest system on up to eight acres in the northwest portion of the unit (Back in Black EA p. 24, Table 2-3, Figure A-11), through adaptive management, depending on conditions on the ground, the market price of logs, and the cost of diesel fuel, at the time of implementation. This flexibility will allow the BLM to offer consistent and steady operational opportunities for the purchaser(s) throughout the year in order to meet the Purpose and Need of the project, including environmental protection while providing economic feasibility. Criteria that the purchaser will use to request utilizing a ground-based harvesting system will include; economic efficiency, seasonality, seasonal restrictions, and continuity of logging operations. Environmental effects of different yarding methods are analyzed in Chapter 3 of the EA (pp. 39-124).

In the areas designated for cable-yarding, up to two acres of incidental ground-based yarding may occur, as determined by the purchaser and contract administrator, to access small isolated portions of Unit 1 near roads where cable yarding is not practical, or to remove guy-line anchor trees and trees near landings. Project design features (PDFs) for timber yarding will be followed (Back in Black EA pp. 25-27) and sedimentation controls will be in place (Back in Black EA pp. 27-29).

As described in the Back in Black EA, no regeneration harvesting will occur within the Riparian Reserve land use allocation (pp. 1, 18, 25). Riparian Reserves were established based on site-potential tree heights determined for each watershed in the analysis area. The calculated site-potential tree height for the watersheds involved is 180 feet (Back in Black EA p. 25).

Regeneration harvest will remove all merchantable trees (greater than eight inches in diameter at breast height (DBH)), except retention trees discussed below.

On average, nine green trees per acre will be retained to meet the post-harvest six to eight green conifer tree retention RMP requirements, plus one additional green tree to provide for future snag recruitment (1995 ROD/RMP, pp. 34, 38, 64, 146, 150-151). Selection of retention trees will reflect the existing conifer species composition of the stands and full range of diameter classes greater than 20 inches diameter breast height (1995 ROD/RMP pp. 64, 150), if available, or the largest trees (1995 ROD/RMP p. 151). Retained trees will be distributed in variable patterns (1995 ROD/RMP pp. 38, 64). Green-tree retention will be met at the individual unit scale (Back in Black EA p. 19).

Roads, Spurs, and Landings

The total amount of road construction and road maintenance/renovation is within the scope considered in the Back in Black EA (Table 2-3, pp. 21-23). Associated road work includes 0.1 miles of temporary road construction followed by decommissioning, and 3.9 miles of road maintenance/renovation, 0.9 miles of which will be decommissioned after use (Table 2). Approximately 0.1 acres will be cleared for road rights-of-way outside of Unit 1 in the GFMA land use allocation, which is within the scope of the estimated seven acres of right-of-way clearing identified in the Back in Black EA (p. 18).

The spur roads in the Little Hoss Regeneration Harvest project have been re-numbered, as shown in Table 2. Table 2 shows road construction, maintenance/renovation, surfacing and post-harvest disposition of roads for the Little Hoss Regeneration Harvest project.

Table 2. Little Hoss Regeneration Harvest project roads and spurs.

Road/Spur #		Temporary Construction	Maintenance / Renovation	Surfacing		Decommissioning
<i>in the EA</i>	<i>in the Decision</i>	(feet)	(feet)	Existing	Proposed	Method
<i>Spur LHc</i>	Spur 1	-	995	Rock	Rock	Waterbar, block
<i>Spur LHd</i>	Spur 2	-	550	Rock	Rock	Waterbar, block
<i>Spur LHf, Pacific Powerline Road</i>	Spur 3 [†]	-	3,300	Native	Native	Waterbar, block
<i>Spur LHe</i>	Spur 4 [†]	475	-	None	Native	Waterbar, block
25-4-8.0	25-4-8.0	-	2,785	Rock	Rock	None
25-4-8.1	25-4-8.1	-	10,250	Rock	Rock	None
25-4-17.2	25-4-17.2	-	370	Rock	Rock	Waterbar, block
25-4-17.3	25-4-17.3	-	2,110	Rock	Rock	None
TOTALS		475 (0.1 mi)	20,360 (3.9 mi)			

[†] Spurs 3 and 4 may be rocked at the purchaser's request and expense. Rocking Spurs 3 and 4 will allow wet season haul; if spurs remain native, dry season haul will be required.

For the Little Hoss Regeneration Harvest timber sale, Spurs 3 and 4 will have native surfacing (Table 2). However, in order to make more effective decisions, the BLM may choose to rock Spur 3 and/or Spur 4 (Back in Black EA pp. 18, 23; Table 2-2), through adaptive management, depending on conditions on the ground, the market price of logs, and the cost of diesel fuel, at the time of implementation. This flexibility will allow the BLM to offer consistent and steady operational opportunities for the purchaser throughout the year in order to meet the Purpose and Need of the project, including environmental protection while providing economic feasibility. Criteria that the purchaser will use to request rocking Spurs 3 and/or 4 will include economic efficiency, seasonality, seasonal restrictions, and continuity of logging operations. Environmental effects of different road surfacing options are analyzed in Chapter 3 of the EA.

Main skid trails and landings will be subsoiled to a minimum depth of 18 inches, as determined by the soil scientist, if deemed necessary (Back in Black EA p. 26).

Fuels Management

A total of 30 acres will be hand and machine piled to reduce concentrations of residual slash around landings, to reduce activity fuel accumulation along select property lines and within 50 feet of permanent roads and haul routes (Table 1; EA pp. 23-24, Table 2-3). For Unit 1, a total of 33 acres were originally analyzed for landing and fuel accumulation piling in the Back in Black EA (p. 24, Table 2-3, *see Unit 25-4-17A*). As mentioned above, 5 acres of the harvest unit were dropped to protect active red tree vole trees and habitat, thereby reducing the amount of fuels management by 3 acres.

Project Design Features

The project design features described in the Back in Black EA (pp. 25-34), have been developed into contract stipulations to be implemented as part of the timber sale contract. Seasonal restrictions for the Little Hoss Regeneration Harvest project are discussed below.

- No cable yarding to, loading on, and hauling over unsurfaced roads will occur between October 15 of one calendar year and May 15 of the following calendar year, both days inclusive, or other periods of unseasonably wet weather and soil moisture conditions, unless otherwise approved by the BLM contract administrator.
- No road construction, road maintenance/renovation, or subsoiling will occur between October 15 of one calendar year and May 15 of the following calendar year, both days inclusive, or other periods of unseasonably wet weather and soil moisture conditions, unless otherwise approved by the BLM contract administrator (Back in Black EA p. 28).
- Machine piling within Unit 1 will not occur between October 1 of one calendar year and July 15 of the following calendar year, both days inclusive. The wet season restriction period may be adjusted in the event of unseasonably wet weather and soil moisture conditions. The soil scientist and contract administrator will monitor soil moisture, compaction, and displacement to determine when operations may need to be suspended.
- Based on current protocol survey data (BLM, unpublished data 2013-2016), there are no project activities that will remove dispersal habitat within 65 yards (dispersal) or 440 yards (suitable) of a known occupied northern spotted owl activity center. Therefore, the Little Hoss Regeneration Harvest project does not require seasonal restrictions, unless future surveys locate northern spotted owls within 65 yards (dispersal) or 440 yards (suitable) of the unit.

THE DECISION RATIONALE

My decision to authorize the implementation of a portion of the Proposed Action, as described in the Back in Black EA, and above, is based on consideration and evaluation of how well the purpose and need (Back in Black EA p. 1-3) are met, evaluation of decision factors, consideration for the environmental consequences of implementing or not implementing the Little Hoss Regeneration Harvest project (as analyzed in the Back in Black EA and documented in the Back in Black Finding of No Significant Impact (Back in Black FONSI)), compliance with laws, policies, and executive orders, and review and consideration of public comments received in response to the environmental assessment (Appendix B).

Response to Purpose and Need

- 1. Produce a sustained yield of forest products (1995 ROD/RMP, p. 60) to support local and regional economic activity (1995 ROD/RMP, p. 55). The 1995 ROD/RMP (p. 60) directs that timber resources on the GFMA land use allocation, be managed to provide timber sale volume toward the Roseburg District's annual allowable sale quantity (ASQ) of 45 million board feet. Manage GFMA lands to promote tree survival and growth, and to achieve a balance between wood volume production, quality of wood, and timber value at harvest (1995 ROD/RMP, p. 60; Back in Black EA pp. 1-3).**

The Little Hoss Regeneration Harvest project contributes an estimated 2.8 million board feet of timber toward the Roseburg District's declared ASQ of 45 million board feet (Back in Black EA p. 2; 1995 ROD/RMP p. 8). The Roseburg District's annual achievement of its ASQ is dependent upon the sale or offering of timber volume in individual timber sales, which in the aggregate, total the District's ASQ. Because timber sale planning requires two to three years, the inability to proceed with a given sale in the District's sale plan for any particular fiscal year has the potential to prevent the District from achieving its ASQ. Timber volume generated from the Little Hoss Regeneration Harvest project will contribute toward the socio-economic benefits envisioned in the Roseburg District Proposed Resource Management Plan/Environmental Impact Statement (Back in Black EA p. 2; PRMP/EIS, USDI BLM 1994a, Vol. 1, p. xii). The No Action Alternative would not meet the purpose and need to manage suitable O&C timber lands for permanent forest production in accordance with the principles of sustained yield (Back in Black EA p. 17).

- 2. Select logging systems based on the suitability and economic efficiency of each system for the successful implementation of the silvicultural prescription, for protection of soil and water quality, and for meeting other land use objectives (Back in Black EA pp. 1-3; 1995 ROD/RMP, p. 61).**

The Little Hoss Regeneration Harvest project was designed with harvesting systems to provide consistent and steady operational opportunities for the purchaser throughout the year, which will contribute to the economic stability of local communities and industries (1995 ROD/RMP p. 15). The Back in Black EA analyzed two road surfacing and yarding options under the Proposed Action (Back in Black EA pp. 18-24). In order to make more effective decisions, the BLM made the Little Hoss Regeneration Harvest project flexible to allow a combination of these options through adaptive management. Allowing the purchaser to request the use of a ground-based yarding system in a portion of Unit 1 and request rocking Spurs 3 and/or 4 will allow the BLM to offer consistent and steady operational opportunities for the purchaser throughout the year to meet the Purpose and Need of the project, including environmental protection, using PDFs and BMPs, while providing economic feasibility. The No Action Alternative would not contribute to the economic stability of local communities and industries because no timber management would occur (Back in Black EA p. 17).

- 3. The 1995 ROD/RMP (p. 61) specifies application of silvicultural systems that are planned to produce, over time, forests which have desired species composition, structural characteristics, and distribution of seral or age classes, as set forth in Appendix E of the 1995 ROD/RMP. Appendix E objectives include managing Matrix lands for a balance of age classes (1995 ROD/RMP, p. 150).**

The Little Hoss Regeneration Harvest project will apply regeneration harvest in stands 66 years of age in order to help develop a desired age class distribution across the landscape (Back in Black EA pp. 1-3, 45-49; 1995 ROD/RMP p. 61). The desired age class distribution for lands managed by the Roseburg District depicted in the PRMP/EIS (Chapter 4-26 & 27) reflects the entire land base managed by the District. Because no regeneration harvest is authorized in Riparian Reserves and Late-Successional Reserves, only regeneration harvest in the Matrix and the Little River Adaptive Management Area provides the opportunity to create early-seral (0-15 years) and mid-seral (15-40 years) stages of forest succession on lands managed by the Roseburg District. To achieve the desired age class distribution, it is necessary the harvest type resets the age class or seral stage (i.e. a regeneration harvest). Over time, regeneration harvests can transform or convert an irregular forest structure to a regulated one (Chapter 3, Section 3.3.2.3; Hennes *et al.* 1971).

The 1995 ROD/RMP assumed that district-wide, regeneration harvest would be implemented on 19,250 acres over the first two decades of RMP implementation (PRMP/EIS, p. Appendices 252, Table II-6). Over that period, 1,920 acres or ten (10) percent of the projected total has actually been regeneration harvested in the GFMA, resulting in a substantial departure from the planned acres in the 0 to 20 year age classes. Consequently, there are fewer than anticipated “young” stands on GFMA lands resulting in a departure from the assumed, age class distribution and a slower pace to a balanced age class/seral-stage distribution.

The early-seral stage has the least representation on BLM managed lands in the Calapooya Creek watershed at 0.03 percent (Back in Black EA p. 41). The seral stages will be adjusted under the Little Hoss Regeneration Harvest project from late-seral to the early-seral stage (Back in Black EA p. 49), which contributes to balancing age class distributions and simultaneously contributes to meeting the management objective (1995 ROD/RMP, p. 150) for creation of stands with early-seral conditions.

Other Information

My decision rationale for selecting a portion of the Proposed Action regarding other key issues not discussed in the *Response to Purpose and Need* section is addressed in *Appendix B – Response to Environmental Assessment Comments*.

Conclusion

The project design features described in the Back in Black EA (pp. 25-34) will minimize soil compaction, limit erosion, reduce the spread of noxious weeds, and protect slope stability, wildlife habitat, and air and water quality. I have reviewed the resource information contained in the EA and the updated information presented in this decision.

Based on the analysis of potential impacts contained in the Back in Black EA, a Finding of No Significant Impact (FONSI) has been prepared for the Back in Black Regeneration Harvest project with a determination that the project, which includes the Little Hoss Regeneration Harvest, will not have a significant impact on the human environment; therefore, an environmental impact statement will not be prepared (Back in Black FONSI).

LAWS, POLICIES, AND EXECUTIVE ORDERS

Design and implementation of the Little Hoss Regeneration Harvest project conforms to applicable laws, regulations, and Executive Orders that include but are not limited to the: Oregon and California Railroad Lands Act of 1937; Federal Land Policy and Management Act (FLPMA); National Historic Preservation Act, 2012 National Programmatic Agreement, and 2015 Oregon State Historic Preservation Office Protocol; Clean Water Act, Clean Air Act, Endangered Species Act, Migratory Bird Treaty Act and Executive Order 13186; Lackey Act, Federal Noxious Weed Act, and Executive Order 13112 (Back in Black EA p. 12).

PUBLIC INVOLVEMENT

The BLM solicited comments from affected tribal governments, adjacent landowners, affected State and local government agencies, and the general public on the Back in Black EA, during a 30-day public comment period (July 28 – August 26, 2016). Two sets of comments were received from four organizations during the public comment period.

Responses to relevant comments not already addressed in the EA are included in this document as *Appendix B – Response to Environmental Assessment Comments*. Comments pertinent to other actions analyzed in the Back in Black EA will be addressed in future decisions that include those actions.

MONITORING

Compliance with this decision will be ensured by frequent on-the-ground inspections by the Contracting Officer's Representative. Monitoring will be conducted in accordance with provisions contained in the 1995 ROD/RMP, Appendix I (pp. 84-86, 189, 193-199, 201, 202, 206-209). Monitoring efforts will focus on consideration of the following resources: Matrix land use allocation, air quality, water and soils, wildlife habitat, special status species, cultural resources, timber resources, noxious weeds, and fire/fuels management (Back in Black EA p. 124).

CONSULTATION AND COORDINATION

Consultation under Section 7 of the Endangered Species Act (1973 as amended) with the U.S. Fish and Wildlife Service (Service) is complete. Consultation on the Back in Black Regeneration Harvest project was completed on February 9, 2016. The Biological Opinion found that the proposed treatments included in the 2016 document are not likely to jeopardize the northern spotted owl (Tails #01EOFW00-2016-F-0065). Unit 1 is not located in critical habitat for the northern spotted owl and therefore, there are no concerns for critical habitat related to the Little Hoss Regeneration Harvest project (Back in Black EA p. 62). Unit 1 is outside of the distribution range of the marbled murrelet and therefore, the Little Hoss Regeneration Harvest project will have no effect to the species or its critical habitat (Back in Black EA p. 52).

The Little Hoss Regeneration Harvest project will follow all provisions of the Clean Water Act (40 CFR Subchapter D) and Department of Environmental Quality's (DEQ's) provisions for maintenance of water quality standards. The actions in this decision will have no effect to the federally threatened Oregon Coast coho salmon (*Oncorhynchus kisutch*), coho Critical Habitat, or listed fish habitat (LFH) (Back in Black EA p. 37, Back in Black FONSI p. 12).

As described in the Back in Black EA (pp. 36-37), the BLM conducted field surveys for botanical species in the Little Hoss unit in 2014. No Federally-listed or Bureau Sensitive botanical species were detected. Therefore, there will be no effect on these species as a result of implementing the Little Hoss Regeneration Harvest project.

Cultural resource inventories within the Little Hoss unit and areas of road construction were completed in 2015. These efforts are documented in CRS# SW1501, SW1502, and SW1503. The most recent surveys did not locate any significant cultural resources. The Little Hoss Regeneration Harvest project will have no impact on historic properties. The BLM has completed its Section 106 responsibilities under the 2012 National Programmatic Agreement and the 2015 Oregon Protocol (Back in Black EA p. 37).

Letters were sent to the Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz, and Cow Creek Band of Umpqua Tribe of Indians requesting identification of any special interest they might have regarding the proposed activities. Further consultation in the form of phone calls and emails did not identify any concerns with the proposed activities.

PLAN CONFORMANCE

The BLM signed a Record of Decision approving the Northwestern and Coastal Oregon Resource Management Plan (2016 NCO ROD/RMP) on August 5, 2016.

Revision of an RMP necessarily involves a transition from the application of the old RMP to the application of the new RMP. The planning and analysis of future projects such as timber sales requires several years of preparation before the BLM can design a site-specific project and reach a decision. Allowing for a transition from the old RMP to the new RMP avoids disrupting the management of BLM-administered lands and allows the BLM to utilize work already begun on the planning and analysis of projects.

The 2016 ROD/RMP (pp. 10-12) allows the BLM to implement projects consistent with the management direction of either the 1995 RMP or the approved RMP, at the discretion of the decision maker, if—

- The BLM had not signed a project-specific decision prior to the effective date of the ROD;
- The BLM began preparation of NEPA documentation prior to the effective date of the ROD; and
- The BLM signs a project-specific decision on the project within two years of the effective date of the ROD.

The Roseburg District began preparation of NEPA documentation prior to the effective date of the 2016 ROD/RMP, as the District initiated planning and NEPA documentation for this project on September 9, 2014. This project was designed to conform to and be consistent with the Roseburg District's 1995 Record of Decision and Resource Management Plan (1995 ROD/RMP).

This project meets the criteria described in the 2016 ROD/RMP that allows the BLM to implement projects that conform and are consistent with the 1995 ROD/RMP, with the exception of five categories of prohibited carry-over actions (2016 ROD, p. 11). The Little Hoss Regeneration Harvest project has been modified to exclude any actions that are excepted, and therefore precluded from the 2-year transition period under the 2016 ROD/RMP.

1. *Regeneration harvest (construction of roads or landings does not constitute regeneration harvest) within the Late-Successional Reserve allocated by this ROD that is inconsistent with the management direction for the Late-Successional Reserve contained within the approved RMP.*

The Little Hoss Regeneration Harvest project area is not within the LSR land use allocation under the 2016 ROD/RMP; therefore this project meets this criterion described in the 2016 ROD/RMP that allows the BLM to implement projects that conform and are consistent with the 1995 ROD/RMP.

2. *Issuance of right-of-way grants within the Late-Successional Reserve allocated by this ROD that are inconsistent with the management direction for the Late-Successional Reserve contained within the approved RMP.*

The Little Hoss Regeneration Harvest project area is not within the LSR land use allocation under the 2016 ROD/RMP; therefore this project meets this criterion described in the 2016 ROD/RMP that allows the BLM to implement projects that conform and are consistent with the 1995 ROD/RMP.

3. *Commercial thinning within the inner zone of the Riparian Reserve allocated by this ROD that is inconsistent with the management direction for the Riparian Reserve contained within the approved RMP.*

No thinning within the inner zone of the Riparian Reserve allocation by the 2016 ROD/RMP will occur; therefore this project meets this criterion described in the 2016 ROD/RMP that allows the BLM to implement projects that conform and are consistent with the 1995 ROD/RMP.

4. *Projects within the District-Designated Reserve – Lands Managed for their Wilderness Characteristics allocated by this ROD that are inconsistent with the management direction for the District-Designated Reserve – Lands Managed for their Wilderness Characteristics contained within the approved RMP.*

The Little Hoss Regeneration Harvest project area is not within the District-Designated Reserve – Lands Managed for their Wilderness Characteristics land use allocation under the 2016 ROD/RMP; therefore this project meets this criterion described in the 2016 ROD/RMP that allows the BLM to implement projects that conform and are consistent with the 1995 ROD/RMP.

5. *Timber harvest that would cause the incidental take of northern spotted owl territorial pairs or resident singles and does not have a signed Biological Opinion and Incidental Take Statement that predates the effective date of the Biological Opinion for the approved RMP.*

Consultation under Section 7 of the Endangered Species Act (1973 as amended) with the U.S. Fish and Wildlife Service (Service) is complete. Consultation on the Back in Black Regeneration Harvest Environmental Assessment was completed on February 9, 2016. The Biological Opinion found that the proposed treatments included in the 2016 document are not likely to jeopardize the northern spotted owl (Tails #01EOFW00-2016-F-0065). The USFWS determined that proposed actions in the Back in Black Regeneration Harvest Environmental Assessment will not cause the incidental take of northern spotted owls or resident singles; therefore this project meets this criterion described in the 2016 ROD/RMP that allows the BLM to implement projects that conform and are consistent with the 1995 ROD/RMP.

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 (Max Yager) within 15 days of the first publication date of the notice of decision notice/timber sale advertisement in The News-Review, Roseburg, Oregon on October 18, 2016.

As described in 43 CFR § 5003.3 (b): "Protests shall be filed with the authorized officer and shall 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 Roseburg 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.

It is further stated at 43 CFR § 5003.3 (c) that: "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 reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of the review, serve 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(t).

If no protest is received by the close of business (4:30 P.M.; Pacific Daylight Time) at the expiration of the period for protest on November 2, 2016, 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 Swiftwater Field Office will issue a protest decision.

For further information, contact Max Yager, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR 97471, (541) 440-4930.



Max Yager
Field Manager
Swiftwater Field Office

Oct. 11th, 2016
Date

Appendix A – Maps for the Little Hoss Regeneration Harvest project



Little Hoss Regeneration Harvest

Figure 1. Vicinity Map

R05W

R04W

T24S

T24S

T25S

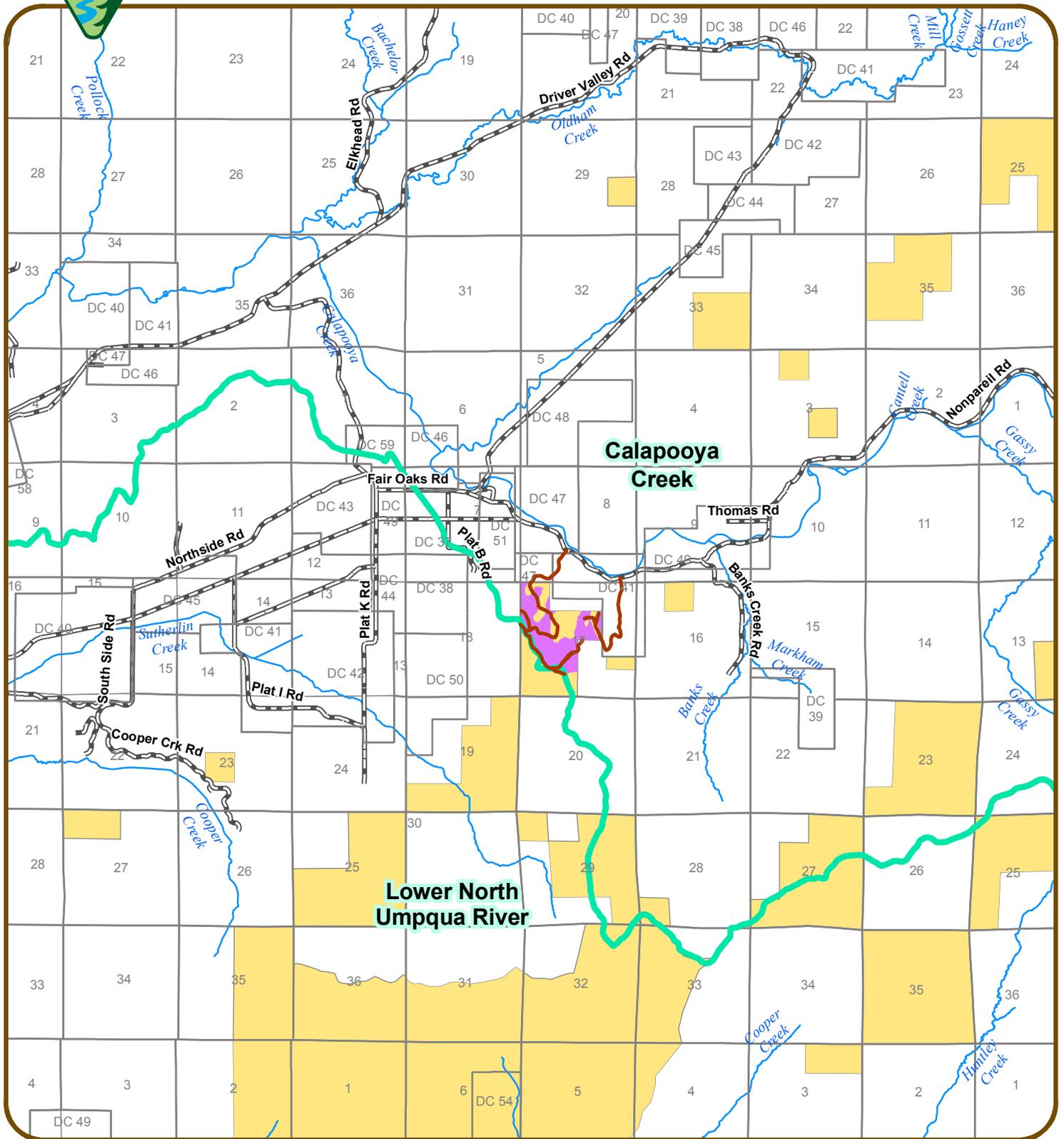
T25S

T26S

T26S

R05W

R04W

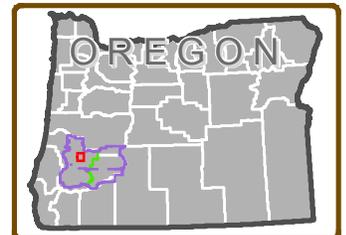


Legend

- Harvest Unit
- Bureau of Land Management
- Watershed
- Private/Unknown
- Haul Route
- Major Stream
- County Road



Date: 9/6/2016

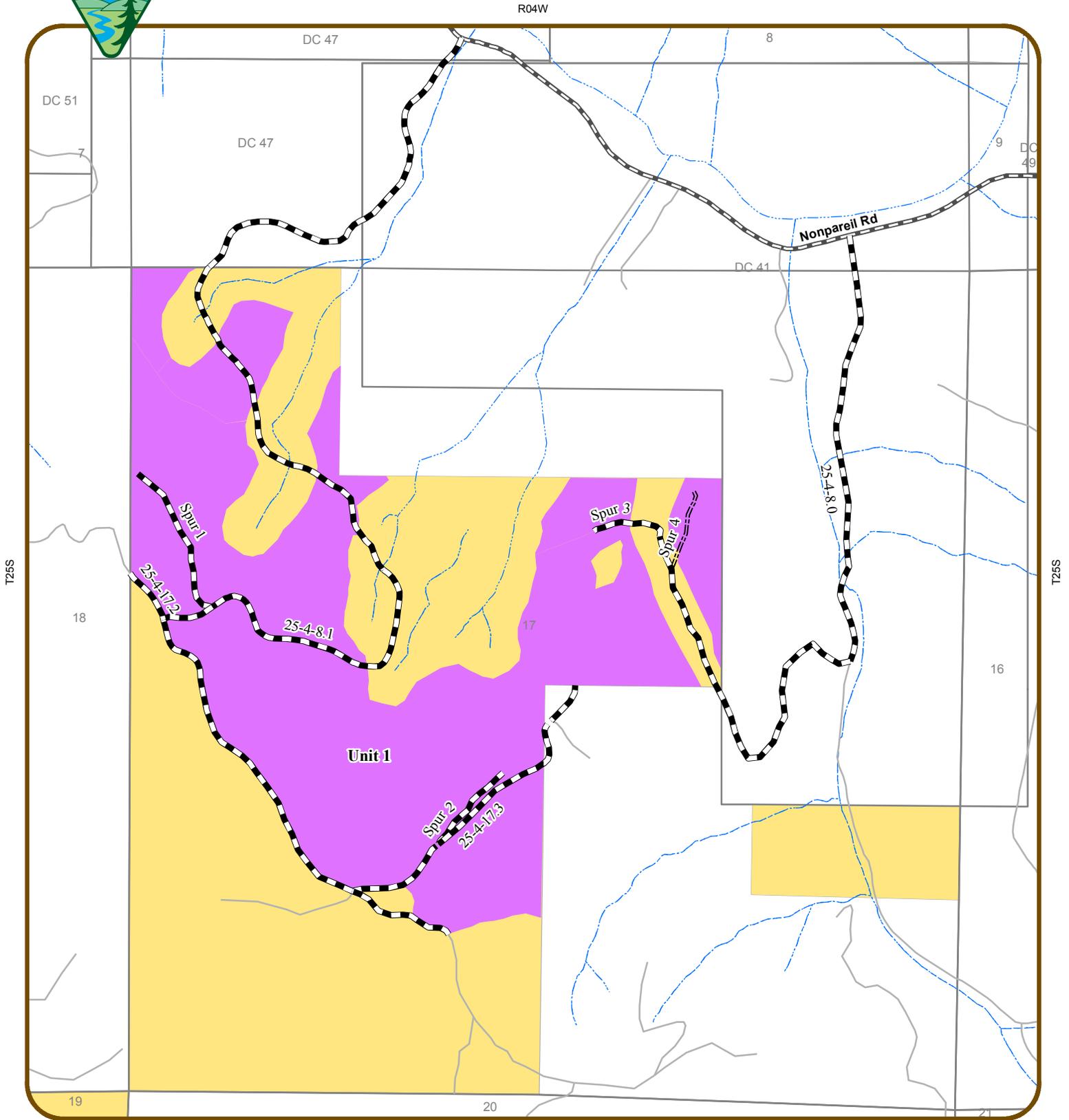


No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.



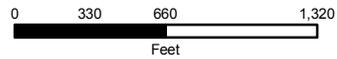
Little Hoss Regeneration Harvest

Figure 2. Unit 1

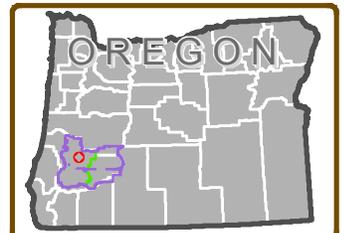


Legend

- Harvest Unit - Cable Yarding
- Bureau of Land Management
- Temporary Construction
- Private/Unknown
- Renovation
- Minor Stream
- County Road
- Other Road



Date: 9/6/2016



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Appendix B – Response to Environmental Assessment Comments

Back in Black Regeneration Harvest Plan Environmental Assessment

Relevant to the Little Hoss Regeneration Harvest Project

A 30-day period for public review was provided with release of the EA on July 28, 2016. Two sets of comments were received from four organizations. Substantive comments specific to the Little Hoss Regeneration Harvest project are grouped by topic, noted in italics and addressed below. The BLM elected to respond to some non-substantive comments where it would improve the public's understanding of the project or planning process.

Purpose and Need

“[R]estricting certain types of ground-based equipment rather than describing what condition the soils should be at the end of the contract period unnecessarily limits the ability of certain operators to complete a sale in an appropriate manner with the proper and cautious use of their equipment. To address this issue we would like to see flexibility in the EA and contract to allow a variety of equipment to the sale areas. We feel that there are several ways to properly harvest any piece of ground, and certain restrictive language can limit some potential operators. Though some of the proposal area is planned for cable harvest, there are opportunities to use certain ground equipment such as fellerbunchers and processors in the units to make cable yarding more efficient.”

The Roseburg District incorporated operational flexibility and economic feasibility into the Back in Black EA, while still meeting the best management practices and standards in the 1995 Roseburg District Record of Decision and Resource Management Plan (1995 ROD/RMP). The BLM analyzed all harvest areas that met criteria for ground-based yarding to be yarded using either ground-based or cable yarding harvest systems (Back in Black EA, pp. 18-19). The BLM also analyzed for both native and rocked road surfacing. These options would allow the BLM to offer consistent and steady operational opportunities for the purchaser(s) throughout the year in order to meet the Purpose and Need of the project, including environmental protection while providing economic feasibility.

“...the BLM's purpose includes a lot of undefined terms, such as: “desired distribution of age of [sic] classes,” “desired species composition,” “desired understory vegetation,” “good growth rates,” “vegetation diversity,” and “structural complexity.””

“Unless BLM clearly defines its purpose there is no way that BLM can weigh the alleged benefits versus the adverse trade-offs.”

The BLM clearly defined the purpose and need for the Back in Black EA. The purpose and need for the project is tiered directly to the 1995 ROD/RMP. One of the objectives for the project states that “[t]he ROD/RMP specifies application of silvicultural systems that are planned to produce, over time, forests which have desired species composition, structural characteristics, and distribution of seral or age classes, as set forth in Appendix E of the 1995 ROD/RMP (p. 61). Appendix E objectives include managing Matrix lands for a balance of age classes (1995 ROD/RMP, p. 150) (Back in Black EA, p. 2). Appendix E of the 1995 ROD/RMP clearly defines the management direction for desired species composition, structural characteristics, and distribution of seral or age classes for Matrix lands. The BLM's purpose and need for this EA does not discuss “desired understory vegetation”, “good growth rates”, “vegetative diversity”, or “structural complexity”.

Alternatives Considered but not Analyzed in Detail

“The BLM did not even consider if variable retention harvest could meet the needs of its project.”

“...the BLM has an obligation to look at all reasonable alternatives to meet its purpose and need. If VRH is advanced in other projects that involve a need of developing a desired distribution of age classes and desired species composition, why was it not considered in this project?”

The BLM included an adequate range of alternatives in the Back in Black EA to address the project’s purpose and need (pp. 1-3). The BLM is required to include a discussion of a range of reasonable alternatives to the proposed action, alternatives that are technically and economically feasible, which meet the purpose and need, and which have a lesser environmental impact.

A “rule of reason” standard guides the range of alternatives, and does not require the BLM to include or evaluate every conceivable possible alternative. The BLM is not required to consider a range of alternatives that extends beyond those reasonably related to the purpose of the project.

Two alternatives were analyzed in detail (Back in Black EA, pp. 18-24). The Proposed Action Alternative (Alternative Two) meets the purpose and need by: (1) producing a sustained yield of forest products, (2) selecting logging systems based on the suitability and economic efficiency of each system for the successful implementation of the silvicultural prescription, for protection of soil and water quality, and for meeting other land use objectives, and (3) producing, over time, forests which have desired species composition, structural characteristics, and distribution of seral or age classes (Back in Black EA, p. 2).

The proposed action meets the currently accepted definition of a variable-retention harvest. The proposed action is described as “green-tree retention” per the 1995 ROD/RMP (Back in Black EA p. 16), which was derived from the Northwest Forest Plan. Gustafsson et al. (2012) noted that the term “retention harvest” was originally promoted under the term “green-tree retention”. Further, Franklin et al. (1997) included Northwest Forest Plan retention standard and guides for green-tree retention in their examples of variable-retention. Therefore, green-tree retention and variable-retention are synonymous.

Franklin and Johnson prescribed a live tree retention level between 20 and 30 percent of the pre-harvest basal area of the entire stand for a specific project, i.e. the Roseburg Secretarial Demonstration Pilot. Of the total retention amount, up to one third (1/3) could be located in Riparian Reserves (Franklin 2011). It should be noted that this range of retention represents their opinion only, and is not an accepted standard (Baker 2011, Gustafsson et al. 2012). The unit meets or exceeds the retention levels proposed by Jerry Franklin and K. Norman Johnson.

The Back in Black project includes retention of nine (9) large trees per acre, all located outside Riparian Reserves (Back in Black EA p. 19). Back in Black EA Table 3-5 (p. 46) shows that retention of those trees corresponds to basal area retention levels of between 10 and 28 percent. Adding in the same amount of Riparian retention as the previously cited pilot project would boost the total retention of most units to over 30 percent. Even the lowest value of 10 percent retention shown in Table 3-5 is not considered “outdated” by current retention harvest criteria. A recent review of the global application and state of the science of retention forestry recommends a minimum retention level of 5 to 10 percent (Gustafsson et al. 2012). The proposed project meets or exceeds that minimum, and in most cases exceeds it substantially.

The proposed action meets the management direction for the General Forest Management Area land use allocation and meets the variable-retention criteria of the previously cited pilot project. Differences are not substantial enough to warrant another alternative. The BLM has complied with the requirements of NEPA regarding an adequate range of alternatives

“BLM must at least consider a NEPA alternative that retains 30% of the forest in retention clumps and treats only young managed stands less than 80 years old.”

Only young managed stands less than 80 years-old are being considered for treatment. Applying the retention rules of the Roseburg Secretarial Demonstration Pilot to the current project results in retention levels of between 30 and 40 percent. Total retention at the unit basis includes the General Forest Management Area and up to one third (1/3) of the retention target within the Riparian Reserves.

“Based on overarching concerns about spotted owls and climate change, we urge BLM to adopt a thinning only approach here.”

Aside from the analyzed alternatives, Alternative One (no action) and Alternative Two (proposed action), the BLM considered but did not analyze in detail four other alternatives, one of which was a “Commercial Thinning” alternative (Back in Black EA, p. 34). This alternative was eliminated from detailed analysis because it does not respond to the purpose and need; commercial thinning would not allow BLM to implement its policy objectives for developing a desired age class distribution across the landscape (Back in Black EA, pp. 1-3; 1995 ROD/RMP, p. 61).

Cumulative Effects

“The cumulative effects of BLM regen and thinning, combined with clearcutting on private land will be significant.”

The cumulative effects analyzed for this project were described in the Introduction to Cumulative Effects on pages 39 and 40 of the Back in Black EA. Cumulative effects analyses for each resource were included in the environmental effects sections of Chapter 3 (Forest Vegetation, pp. 50-51; Wildlife, pp. 80-84; Water Resources, p. 98; Noxious Weeds, p. 102; Soils, p. 111; Fire and Fuels Management and Air Quality, pp. 117-119; Carbon Storage and Release, p. 123).

The decision maker determined the effects analyzed in the EA meet the criteria for a Finding of No Significant Impacts, and do not warrant development of an EIS (see Back in Black FONSI).

“BLM should not add to the cumulative effects by conducting more regen harvest which may have significant effects on water quality, wildlife habitat, and scenic values. The BLM needs to conduct a thorough landscape analysis of additional recent harvest activities on private land and the cumulative effects caused by 520 acres of additional regen harvest.”

“BLM’s inclusion of the conditions on private lands is the standard assumption of the intensive management on 40-60 year rotations. This assumption does not correctly capture that such logging may not occur at regular intervals. It looks like a lot of private land logging has taken place in short amount of time, indicating either than private landowners are managing on an even shorter rotation, or that they are not scheduling harvests in a way that spreads cumulative effects over time. These are relevant considerations that BLM did not address in its cumulative effects analysis. Adding BLM clearcuts to the already fragmented landscape represents a potentially significant cumulative effect on wildlife, watersheds, etc.”

The BLM made a general assumption that most late-seral forest stands on private land have been converted to early-seral conditions and large industrial owners would continue to manage primarily for timber production on a rotation of 40 to 65 years (Back in Black EA, p. 40). The BLM has no control over private land management, and timber harvests on private lands could occur in an irregular spatial distribution. However, each resource adequately analyzed current conditions of private lands within the analysis area.

The BLM analyzed cumulative impacts resulting from harvest activities on BLM and private lands and its impact on northern spotted owls at the landscape level, as well as within the home ranges for three northern spotted owl activity centers (Back in Black EA, pp. 80-81). In addition, the BLM addressed cumulative impacts to dispersal habitat and disturbance to the northern spotted owl in context of BLM and private land distribution (Back in Black EA, p. 83).

An Equivalent Clearcut Analysis (ECA) was conducted in November 2014 which included imagery data from Google Earth (imagery data from June 2014) (Back in Black EA, pp. 86, 90). This was the most current imagery data available at the time and still is. This data accounted for the most recent private harvest information available, and was combined with the BLM's Back in Black Regeneration Harvest Plan to assess cumulative effects in the EA (Back in Black EA, p. 98).

A visual contrast rating analysis was conducted in January 2016 to analyze potential visual impacts of the proposed action. This visual contrast rating analysis determined that although there is a very recent clear-cut on adjacent private land, the timber harvest activities are not in a straight line view of drivers along Nonpareil Road (Back in Black EA, p. 38).

Resource Management Plan

“The Back in Black was planned in accordance with the 1994 NWFP EIS and the 1995 RMP EIS [sic]. These documents cannot be used to support logging in the matrix because those NEPA analyses are out of date.”

“BLM erred by relying on outdated provisions of the 1995 RMP and not considering and addressing new information and changed circumstances indicating a greater need for forest conservation.”

“The agencies should follow NEPA procedures to amend their management plans, consider alternatives, and adopt new standards that assure objectives are met over time and across the landscape.”

At the time the Back in Black EA was released, the BLM was mandated to follow the 1995 ROD/RMP. The Back in Black EA is consistent with management direction in the 1995 ROD/RMP, and it is also consistent with management direction in the Northwestern and Coastal Oregon Resource Management Plan (2016 NCO ROD/RMP) regarding use of the 1995 ROD/RMP during the two year transition period (Little Hoss Regeneration Harvest Decision, pp. 8-10; 2016 NCO ROD/RMP, pp. 10-12).

The decisions regarding goals, objectives, land use plan amendments, and land use allocations were made in the Record of Decision for the 1995 Roseburg RMP as part of the land use planning process. Changing the decisions established in the 1995 Roseburg RMP is above and beyond the scope of site-specific project planning. The Back in Black project is implementing the objectives identified for the project area land use allocations (Back in Black EA, p. 1-3).

The BLM is following management direction from the 1995 ROD/RMP; however, the Back in Black EA uses the best available scientific information throughout the affected environment and environmental consequences analyses (Back in Black EA, pp. 41-124).

“BLM failed to consider the fact that the economic and social benefits of logging are decreasing.”

This issue is outside the scope of analysis for this site-specific project. The appropriate time for conducting a cost benefit and social analysis for timber production versus other management priorities is during the land use allocation planning process. The land use allocation designated for the lands in the Back in Black project area is General Forest Management Area. The decision to allocate the Back in Black project lands to be managed for the purpose of timber production was made in the 1995 ROD/RMP.

Swanson v. Salazar

“The EA should be corrected to reflect that there is no court mandated requirement to increase outputs so as to not confuse the public as to the legal nature of these lands.”

Plaintiffs filed a third suit [Swanson Group MFG. LLC et al. v. Jewell et al., No. 1:15-cv-1419], also known as Swanson III, alleging the same Allowable Sale Quantity (ASQ) claim as found in Swanson I and Swanson II. The status of this lawsuit is “active”, and therefore is still relevant.

Carbon

“Climate change is an issue of extreme global and local significance. Every management plan that affects the global carbon cycle must be reconsidered and readjusted to keep carbon out of the atmosphere. BLM violates both NEPA and FLPMA when it fails to undertake this reconsideration, especially when it conducts regen logging in mature stands which will have potentially significant long-term effects on carbon storage.”

The BLM is not in violation of FLPMA. The BLM applied management direction, consistent with the objectives of the land use allocation involved, from the 1995 ROD/RMP which was approved by the Secretary of the Interior, as provided by FLPMA.

The BLM is not in violation of NEPA. The BLM went through the process of conducting an environmental assessment to determine the significant of environmental impacts, including impacts to carbon storage and release (Back in Black EA, pp. 120-123). The decision maker determined the effects analyzed in the EA meet the criteria for a Finding of No Significant Impacts, and do not warrant development of an EIS (see Back in Black FONSI).

“BLM has not considered the social cost of carbon or the climate impacts of logging at any scale, project or planning, so BLM has nothing to tier to.”

“BLM’s NEPA analysis failed to consider and weigh the economic value of timber production compared to the social costs of carbon emissions associated with logging.”

Using the social cost of carbon as a surrogate for analyzing the impacts of a project on climate change is one of many analytical tools that can be used, but is not mandatory. The BLM believes that the effects analysis (Back in Black EA pp. 120-123) and methodology (Back in Black EA, Appendix H.) provided the decision maker sufficient information for evaluating alternatives.

“BLM’s misleading analytic methods look only at climate consequences at the global scale where small differences are indistinguishable.”

“The NEPA analysis must avoid minimizing this project’s contribution to carbon emissions and global warming by saying the effects of this project would be negligible on a global scale. This is not an appropriate framework.”

The BLM adequately analyzed the environmental effects of carbon storage and release at the scale of the project, western Oregon BLM lands, and national and global levels (Back in Black EA, pp. 120-123; Appendix H).

“BLM is comparing carbon storage in the forest before and after logging and forest regrowth. This is misleading because it fails to account for the differences between the action and no action alternative.”

“The proper analysis requires comparison of the amount of carbon with the project and without the project, not before and after logging.”

The BLM adequately analyzed the environmental effects of carbon storage and release under Alternative One (no action) and Alternative Two (proposed action). The analysis in Alternative One looked at carbon storage and release under current conditions, as well as 10-, 20-, and 50-years into the future. The analysis in Alternative Two looked at carbon storage and release under current conditions, immediately post-harvest, and 10-, 20-, and 50-years into the future (Back in Black EA, pp. 121-123; Tables 3-25, 3-26, 3-27, and 3-28; Appendix H).

“BLM cannot tier to the carbon and climate change analysis in the 2008 WOPR FEIS because the ROD was withdrawn by the Obama administration and the administrative process of approving the FEIS was never completed.”

The BLM appropriately tiered to the 2016 Western Oregon Proposed Resource Management Plan and Final Environmental Impact Statement (2016 PRMP FEIS) for the carbon storage and release analysis (Back in Black EA, pp. 120-123). However, the commenters are incorrect that the BLM cannot use the 2008 Western Oregon Plan Revision Final Environmental Impact Statement (2008 WOPR FEIS) for the analysis; the BLM can reference and use the 2008 WOPR FEIS analyses during the environmental assessment process. Although the RODs were vacated, the validity of the carbon analysis within the document was not impugned or repudiated by the withdrawal of the ROD.

Fire Hazard

“BLM mentions that this area is fire prone, and it should then acknowledge the potential that dense planting and plantation conditions are likely to risk sustainable timber production because the stands will be fire prone, rather fire resistant.”

“The proposal to emphasize regeneration logging in the project area will increase fire hazard which necessitates completion of an EIS.”

The BLM adequately analyzed the effects of the Alternatives on fire and fuels management (Back in Black EA, pp. 112-119). Under Alternative Two, 20 years post-harvest, stands would be densely stocked with trees. Prior to and after pre-commercial thinning, a fire in these stands would result in flame lengths of 6-13 feet (Back in Black EA, pp. 116-117, Table 3-23). Once the stands mature and fuels degrade, 35-40 years post-harvest, the predicted fire behavior would have the same or lower than pre-harvest flame lengths (Back in Black EA, pp. 116-117, Table 3-23).

The BLM appropriately considered the cumulative effects on fire and fuels management, which results from the incremental impact of Alternative Two when added to other past, present, and reasonably foreseeable future actions. The Cumulative Effects analysis discussed fuel loading and fire risk within three subwatersheds (Back in Black EA, pp.117-119), and the decision maker determined the effects analyzed in the EA meet the criteria for a Finding of No Significant Impacts, and do not warrant development of an EIS (see Back in Black FONSI).

Habitat

Snags and Coarse Woody Debris

“Snag habitat standards in the 1995 RMP are based on flawed and outdated science.”

“Past and ongoing forest management has greatly reduced the prevalence of large snags and dead wood. Northwest Forest Plan standards for dead wood are based on an outdated “potential population” methodology which greatly underestimates the amount of snags and down logs needed to meet the needs of a variety of species associated with dead wood.”

“See Rose, C.L., Marcot, B.G., Mellen, T.K., Ohmann, J.L., Waddell, K.L., Lindely, D.L., and B. Schrieber. 2001. Decaying Wood in Pacific Northwest Forests: Concepts and Tools for Habitat Management, Chapter 24 in Wildlife-Habitat Relationships in Oregon and Washington (Johnson, D. H. and T. A. O’Neil. OSU Press. 2001)”

The commenters suggested that BLM snag retention standards are outdated and flawed. Standards for snag retention are set by land use plans. Current standards remain in effect until such time as the current plan is amended or superseded.

The Back in Black project implements specific management direction for snag management from the RMP (Back in Black EA p. 20). The implementation of this direction, in addition to existing snags, provides an average of two snags per acre during the early seral stand period shown in Tables 3-6 and 3-7, (Back in Black EA p. 49), compared to an average of one snag per acre during the same period under the no action alternative (Table 3-3, Back in Black EA p. 43).

The commenter cites a paper titled: *Rose, C.L., Marcot, B.G., Mellen, T.K., Ohmann, J.L., Waddell, K.L., Lindely, D.L., and B. Schrieber. 2001. Decaying Wood in Pacific Northwest Forests: Concepts and Tools for Habitat Management, Chapter 24 in Wildlife-Habitat Relationships in Oregon and Washington* (Johnson, D. H. and T. A. O’Neil. OSU Press. 2001), seeming to suggest it as guidance for determining appropriate snag densities for the proposed project. An examination of this paper showed that for the forest type similar to the proposed project area during the early seral stage of stand development, the average snag density was the same as the outcomes of the BLM action alternative (two per acre) (Rose et al. 2001).

Early-Seral Habitat

“...BLM needs to consider an alternative that follows the advice of its own experts by focusing on young stands and adjusting regen practices to create more complex and diverse early seral habitat.”

All proposed project units consist of “young” [less than 80 years-old stands] (Back in Black EA, Table 3-2, p. 42). The cited 2012 report to BLM states: “Over the last few years we have analyzed issues on federal forest lands in the Pacific Northwest and proposed restoration strategies that could contribute to both the ecological health and economic benefits from these lands, including those managed by the BLM in western Oregon. Subsequently we were asked by the Secretary of the Interior to work with BLM personnel in applying these principles in three pilot projects, and help understand their implications for long-term plans for these lands” (Johnson and Franklin 2012, p. 1). This statement implies that their recommendations should be considered for application to BLM lands at the scale of western Oregon, and not to any specific small-scale project such as Back in Black.

“BLM should prepare an EIS to consider whether alternative prescriptions with greater tree retention and less replanting would better meet the objective of high quality early seral [sic].”

The creation of “*complex and diverse early seral habitat*” and “*high quality early seral*” habitat is not a part of the management direction for the General Forest Management Area land use allocation, and does not meet the purpose and need for the project, to develop a desired age class distribution across the landscape (Back in Black EA, pp. 1-3; 1995 ROD/RMP, p. 61).

Except for one five-acre unit, the proposed action already meets or exceeds the green-tree retention levels suggested by Drs. Franklin and Johnson for the Roseburg pilot project and the management direction for regeneration harvest in the General Forest Management Area.

“*Less replanting*” is not an option under current management direction for the land use allocation. Management direction for the General Forest Management Area requires that initial spacing of seedlings, thinning, and control of competing vegetation, maximize wood production by concentrating site resources on individual tree growth (1995 ROD/RMP, p. 65).

Management direction also requires adequate reforestation as promptly as practical following timber harvest, with planting of harvested areas with commercial coniferous species, generally within one year of the completion of harvesting and site preparation (1995 ROD/RMP, pg. 63).

The above management direction does not prevent the production of “*diverse early seral habitat*”. Diverse early-seral vegetation increases between 15 to 20 years post-harvest and persists for 20 to 30 years post-harvest (Back in Black EA, p. 47).

The decision maker determined the effects analyzed in the EA meet the criteria for a Finding of No Significant Impacts, and do not warrant development of an EIS (see Back in Black FONSI).

Riparian Reserves and Stream Shade

“The EA states that the project design features would adequately protect stream shade (EA at 96), and that “Riparian Reserves of 360 feet are more than adequate to protect stream shade and water temperature” (EA at 37). This is an assertion without supporting data.”

“The EA does not justify the conclusion that there will be no impacts on stream shade without the supporting data of the conditions of the RR and their functionality for providing stream shade.”

The project conforms to and is consistent with the Roseburg District’s 1995 Record of Decision/Resource Management Plan (1995 ROD/RMP). Appendix A of the 1994 FSEIS incorporated the 1993 Forest Ecosystem Management Assessment Team (FEMAT) Report. This report recommended the use of riparian buffers to protect aquatic systems from land management actions. These buffers became Riparian Reserves and are one of the components of the Aquatic Conservation Strategy, which was incorporated into the 1995 ROD/RMP. The FEMAT report cited numerous scientific studies supporting the use of riparian buffers to minimize the effects of forest management. Figures V-12 and V-13 summarize these results and form the basis from which one or two site potential tree height distances was selected for Riparian Reserve widths under the 1995 ROD/RMP (1993 FEMAT Report, p. V-27). No management will occur within the Riparian Reserves under the proposed actions in Back in Black EA. This effectively creates stream buffers of 180 feet on non -fish bearing streams and 360 feet for fish bearing streams.

Based on recent stand surveys, the condition of the previously thinned areas of the Riparian Reserves is not substantially different from the adjacent thinned uplands. Stand ages and attributes are essentially the same. For example, based on the recent stand survey, the previously thinned Riparian Reserve portion of Unit 24-4-13E north of fish-bearing Gossett Creek contains on average approximately 52 trees per acres over six inches in diameter. The entire stand average (thinned area) is approximately 51 trees per acre. Table 3-2 (EA p. 42) describes the average stand attributes for areas proposed for treatment. These same attributes would apply to previously thinned Riparian Reserve areas also.

Recent data was not collected in the unthinned riparian areas since no treatment of these areas was proposed.

The selected alternatives for the previous thinning projects included minimum unthinned (untreated) buffers of approximately forty (40) feet on non-fish bearing streams and one-hundred (100) foot buffers on fish-bearing streams. These buffers are not proposed for treatment under the current proposed action. The combination of the previously untreated buffers and exclusion of the previously thinned areas (no treatment) of the Riparian Reserves from the proposed action result in the provision of effective stream shade (see EA p. 89).

Wildlife

Barred Owl

“The 1995 RMP does not include current information on the interaction between the barred owl and the spotted owl.”

The commenters are correct; the 1995 RMP does not include current information about barred owl and northern spotted owl interactions. The barred owl population was not established in Oregon and therefore, was not a concern in the mid-1990s. The BLM did discuss barred owl and northern spotted owl interactions in the Back in Black EA (pp. 63-65) and Back in Black FONSI (p. 12). There is no data indicating a relationship between forest treatments or lack of treatments and an increase or decrease in the distribution of the barred owl. Independent of the proposed action, the barred owl would remain in the project area and is expected to continue increasing its distribution and numbers, displacing northern spotted owls (Back in Black EA, p. 65).

Northern Spotted Owl

“Though the early-successional species may benefit from this type of logging, it needs to pointed [sic] out that the overall impacts will be greater because the owl depends more on the mid- to late-seral dependent species.”

The BLM acknowledged impacts to prey species, stating that regeneration harvest would remove 530 acres of flying squirrel habitat, reducing the flying squirrel prey base for the northern spotted owl (Back in Black EA, p.71). The Back in Black EA also concluded that availability of prey species would shift from prey species associated with mature forest to prey species associated with early-successional habitat (Back in Black EA, p. 71; Back in Black FONSI, p. 3).

“The Back in Black EA fails to acknowledge the adverse effects of regen harvest in removing suitable habitat.”

The BLM adequately analyzed the effects of regeneration harvest on suitable northern spotted owl habitat. The BLM acknowledged that regeneration harvest would remove 12 acres of suitable habitat in Unit 24-3-5E under Alternative Two, affecting 0.7 percent (of the 1,723 acres) of suitable habitat within the northern spotted owl analysis areas (Back in Black EA pp. 61, 70, Appendix A, Figure A-13).

Red Tree Vole

“BLM needs to better address how the determination of these sites disrupt the red tree vole colonies in order to provide a true analysis of the impacts of both the logging and the future impacts on the vole from the non-high priority site designation.”

“How many sites has BLM made non-high priority in the area and how will those interact with this current designation.”

The BLM adequately analyzed and evaluated the red tree vole population within the analysis area, consistent with the *Overview Of The Four-Step Process For Identifying Category C And D Non-High Priority Sites* (USFS and BLM, 2012a, p. Attachment 1-2) (Back in Black EA, p. 78; Back in Black EA, Appendix I).

The non-high priority site analysis evaluated the current number of red tree vole sites within the analysis area, utilizing detection rates from all survey efforts completed within the analysis area, including other red tree vole studies, to indicate why BLM believes that red tree voles are well-distributed across the analysis area (Back in Black EA, Appendix I, p. I-16).

The analysis summarized harvest rates on the Roseburg District over the past 20 years and projected impacts based on modeling estimates and assumptions of timber harvest under the Revised Western Oregon Proposed Resource Management Plan (Back in Black EA, Appendix I, p. I-17). The BLM determined that “*Timber harvest rates under either management plan indicate existing protocol-quality habitat will remain available, well-distributed, and occupied. Implementing the proposed action of the Back in Black Regeneration Harvest Plan would affect 12 acres of protocol-quality habitat in Matrix lands (0.003 percent of the BLM-administered District Lands; 0.2 percent of the analysis area), and would not alter that conclusion.*” (Back in Black EA, Appendix I, p. I-17). The non-high priority site analysis showed that red tree voles were present in previously commercially thinned stands, showing the resiliency and adaptability of red tree voles within this part of their range. These results indicate that thinning operations result in a temporary reduction in habitat, for 10 or fewer years (Back in Black EA, Appendix I, p. I-16).

The non-high priority site analysis, which designated two red tree vole sites and a portion of four sites as non-high priority, concluded that all four criteria discussed in the *Overview Of The Four-Step Process For Identifying Category C And D Non-High Priority Sites* (USFS and BLM, 2012a, p. Attachment 1-2) were met. Therefore, there is no concern for red tree vole persistence within the analysis area (Back in Black EA, Appendix I, p. I-18).

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