

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

SIUSLAW FIELD OFFICE
NORTHWEST OREGON DISTRICT

FINDING OF NO SIGNIFICANT IMPACT

**N126 LSR Landscape Plan
Environmental Assessment
DOI-BLM-ORWA-N030-2018-0022-EA**

Background

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (EA) (DOI-BLM-ORWA-N030-2018-0022-EA) for the N126 LSR Landscape Plan project, which analyzes the effects of five action alternatives that would conduct commercial or non-commercial restoration treatments to 31,470 acres of BLM managed lands in the Late-Successional Reserve (LSR) and Riparian Reserve (RR) Land Use Allocation (LUA) and a no-action alternative. These restoration treatments would also have connected actions, as described in the Introduction and Chapter 2 of the EA.

The project area for the EA includes approximately 31,470 acres of LSR and RR LUA. Approximately 25,200 acres of LSR and RR LUA stands are located within the Siuslaw Field Office, north of Hwy 126. There are approximately 6,300 acres of additional LSR and RR LUA stands within the Marys Peak Field Office; these stands are located in Lane County south of the Alsea-Deadwood Highway (State Highway 501) and Lobster Valley Road (County Road No. 58150). The project area is located approximately 5 miles west and north of the city of Veneta OR., approximately 6 miles southwest of the city of Monroe OR and extends to the border of the Siuslaw National Forest. This 31,470-acre project area encompasses portions of seven Hydrologic Unit Code (HUC) 10 watersheds (formerly known as 5th field watersheds), including Lake Creek, Long Tom River, Wild Cat Creek, Deadwood Creek, Five Rivers, Lower Siuslaw River, and Upper Alsea River. The majority of the acres in the analysis area are located within the Lake Creek watershed.

Finding of No Significant Impact

On the basis of the information contained in the EA (DOI-BLM-ORWA-N030-2018-0022-EA), it is my determination that:

- (1) The implementation of action alternatives 2 through 5 would not have significant environmental impacts beyond those already addressed in the 2016 Proposed Resource Management Plan and Final Environmental Impact Statement for Western Oregon (Final EIS).
- (2) Alternatives 2 through 5 in the N126 LSR Landscape Plan project are consistent with the Northwestern and Coastal Oregon Record of Decision and Resource Management Plan (ROD/RMP).
- (3) Action alternatives 2 through 5 do not constitute a major federal action having a significant effect on the human environment.

Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared. This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), with regard to the context and to the intensity of the impacts described in the EA.

CONTEXT

The action alternatives 2 through 5, described in the EA, are a landscape-level approach to managing site-specific restoration actions that combined do not have international, national, region-wide, or statewide importance. The action alternatives, described in Chapter 2 of the EA (pp. 11 - 19), would be limited in scope and geographic application (40 CFR 1508.27(a)). The BLM described in the EA the project location in section 1.1 (pp. 1- 2), the purpose and need in section 1.3 (pp. 5 - 6) for the project, and the affected environment and environmental consequences for issues identified in Chapter 3 (pp. 20 - 64). The direct, indirect, and cumulative effects (40 CFR 1508.7-1508.8) are within the project area or roads along haul routes that are within 200 feet of streams. Therefore, physical and biological effects are limited in scope and scale.

All actions, for the action alternatives 2 through 5, would occur within the LSR and the RR LUA, as described in the 2016 Northwestern and Coastal Oregon Record of Decision and Resource Management Plan (ROD/RMP).

Late-Successional Reserve

BLM management direction for the LSR within stands that are not northern spotted owl nesting-roosting habitat is to utilize integrated vegetation management in designing and implementing treatments (USDI - BLM, 2016a, p. 66). The LSR stands proposed for restoration treatments in alternatives 2 through 5 range from 30 to 130-year age class and lacks the number of overstory trees (2 to 3 trees > 48 inches DBH and 8 to 13 trees between 32 and 48 inches DBH), middle story trees (8 to 22 conifers between 21 and 32 inches DBH and 10 to 19 hardwoods > 9 inches DBH), native understories (30 to 100 percent ground cover), and a minimum of 10 snags per acre, which are all characteristics of stand complexity associated with late-successional or old-growth forests.

Riparian Reserve Class I subwatersheds

BLM management direction within the RR Class 1 subwatershed is to thin stands as needed to ensure that stands are able to provide trees that would function as stable wood in the stream (USDI - BLM, 2016a, p. 71). The BLM's purpose for restoration treatments in the middle and outer Zones of the RR Class I subwatersheds is to ensure that stands can provide trees that would function as stable wood in the stream. Stands in the 30 to 50-year age class are not currently able to provide functional wood to streams. BLM management direction for restoration associated with commercial thinning in the outer zone of the RR includes individual tree cutting or tipping (USDI - BLM, 2016a, p. 71). Further, when conducting commercial thinning in any portion of the outer zone in a stand in all watershed classes, cut or tip from 0 to 15 square feet of basal area per acre of live trees, averaged across the Riparian Reserve portion of the treated stand (USDI - BLM, 2016a, p. 71).

Riparian Reserve Class II and III subwatersheds

BLM management direction for the RR Class II and III subwatersheds is to apply silvicultural treatments to increase diversity of riparian species and develop structurally complex stands. Maintain at least 30 percent canopy cover and 60 trees per acre expressed as an average at the scale of the portion of the harvest unit within the RR (USDI - BLM, 2016a, p. 72 to 74). The RR Class II and III subwatershed stands proposed for restoration treatments in alternatives 2 through 5 range from 30 to 50-year age class and lack the number of overstory trees (2 to 3 trees > 48 inches DBH and 8 to 13 trees between 32 and 48 inches DBH), middle story trees (8 to 22 conifers between 21 and 32 inches DBH and 10 to 19 hardwoods > 9 inches DBH), native understories (30 to 100 percent ground cover), and a minimum of 10 snags per acre, which are all characteristics of stand complexity associated with late-successional or old-growth forests.

INTENSITY

I have considered the potential intensity/severity of impacts anticipated from the N126 LSR Landscape Plan project relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. Impacts that may be both beneficial and adverse.

The EA considers both beneficial and adverse effects. The BLM identified issues during the internal and external scoping process, and seven issues were analyzed as those being necessary to make a reasoned choice between alternatives. For each issue considered, the BLM analyzed the direct, indirect, and cumulative impacts to the resource. For alternatives 2 through 5, none of the direct, indirect, or cumulative effects are beyond the range of effects analyzed in the Proposed RMP/Final EIS, to which the EA is tiered. Restoration thinning and associated management actions within the project area have both beneficial and adverse effects.

The Alternatives and the Proposed RMP in the Final EIS (p. 974) include reserve land use allocations in the moist forest that the BLM would manage for structural complexity and biological diversity beneficial to the northern spotted owl. Alternatives 2 through 5 propose restoration thinning in spotted owl dispersal habitat and would maintain dispersal habitat after treatment. Alternatives 2 through 5 used varying levels of adverse impacts (disturbance to northern spotted owl known sites, marbled murrelet nesting habitat, and sediment delivery to streams from roads) to weight the beneficial impacts (restoration of late-complex successional forests and ensuring that stands are able to supply functional wood to streams) in Chapter 3 of the EA (pp. 20 - 64). This analysis showed that alternatives 2 through 5 would restore differing levels of complex late-successional forests in 40 years, the acres of intermediate and final entry stands, the amount of habitat removed for the northern spotted owl and marbled murrelet, the different aspects of habitat restored for the northern spotted owl and marbled murrelet, the number of acres treated in the RR Class I subwatersheds, the number of 35" diameter at breast height (DBH) trees restored in 50 years in the RR Class I subwatersheds, the short-term increase in sediment delivery to streams from roads, and the long-term decrease in sediment delivery to streams from roads. For a comparison of these measurements, see section 2.4 Comparison of Issues by Alternative in the EA (pp. 15 - 16)

Alternative 2 would restore 9,930 acres of complex late-successional forest in 40 years, have 8,184 acres in intermediate entry stands, 2,435 acres in final entry stands, and would not have adverse effects to the northern spotted owl or marbled murrelet because it would not remove any dispersal habitat for the northern spotted owl or buffer habitat for the marbled murrelet. Alternative 2 would treat approximately 1,835 acres of RR Class I subwatersheds and restore between 4 to 7

trees per acre (TPA) of trees ≥ 35 " DBH in 50 years. Under Alternative 2, the background rate of sediment delivery would remain at 123.5 tons per year over the short-term, and there would be a long-term decrease in sediment delivery to streams of 9.7 percent.

Alternative 3 would restore 2,170 acres of complex late-successional forest in 40 years, have 2,963 acres in intermediate entry stands, 764 acres in final entry stands, and would not have adverse effects to the northern spotted owl or marbled murrelet because it would not remove any dispersal habitat for the northern spotted owl or buffer habitat for the marbled murrelet. Alternative 3 would treat approximately 968 acres of RR Class I subwatersheds and restore between 4 to 8 TPA of trees ≥ 35 " DBH in 50 years. Under Alternative 3, there would be a short-term increase in sediment delivery of 220.5 tons/year, and there would be a long-term decrease in sediment delivery to streams of 3.6 percent.

Alternative 4 would restore 12,440 acres of complex late-successional forest in 40 years, have 8,233 acres in intermediate entry stands, 5,449 acres in final entry stands, and would not have adverse effects to the northern spotted owl or marbled murrelet because it would not remove any dispersal habitat for the northern spotted owl or buffer habitat for the marbled murrelet. Alternative 4 would treat approximately 1,026 acres of RR Class I subwatersheds and restore between 6 to 8 TPA of trees ≥ 35 " DBH in 50 years. Under Alternative 4, there would be a short-term increase in sediment delivery of 235.8 tons/year, and there would be a long-term decrease in sediment delivery to streams of 7.6 percent.

Alternative 5 would restore 19,630 acres of complex late-successional forest in 40 years, have 10,396 acres in intermediate entry stands, 9,391 acres in final entry stands, and would not have adverse effects to the northern spotted owl or marbled murrelet because it would not remove any dispersal habitat for the northern spotted owl or buffer habitat for the marbled murrelet. Alternative 5 would treat approximately 1,835 acres of RR Class I subwatersheds and restore between 6 to 8 TPA of trees ≥ 35 " DBH in 50 years. Under Alternative 5, there would be a short-term increase in sediment delivery of 240.4 tons/year, and there would be a long-term decrease in sediment delivery to streams of 6.2 percent.

The EA briefly discussed both beneficial and adverse issues that would have either no effect to resources or no effect beyond what the BLM analyzed in the Proposed RMP/Final EIS in section 1.6 and in Appendix B – Issues Considered but not Presented in Detailed Analysis (pp. 8 - 10, 79 - 110). These short discussions include age class, water supply, red tree vole, marbled murrelet, other wildlife species of concern, scenic value, carbon and climate change, soil quality, and the risk of introduction and spread of invasive plant species.

Through consultation, see Chapter 4 – Consultation in the EA (pp. 65 - 67), the U.S. Fish and Wildlife Service determined that the N126 LSR Landscape Plan project "May Affect, Likely to Adversely Affect" both the northern spotted owl and the marbled murrelet, because of habitat that would be removed through project activities. Consultation with the National Marine Fisheries Service would be completed at the time of project implementation, but the BLM designed the N126 LSR Landscape Plan project to be consistent with the "*Forest Management Program for Western Oregon*" programmatic consultation with NMFS (NMFS Biological Opinion WCR-2017-7574, March 2018), as described in Chapter 4 of the EA (p. 66), for both Oregon Coast coho salmon and Upper Willamette River Chinook salmon. The likelihood of incidental take of Oregon Coast coho salmon and Upper Willamette River Chinook salmon associated with this project has been minimized by following management direction and best management practices from the "*Forest Management Program for Western Oregon*". Similarly, the BLM has reviewed the project in accordance with the "*2015 State Protocol between the Oregon-Washington Bureau of Land Management (BLM) and the Oregon State Historic Preservation Officer (SHPO)*" and determined that the project area encompasses two eco-regions, and prior to project implementation the BLM would consult with SHPO on any identified cultural resources at that time. The BLM would work with SHPO to adjust the project and protect cultural resources so that a finding of No Adverse Effect would be determined from the BLMs actions.

2. The degree to which the proposed action affects public health and safety.

No aspect of the Proposed Action would have an effect on public health and safety. The EA analyzed an issue on the effect of road-related sediment delivery within 200-feet of streams (EA, pp. 51 - 57). The EA also included brief discussions of issues pertaining to low flow, watershed restoration, soil quality, the risk of landslides, wildfire risk and hazard, and carbon and climate change (see the EA section 1.6 and in Appendix B – Issues Considered but not Presented in Detailed Analysis (pp. 79 - 110)). The EA determined that alternatives 2 through 5 would have a <0.5 percent increase of sediment delivery across the seven HUC 10 watersheds (EA, p. 57). For all of the issues considered but not presented in detailed analysis, the EA found that each one of these issues would have no effect or no effect beyond that already assumed in the Proposed RMP/Final EIS. During any burning operations, adherence to the Oregon Smoke Management Plan would greatly limit smoke dispersal. Due to the combination of burning only on days with stable atmospheric conditions and limited smoke dispersal, there would be no significant impacts on air quality associated with burning, and hence no significant impacts on public health or safety from burning.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no known historic or cultural resource sites that would be adversely affected by action alternatives 2 through 5. A BLM archaeologist has conducted a review of known cultural resources within and immediately adjacent to (within a .25 mile of) the N126 LSR Landscape Plan project area of potential effect. Additionally, a BLM archaeologist would conduct a cultural resource inventory of the N126 LSR Landscape Plan project area, where required by the "2015 State Protocol between the Oregon-Washington Bureau of Land Management (BLM) and the Oregon State Historic Preservation Officer (SHPO)" and any identified resources would be consulted on with SHPO and project design would be adjusted to ensure that No Adverse Effect to identified cultural resources would occur, as described in the EA (EA, pp. 66 - 67).

There are no parks, prime farmlands, wild and scenic rivers, or ecologically critical areas in the project area. Alternatives 2 through 5 include project design features to protect wetlands, if any, are identified during project implementation (EA, pp. 117 - 131). All streams/wetlands would be buffered by wide, untreated riparian vegetation.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial ((40 CFR 1508.27(b) (4)). CEQ guidelines relating to controversy refer not to the amount of public opposition or support for a project, but to a substantial dispute as to the size, nature, or effect of the action. The effects of the action alternatives would not be highly controversial as there is no known substantial dispute as to the size, nature, or effects of the action alternatives.

The BLM reached out to the following interested parties: environmental interest groups, economic interest groups, private citizens, timber companies, tribes, and local governments. The BLM received written external comments from five interested groups (The American Forest Resources Council, Audubon Society of Portland, Benton Forest Coalition, Cascadia Wildlands, and Oregon Wild). BLM also held a public meeting at the Big Bear Retreat in Walton Oregon. There were 15 members of the public that attended this public meeting, and the BLM received external comments from 10 interested citizens from the local area. External and internal scoping comments have shaped issue and alternative development for the N126 LSR Landscape Plan Project. While the commenters raised points to issues and potential alternatives, no substantial dispute as to the size, nature, or effects were raised.

During the 30-day public comment period, BLM received a request to extend the comment period due to the complexity of the analysis in the EA. BLM granted a 15-day extension to the comment period, which ended on 6/30/2020. During this comment period, BLM received over 450 comments from private citizens who identified themselves as supporters of Cascadia Wildlands. The BLM was also contacted by six other members of the public with either questions about the project or to submit comments. Beyond the comments received by members of the public, the BLM received comments from four local interest groups, Association of O&C Counties, American Forest Resource Council, Benton Forest Coalition, and Cascadia Wildlands/Oregon Wild (joint comment letter). The BLM reviewed the comments submitted and identified all substantive comments. The BLM has responded to all timely, in Appendix J of the EA (EA, pp. 157 - 212). Commenters raised points to issues and potential alternatives and the BLM has responded to each one of these substantive comments. The BLM has also considered comments that raised concerns about the size and nature of the project. The Interdisciplinary Team reviewed each comment to determine if there was any substantial scientific controversy raised and that review determined that no substantial dispute as to the size, nature, and effects were raised.

The environmental effects of all action alternatives are within the scope of those considered in the Proposed RMP/Final EIS, which addressed the issues and differences of opinion surrounding social and scientific controversy over harvest on differing land use allocations. Effects are expected to be consistent with those of the published literature cited in the EA and are not controversial in a scientific sense.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The implementation of any of the action alternatives 2 through 5 would not impose highly uncertain or involve unique or unknown risks on the human environment (40 CFR 1508.27(b)(5)). The analysis has not shown that there would be any unique or unknown risks to the human environment not previously considered and analyzed in the Proposed RMP/Final EIS, to which the EA is tiered. Commercial timber harvest is a common practice on lands managed by the BLM in western Oregon, and the Northwest Oregon District has considerable experience with the actions to be implemented, and the activities and associated design criteria incorporated with the EA are well-established land management practices. Under Alternative 2, the BLM would conduct restoration thinning without commercial timber harvest. The BLM has managed contracts that have completed this type of work for decades, while the BLM has not managed non-commercial treatments at the scale of the N126 LSR Landscape Plan project the effects of these treatments are well known and understood at the stand level. The risks from alternatives 2 through 5 are well known and understood. None of the public comments

received indicated unique or unknown risks to the human environment. Based on this and previous similar actions, the probable effects of this decision on the human environment, as described in the EA, do not involve effects that are highly uncertain or involve unique or unknown risks. There is no highly uncertain information about baseline conditions in the action area.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

This project neither establishes a precedent nor represents a decision in principle about future actions. Alternatives 2 through 5 are consistent with the LSR and RR LUA management direction described in the ROD/RMP.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

Alternatives 2 through 5 would not have any actions that are individually insignificant but would have cumulatively significant impacts, as identified by the analysis conducted for the N126 LSR Landscape Plan EA. The impacts were considered in relation to other resources within the project area and the appropriate larger scale, and none of the impacts were individually or cumulatively significant. All resources were given adequate consideration. The EA did not reveal any cumulative effects beyond those already analyzed in the Proposed RMP/Final EIS to which the EA is tiered. The BLM has identified no significant cumulative effects beyond those described in the Proposed RMP/Final EIS.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.

Alternatives 2 through 5 would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources. A BLM archaeologist has conducted a review of known cultural resources within and immediately adjacent to (within a .25 mile of) the N126 LSR Landscape Plan project area of potential effect. Additionally, a BLM archaeologist would conduct a cultural resource inventory of the N126 LSR Landscape Plan project area, where required by the "2015 State Protocol between the Oregon-Washington Bureau of Land Management (BLM) and the Oregon State Historic Preservation Officer (SHPO)" and any identified resources would be consulted on with SHPO, and project design would be adjusted to ensure that No Adverse Effect to identified cultural resources would occur, as described in the EA (EA, pp. 66 - 67). As such, the proposed activities would not adversely affect districts, sites, highways, structures, or objects listed in or potentially eligible for listing in the National Register of Historic Places. The activities would not cause a loss or destruction of significant scientific, cultural, or historical resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

ESA listed species: The project area is located within the range of the northern spotted owl, the marbled murrelet, the Oregon Coast coho salmon, and the Upper Willamette Chinook salmon, all of which are listed as threatened under the Endangered Species Act. Issues specific to these species were identified, and the EA considered an issue in detail on the effects of the alternatives to ESA-listed terrestrial species habitat. The EA identified other issues, relating to these ESA-listed species but they were not presented for detailed analysis in the EA (pp. 65 - 66) because analysis did not show an effect to the species above the effects assumed under the Proposed RMP/Final EIS, for alternatives 2 through 5, and they did not show a reasoned choice between alternatives. That is, they did not relate to how the alternatives respond to the purpose and need.

Spotted owls: There are nine known northern spotted owl sites with recent activity (as defined by the EA (p. 65)) that overlap the proposed N126 LSR Landscape Plan project area. Alternatives 2 through 5 would restore varying levels of complex late-successional forests, of which the northern spotted owl is associated. Alternatives 2 through 5 would remove zero acres of dispersal habitat for the northern spotted owl and would not have increased risk to resident spotted owls from thinning in core areas of sites with recent activity and less than 250 acres of foraging or nesting-roosting habitats. ESA Section 7 consultation with the U.S. Fish and Wildlife Service determined a May Affect, Likely to Adversely Affect the northern spotted owl because habitat would be removed from the project area.

Northern spotted owl surveys would continue in the project area until all harvest operations are completed and if occupancy is detected during harvest operation, the project would be modified to "not authorize timber sales that would cause incidental take of spotted owl territorial pairs or resident singles from timber harvest..." mitigation measure from the ROD/RMP (p. 30).

Marbled Murrelets: The N126 LSR Landscape Plan project is located in the Zone 1 classification, 0 to 35 miles from the Pacific coast, in the LSR and RR allocation. Action alternatives 2 through 5 in the N126 LSR Landscape Plan project would maintain marbled murrelet buffer habitat (EA, 2020, p. 65). Alternatives 2 through 5 are consistent with the management direction for marbled murrelets under the RMP (pp. 97-100) and with the assumptions and analysis for marbled murrelets in the Proposed RMP/Final EIS. ESA Section 7 consultation with the U.S. Fish and Wildlife Service determined a May Affect, Likely to Adversely Affect the marbled murrelet because habitat would be removed from the project area.

Sensitive plants: No federally listed threatened or endangered plant species were located during surveys, and no effects to these species are anticipated. Any sensitive plant species located during surveys were included into skips for the project, and project design features (see EA Section Appendix C – Project Design Features and Best Management Practices) were developed to protect these locations.

Oregon Coast coho and Upper Willamette Chinook salmon: The project area is located in the range of the Oregon Coast coho and Upper Willamette Chinook salmon. Consultation with the National Marine Fisheries Service would be completed prior to the implementation of individual projects. Alternatives 2 through 5 would be implemented consistent with the “*Forest Management Program for Western Oregon*” programmatic consultation with NMFS (NMFS Biological Opinion WCR-2017-7574, March 2018) and project design features for this project can be found in Appendix D – Project Design Features (EA, p. 66). The maximum allowed effect to these species under the “*Forest Management Program for Western Oregon*” is May Affect, Likely to Adversely Affect.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The proposed action does not threaten to violate any Federal, State, or local laws imposed for the protection of the environment, including, but not limited to, the Clean Water Act, the Clean Air Act and the Endangered Species Act. The proposed action complies with the 2016 Northwestern and Coastal Oregon Record of Decision and Resource Management Plan, which provides direction for the protection of the environment on public lands.

Signature:

Date:

Cheryl Adcock – Field Manager
Siuslaw Field Office
Northwest Oregon District BLM

Signature:

Date:

Paul D. Tigan – Field Manager
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