FINAL DECISION RECORD
and

FINDING OF NO SIGNIFICANT IMPACT
for

Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects

Environmental Assessment Number OR-086-05-01

USDI - Bureau of Land Management
Oregon State Office, Salem District
Tillamook Resource Area
Tillamook County, Oregon

BACKGROUND

This Decision Record (Elkhorn DR) adopts a five to ten year management approach for forest management and restoration actions, including timber sales, in approximately 2500 acres of the North Coast Range Adaptive Management Area, in the upper parts of the Trask Fifth Field watershed, which are in the Coast Range Mountains east of Tillamook, OR. This 2500 acre area is called the Elkhorn Activity Planning Unit (Elkhorn APU).

The Elkhorn DR and Finding of No Significant Impact (FONSI) covers density management, fish enhancement and wildlife enhancement projects that were analyzed in the *Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects Environmental Assessment* (Elkhorn EA). The purpose of this forest management and restoration plan as a whole is to 1/ Provide for a stable timber supply and social/economic benefits to local communities (RMP p. 19; AMA Guide p. 14); 2/ Accelerate the development of some late-successional forest habitat characteristics (LSRA, pp. 86-87; AMA Guide p.49; WA pp. 6-4; RMP p. 19); 3/ Rehabilitate and protect at-risk fish stocks and their habitat (RMP p. 27; WA p. 6-1); 4/ Reduce existing road mileage within key-watersheds (RMP, p.63); and to 5/ Minimize sediment delivery to streams from roads (RMP, p.11) (Elkhorn EA p. 1)

The following conditions in the Elkhorn APU led to the development of the three projects covered in this decision record (Elkhorn EA pp. 1-3).

1. The proposed project area is a part of the historic Tillamook burn. In the late 1940's through the early 1960's the project area was extensively salvage logged. Today the area is overstocked with a dense, single-storied conifer forest, dominated by Douglas-fir that is approximately 35 to 65 years old. The growth and vigor of these stands is beginning to slow as a consequence of overcrowding and competition for the available site resources. The overstory canopy closure generally exceeds 70%, and the average stand diameters are between 10 and 18 inches.

Although the total coarse woody debris (CWD) levels are relatively high, the great majority of the CWD is in the more advanced stages of decay.

The desired condition for forest stand conditions in Elkhorn APU is one in which the following objectives are met: (1) accelerate the development of some late-successional forest structural features; (2) enhance the overall level of vegetative structural diversity in the area; (3) develop stand windfirmness and stability (indicated by the height: diameter ratio); (4) increase stand resilience to the impacts of Swiss needle cast disease on Douglas-fir; (5) increase stand resilience to the impacts of *Phellinus weirii* root rot.

- The density management project was designed to meet the forest stand condition objectives described above through implementation of specific project design features. This Decision Record summarizes these project design features (pp. 6-10), and the Elkhorn EA describes the features incorporated into the project design that are expected to move from existing to desired condition (Elkhorn EA, pp. 4-6, 7). The Elkhorn EA further describes the effects of the density management thinning on forest conditions; including increase of 1/ average stand diameters, crown rations and limb development of the remaining trees in the stand and 2/ overstory canopy heterogeneity and result in a more uneven pattern of understory development (Elkhorn EA, p. 39-40).

2. Because of the fire history of the Tillamook burn, there are a number of stands in the project area that are lacking in late-successional habitat characteristics, but for various reasons are not proposed to be treated at this time with density management. These stands vary in age from about 34 to 65 years old. In some riparian areas, conifers are either under-represented or are experiencing extremely slow growth beneath a hardwood understory. Some older and younger stands are lacking in both standing and down CWD. In some older stands there is a lack of structural diversity and features such as large limbs and forked tops that would be used for nesting and roosting.

   The desired condition of the younger stands in riparian areas within the Elkhorn APU is to have a more diverse forest canopy, and allow for the faster development of individual selected conifers. These trees will provide for more structural diversity in the short term and provide for a source or larger CWD in the future.

   - The wildlife habitat enhancement project was designed to meet the forest canopy diversity components described in the previous paragraph. This project improves wildlife habitat by creating coarse woody debris through the felling and girdling of live trees. The growth rates of remaining trees are expected to increase, contributing to increased structural complexity of the live tree component of these stands. This Decision Record summarizes project design features (p.10). The Elkhorn EA describes the features incorporated into the project design that are expected to move the existing condition to the desired condition (Elkhorn EA, p.10) and the effects of the wildlife habitat enhancement project on forest conditions (Elkhorn EA, pp 40-41).

3. Analysis of data collected on Cruiser Creek and Elkhorn Creek in 1994 by the Oregon Department of Fish and Wildlife noted deficiencies in pool area, large wood pieces and an almost total lack of refuge habitat typified by off-channel or isolated pools.

The desired condition for aquatic systems in the Elkhorn APU is one in which fisheries habitat is improved. Specifically, the stream has a greater amount of large wood and other structures within it, and more quality pools. The 2-5-10 road, which is no longer needed by the BLM for administrative purposes, would have actions taken along its length to increase the streams ability to access and build flood plains and provide for a more natural functioning of Cruiser Creek.

- The fish habitat enhancement project was designed to meet the improved fisheries habitat components described in the previous paragraph. The placement of logs and boulders in the stream would improve the large woody debris, pool area, pool quality, refuge habitat and substrate components of these streams. This Decision Record summarizes project design features (p. 11). The Elkhorn EA describes the features incorporated into the project design that are expected to move the existing condition to the desired condition (Elkhorn EA, p. 10-11) and the effects of the fish habitat enhancement project on fish habitat (Elkhorn EA, p. 28).

EA Availability

A copy of the Elkhorn EA can be obtained from the Tillamook Field Office, 4610 Third Street, Tillamook, Oregon 97141. Office hours are Monday through Friday, 7:30 A.M. to 4:00 P.M., closed on holidays. The EA can also be accessed at the following web site: http://www.or.blm.gov/salem/html/planning/index.htm.

Conformance with Land Use Plans, Policies and Programs

The following documents direct and provide the legal framework for the management of BLM lands within the Salem District: **1/** ***Salem District Record of Decision and Resource Management Plan,*** May 1995 (RMP): This plan was developed under the requirements of the Federal Land Policy and Management Act (FLPMA) (RMP p. 1). RMP management goals, objectives, direction, standards and guidelines have been designed to follow applicable environmental laws (e.g. Clean Water Act, Endangered Species Act). I have reviewed this RMP and determined that the Elkhorn projects conform to the land use plan terms and conditions (e.g. comply with management goals, objectives, direction, standards and guidelines) as required by 43 CFR 1610.5 (BLM Handbook H1790-1, Illustration 3). The Elkhorn projects have been designed to implement the RMP direction.

2/ *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and Standards and Guidelines for Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl*, April 1994 (the Northwest Forest Plan, or NWFP); **3/***Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl*, March 2004. **4/** *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests Within the Range of the Northern Spotted Owl, Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy*, March 2004**.**

The analysis in the Elkhorn EA is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS),

- which includes the analysis from the *Supplemental Environmental Impact Statement on Management of Habitat of Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl* (NWFP/SEIS), February 1994;
- as amended by the *Final Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines*, January 2004; and the *Final Supplemental Environmental Impact Statement, Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan, National Forests and Bureau of Land Management Districts Within the Range of the Northern Spotted Owl*, October 2003.

The Elkhorn projects also follow direction from the *Trask Watershed Analysis*, August 2003; *Northern Coast Range Adaptive Management Area Guide*, January 1997; *Late-Successional Reserve Assessment for Oregon's Northern Coast Range Adaptive Management Area*, January 1998 (LSRA).

Decision to be Made

The decision to be made by the Tillamook Field Manager is

- Whether to approve the density management thinning, the wildlife habitat enhancement project, and the fish habitat enhancement project, as proposed, not at all, or to some other extent.
- Whether site specific impacts would require supplemental/additional information to the analysis done in the RMP/FEIS through a new EIS.

Based upon review of the Elkhorn EA and supporting project record, I have determined that there are no site specific impacts that would require supplemental/additional information to the analysis done in the RMP/FEIS through a new EIS. This conclusion is based on the Finding of No Significant Impact (FONSI) (Elkhorn DR pp. 13-17).

DECISION

I have decided to implement the five to ten year management approach for forest management and restoration described on page 1 of this document by implementing the density management thinning, wildlife habitat enhancement and fish enhancement projects as described as Alternative 1 in the Elkhorn EA (EA#OR-086-05-01), with two minor modifications[1]. Hereafter, Alternative 1 along with the following modifications is referred to as the "selected alternative."

[1] The modification is primarily a result of site-specific field conditions encountered by BLM staff during pre-sale activities. These modifications are minor and do not change the scope of the project analyzed, nor do the modifications affect the adequacy of the analysis contained in the EA.#OR-086-05-01, dated November 30, 2004.

Modification:

1. The Elkhorn EA states on page 4 that the density management thinning is anticipated to be implemented from 2006 to 2009. The actual dates of implementation will be 2007 to 2010.

2. A proposed new road in the eastern part of section 5 will not be constructed. The road would have been approximately .25 miles in length, and would have provided access to approximately 30 acres of density management that would have been treated with a cable yarding system. During a subsequent field visit the IDT realized that because of the flat nature of the terrain, and the proximity to a popular dispersed camping site, it would be difficult to prevent Off Highway Vehicle (OHV) use of the road in the future.

   The 30 acres that would have been treated with density management will be treated with wildlife habitat enhancement techniques as described in the Elkhorn EA on page 10. Because of this change there will be approximately 180 acres of wildlife habitat enhancement instead of 150 acres.

Project - Density Management Thinning

Density management thinning is expected to occur on approximately 1823[2] acres. It is anticipated that five timber sales will be generated from the density management project in this decision. The first timber sale, called Flora and Fauna 1, will include approximately 653 acres in T2S R6W section 4 and 5; the notice of sale is anticipated in March 2007. The second timber sale, called Cruiserhorn I, will include approximately 277 acres in T2S R6W sections 5, 8; the notice of sale is anticipated in January 2008. The third timber sale, called Flora and Fauna II, will include approximately 316 acres in T2S R6W sections 34, 8, and 16; the notice of sale is anticipated in August 2008. The fourth timber sale, called Cruiserhorn II, will include approximately 269 acres in T2S R6W sections 8, 19; the notice of sale is anticipated in 2009. The fifth timber sale, called Blind Barney, will include approximately 324 acres of land in T1S R6W section 25; T1S R5W section 31; T2S R5W section 7; T2S R6W section 10; the notice of sale is also anticipated in 2010.

The density management in the selected alternative consists of the following design features (Elkhorn EA pp. 4-10):

1. Density management thinning on 1823 acres of relatively dense Douglas-fir stands ranging in age from approximately 35 to 65 years. These treatment units are located in portions of T1S R6W sec 25 and 34; T1S R5W sec 31; T2S R5W sec 7; T2S R6W sec 4, 5, 8, 10, 16 and 19, Willamette Meridian. The project will occur within 14 treatment units and ground-based, cable logging, and helicopter logging methods will be utilized. The density management thinning will occur in five timber sales between 2007 and 2010.

[2] Approximately 66% of the project area is located within the AMA (Adaptive Management Area) land use allocation, as identified in the RMP (Salem District Record of Decision and Resource Management Plan), dated May, 1995. The other 34% of the project area is located within the Riparian Reserve land use allocation within the AMA.

2. The stands are proposed to be thinned in a *variable-spaced* manner by removing, on the average, about 30 to 55% of the basal area and approximately 50 to 75% of the trees per acre. To encourage variability in density throughout the units as well as select those Douglas-fir trees that appear most tolerant to Swiss needle cast disease, the basal area levels will be allowed to vary within a range of ± 33 to 50% of the target basal area for a given unit as long as the average basal area target level is attained for the unit.

3. Create approximately 1823 pieces of down wood and 2734 snags in the 14 units of the five timber sales.

4. All hardwood trees are to be retained and counted toward achieving the recommended average basal area target levels. Existing western hemlock, western redcedar and Port Orford cedar understory trees are to be retained. Large trees with deformities are to be retained at least in proportion to their occurrence in the stand.

5. The unit-specific diameter (dbh) cutting limits along with a more detailed description of the proposed treatments are shown in silvicultural prescription (pp. 28-32) for this project. Trees *greater than or equal to* the diameter cutting limits shall be reserved from harvest. If trees *greater than or equal to* the diameter cutting limits are cut, they shall remain on site for coarse wood enhancement.

6. A 50-foot "no-cut" buffer is to be established around any existing old-growth trees (there are to be two old-growth Douglas-fir trees in Unit 31-1 and one in Unit 34-2).

7. No reforestation treatments are recommended for small scattered areas less than one-acre in size that are infested with *P. weirii*. Well-defined root disease pockets exceeding one acre may be reforested with disease-tolerant conifers such as western redcedar, western white pine, or hardwoods such as red alder or bigleaf maple (all hardwoods are immune to *P. weirii* root rot). Handpiling, and burning the piles may be necessary in *Phellinus* pockets where slash loads severely limit reforestation efforts. Slash will be piled away from the leave trees. Root disease centers will *not* be treated within Riparian Reserves.

8. A minimum 50 foot "no-harvest" buffer will occur along both sides of non-fish-bearing streams and a minimum 100 foot "no-harvest" buffer along both sides of fish-bearing streams and at a minimum, to the outer ripararian vegetation of wetlands less than one acre.

9. Logs will be fully suspended off the ground within 25 feet of any designated stream.

10. New roads, skid trails and ground-based equipment will generally be located outside of Riparian Reserves. Ground-based equipment will be allowed to enter to within 100 feet of an intermittent stream in Unit 25-1.

11. Restrict yarding in riparian areas to corridors that are perpendicular to streams (or as close as possible to 90 degrees).

12. In areas designated as ground-based logging, cable or helicopter logging systems can be used. In areas designated as cable logging, helicopter logging systems can be used.

13. Use existing skid roads to the extent possible. Confine ground-based activities to designated skid roads. Skid trails will generally be 12 feet in width and located 150 feet apart.

14. One-end suspension on all logs is required in cable logging areas, and where feasible in ground-based logging areas.

15. Skyline corridors on spans that are less than 1200 feet will generally be 12 feet in width and located 150 feet apart at one end. Skyline corridors on spans that are greater than 1200 feet will generally be 20 feet in width and located 150 feet apart at one end.

16. Log lengths will be limited to 44 feet (40 feet plus trim) to reduce damage to the reserved trees during yarding operations. If determined necessary by the Authorized Officer, log lengths will be reduced on specific corridors to achieve full-suspension over water courses.

17. Retain and protect existing CWD (includes down wood and snags). Any snags that are cut (safety hazard) or are knocked over during logging operations will be left on-site for coarse wood enhancement.

18. Where possible, protect and retain green trees with characteristics desirable to wildlife (broken or forked tops, hollow cavities, large limbs) in proportion to their current levels in the stands.

19. In section 34, the trees that are larger than 24" inches that will need to be cut for the landing will remain on site to augment the existing levels of CWD.

20. The clumps of larger trees in the ground-based areas in section 34 will not be thinned.

21. No potentially suitable murrelet, northern spotted owl or bald eagle nest trees will be felled as a part of the Elkhorn Creek project and where possible, no openings will be created within one tree length surrounding a potential murrelet nest tree.

22. Any newly discovered (as per the Pacific Seabird Group Marbled Murrelet Technical Committee protocol) marbled murrelet site will be protected by a 0.5 mile radius buffer on all contiguous existing and recruitment federal habitat.

23. Prior to entering the sale area each work season, or before returning to the watershed after leaving it, any heavy machinery (with the exception of log trucks and pick-up trucks used for daily personnel travel) will have all dirt and adhering vegetation cleaned from it.

24. Survey techniques for cultural resources are based on those described in Appendix D of the *Protocol for Managing Cultural Resource on Lands Administered by the Bureau of Land Management in Oregon*. Post-project survey will be conducted according to standards based on slope defined in the Protocol appendix. Ground disturbing work will be suspended if cultural material is discovered during project work until an archaeologist can assess the significance of the discovery.

25. Felling and yarding operations should be restricted during the peak bark-slip period (generally May 1 to July 15) if excessive leave tree damage occurs, as determined by the Authorized Officer.

26. The use of ground-based equipment will be restricted to periods of low soil moisture; generally June 1st through October 15. This season could be adjusted if unseasonable conditions occur (e.g., an extended dry season or wet season). Operations will be suspended during periods of heavy precipitation if resource damage will occur.

27. In general, helicopter logging can occur year-round.

28. If spotted owls are present in Section 16 then helicopter activity will not occur within ½ mile of Section 16 during the critical nesting period (March 1 to July 7th.) If no owls are found during protocol surveys in Section 16, there will be no seasonal restriction on noise generation from helicopter operations within ½ mile due to spotted owl concerns.

29. The number of landings and their size will be kept to a minimum required to reasonably harvest the units. Landings will be located by the purchaser and approved by the BLM.

30. Each helicopter landing will be approximately ¼ to ½ acre in size and at least a part of it will be rocked if logging operations occur during wet weather.

31. Road decommissioning will consist of decompacting, water barring, seeding or planting with native species, and restricting OHV use. Restricting OHV use may include the strategic placement of boulders or root wads, or types of earthen barriers.

32. Except for small areas of spot-rocking, rock will not be placed on new temporary roads.

33. All natural surface roads will be water barred and seeded with a native grass.

34. Road decommissioning will occur during the dry season (generally August through September).

35. As determined necessary, by the silviculturist and soil scientist, some of the primary skid trails may be decompacted by subsoiling.

36. Hauling on the Toll road towards Tillamook can occur throughout the year. Parts of the Flora and Fauna mainline road will not available for hauling in wet weather.

37. Road maintenance will occur to limit the potential of sediment associated with haul from the selected alternative, from reaching fish or their habitat. This will include spot rocking on haul routes where the subgrade is soft, ruts are developing, and near stream crossings. This spot rocking will occur prior to and during periods of haul. Frequent inspections should be done to plan prompt maintenance of areas generating visibly turbid water, ruts or rock wear to the point subgrade is visible. There are 10 road crossings of larger streams that should be evaluated for maintenance prior to and during haul.

38. On road 2-6-6 (leading west from unit 5-1), the period of haul will be limited to the driest part of the summer, generally June through September. While not eliminating the potential of sediment entering the stream crossings along this route, it should reduce them to a negligible level.

39. Burning will be conducted under good atmospheric mixing conditions to lessen the impact on air quality in designated areas.

40. To further mitigate fire risk, logging roads in the project area will be *posted* 'closed' to all off road motor vehicle use during the "closed" fire season the first year following harvest activities, while fuels are in the "red needle" stage. These designated areas should be monitored for the need of additional closures during subsequent years during periods of high fire danger.

41. Landing piles should be located as far as possible from green trees to minimize damage.

42. Hand piles will be covered to facilitate the consumption of fuels during the high moisture fall/winter burning periods.

43. Hand piles should be located at least 10 feet from green trees, where possible, to minimize damage.

44. Lopping and scattering of fuels may be incorporated in areas where fuel loading is relatively heavy but not heavy enough to warrant hand piling or burning.

45. Pullback of fuels may be incorporated in areas where fuel loading is relatively light (especially along roads) and not heavy enough to warrant hand piling or burning.

Project – Wildlife Enhancement

The wildlife habitat enhancement project will occur in forest stands that will not be treated with density management. Wildlife habitat enhancement will occur on 180 acres distributed within 5 treatment units. These areas are located within Township 2 South, Range 6 West, Sections 4, 5, and 8; and Township 1 South, Range 5 West, Section 31; Township 1 South, Range 6 West sec 34, Willamette Meridian.

The wildlife habitat enhancement project in the selected alternative consists of the following design features (Elkhorn EA p. 10):

1. The project will utilize a number of techniques of creating CWD including the felling of green trees, girdling green trees at the base as well as in the crown. Other design criteria may include mimicking bark beetle pockets by treating some of the trees in small clumps of up to five trees; locating clumps of treated trees in association with existing hemlock understory as to potentially promote understory development; and using CWD creation in such a way as to release individual overstory trees.

2. Power tools may be used.

3. The project will be implemented between 2005 and 2010.

Project – Fish Habitat Enhancement

The fish habitat enhancement project will occur on 2.0 miles of Cruiser Creek and Elkhorn Creek within Township 2 South, Range 6 West, Sections 5, and 8, Willamette Meridian.

The following design features pertain to the fish habitat enhancement project (Elkhorn EA pp. 10-11):

1. Trees and/or boulders will be placed in a one-half mile stretch of Cruiser Creek and a 1.5 mile stretch of Elkhorn Creek.

2. At Cruiser Creek, approximately 40 large logs (greater than 24" diameter), 40 smaller logs (less than 24" diameter), and 80 boulders from on-site or off-site locations, will be placed into the stream channel.

3. At Cruiser Creek, where suitable conditions exist, off-channel habitat will be created by removing portions of the existing Elkhorn Road (2-5-10) roadbed adjacent to Cruiser Creek. This will occur at approximately four sites of 15 to 30 feet in length. The road fill material will be placed along the adjoining hillside. The in-stream work will be accomplished using an excavator. Other equipment needed to move materials will include dump or log trucks.

4. Trees that will be used at Cruiser Creek or Elhorn Creek will likely originate from Oregon Department of Forest (ODF) lands, or be purchased by the BLM. If the trees did come from BLM land, they will require further NEPA analysis, and abide by the terms and conditions of the habitat modification Biological Opinion (BO) for the northern spotted owl in effect at the time.

5. The work for the Cruiser Creek section will occur between 2005 to 2008.

6. At Elkhorn Creek approximately 120 logs will be placed in the stream channel, using a helicopter. A minimum of 80 logs will be larger than 24" diameter, and the other 40 trees will be a minimum of 18" diameter.

7. At Elkhorn Creek the work will occur between July 7 and September 15, in 2006, 2007 or 2008. It should take approximately two days of helicopter time to place the logs.

8. The helicopter will use existing landings that are at least ½ mile from unsurveyed suitable northern spotted owl habitat if the project occurs before August 15th of each year work is undertaken.

ALTERNATIVES CONSIDERED

The alternatives considered in detail included an "action" alternative and a “no action” alternative. No major issues were identified during project scoping (internal and external), therefore, procedurally, no alternatives other than the “action” and “no action” alternatives were required. Complete descriptions of the "action" and "no action" alternatives are contained in the Elkhorn EA, on pages 7-12.

REASONS FOR THE DECISION

This decision is based on site-specific analysis documented in the Elkhorn EA, the supporting project record, management recommendations contained in the WA *(The Trask River Watershed Analysis)*, dated August 2003; LSRA (*Late-Successional Reserve Assessment for Oregon’s Northern Coast Range Adaptive Management Area*), dated January 1998; the RPA Guide (*Delineation and Management of Reserve Pair Areas within Oregon’s Northern Coast Range Adaptive Management Area*, dated June 1, 2000; considered to be supplemental guidance to the *AMA Guide* and *LSRA)*; and the AMA Guide (*Northern Coast Range Adaptive Management Area Guide*), dated January 1997. The Elkhorn projects follow management direction contained in the RMP (*Salem District Resource Management Plan*), dated May 1995. I have decided to implement the selected alternative as described above. My rationale for this decision follows:

1. The selected alternative addresses the purpose and need for action and fulfils the project objectives, as stated on page 1 of the Elkhorn EA. This alternative will accelerate the development of late-successional forest characteristics, preserve the desirable features currently existing, and enhance the overall level of vegetative structural diversity in the area (EA Chapter 4; Appendix 2) The project will also help provide social and economic benefits to local communities, which is also an objective for AMA lands (AMA guide, page 14). The fish habitat enhancement project is in a key watershed and will rehabilitate and protect at-risk fish stocks and their habitat, as well as reduce road mileage (RMP p. 27: WA p. 6-1).

   The “no action” alternative was not selected because it does not meet the purpose and need, nor does it fulfill the project objectives. Implementing the “no action” alternative will not accelerate the development of late-successional forest characteristics, nor will it protect and rehabilitate at-risk fish stocks, nor will it contribute economic benefits to local communities, nor will it reduce existing road mileages within a key watershed (Elkhorn EA, Appendix 2).

2. The selected alternative is consistent with applicable land use plans, policies, and programs (Elkhorn EA, p. 3). The selected alternative has design features to minimize negative impacts and benefit the overall condition in the watershed. (Elkhorn EA Chapter 2)

3. Implementation of the selected alternative will accelerate the development of late-successional forest habitat characteristics. It will result in a more structurally diverse stand, both vertically and horizontally that may provide for better spotted owl foraging and nesting opportunity, and eventually improved murrelet nesting habitat (Elkhorn EA Chapter 4).

4. The selected alternative is consistent with the ACS (Aquatic Conservation Strategy) objectives. (Elkhorn EA, Appendix 2-10)

PUBLIC INVOLVEMENT

In compliance with NEPA, the projects documented in the Elkhorn EA and DR were listed in the September, June and March 2004 editions of the *Salem District Project Update* which were mailed to over 1,000 addresses, as well as a letter mailed on April 26, 2004, to 97 potentially affected and/or interested individuals, groups, and agencies. A presentation was also given to the Tillamook Watershed Council on May 25, 2004, which was attended by twelve people. A total of two letters, one e-mail, and one voice-mail were received as a result of this scoping. The IDT reviewed, clarified, and assessed the public comments. The response to the public comments is documented in Elkhorn EA Addendum 1- *Public Comment to Environmental Assessment and BLM Response*.

On December 9, 2004, a pre-decision letter, along with a copy of the EA and appendices and a preliminary FONSI (Finding of No Significant Impact), were sent to 13 individuals, groups and agencies that had expressed an interest in the project. Also, a legal notice requesting public comment to the EA and preliminary FONSI appeared in the *Headlight Herald* Newspaper of Tillamook, OR. The EA and preliminary FONSI were released for public comment from December 9, 2004 to January 10, 2005. A field trip was held on February 23, 2005 to the project site, with a representative of the Oregon Natural Resource Council (ONRC) and several BLM staff members. As a result of this scoping, one letter was received. The BLM's response to this letter is contained in Addendum 1.

FINDING OF NO SIGNIFICANT IMPACT

Based upon review of the Elkhorn EA and supporting project record, I have determined that this action is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. There are no site specific impacts that would require supplemental/additional information to the analysis done in the RMP/FEIS. Therefore, an environmental impact statement is not needed. This finding is based on the following discussion:

Context. The selected alternative is a site-specific action directly involving 2003 acres of BLM administered land, and 2.0 miles of BLM administered land and streams, that by itself does not have international, national, region-wide, or state-wide importance. Approximately 1530 acres of the project area is located in the Elkhorn Key Watershed.

The project area does not contain designated 'critical habitat' for the marbled murrelet, or northern spotted owl. The project area contains mostly 'dispersal' habitat for the northern spotted owl, and 80 acres in Section 16 of low-quality 'suitable northern spotted owl' habitat. The project is in the municipal watershed for the communities of Hillsboro and Yamhill. The project area does not contain the federally listed upper Willamette steelhead or upper Willamette chinook, or potential habitat for these species. The project does contain 'Essential fish habitat' for the Oregon Coast chinook salmon and Oregon Coast coho salmon.

The discussion of the significance criteria that follows applies to the intended action and is within the context of local importance. Chapter 4 of the EA details the effects of the selected alternatives. None of the effects identified, including direct, indirect and cumulative effects, are considered to be significant and do not exceed those effects described in the RMP/FEIS.

Intensity. The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27.

1. **Impacts may be both beneficial and adverse.** Due to the selected alternative's design features, the predicted effects, most noteworthy, include: 1/ acceleration of the development of some late-successional forest structural features on about 1823 acres using density management; 2/ enhancement of the overall level of diversity in the area; 3/ social and economic benefits to the local communities through the supply of timber to local mills and some contract work; 4/ no loss in population viability of special status or special attention species (also see significance criteria #9 below); 5/ a net decrease of 3.2 miles of road within the watershed after project completion; 6/ slight, short term increases in sediment are anticipated from road construction, road improvement and culvert removal, and timber harvest activities; 7/ no impacts to water temperature, stream flows or stream channel stability; 8/ acceleration of the development of some late-successional forest structural features on about 180 acres using various methods of habitat enhancement.

   Project Actions include the development of large trees, gaps in the canopy, snags and down wood, various levels of over story tree densities; and 9/ restoration of .5 miles of Cruiser and 1.5 miles Elkhorn Creek will result in the direct improvement of large woody debris (LWD), pool area, pool quality, and refuge habitat; 10/ placement of logs and rocks directly in the stream will result in localized turbidity, it is not anticipated that this will exceed two hours in any 24 hour period.

   None of the environmental effects disclosed above and discussed in detail in Chapter 4 of the Elkhorn EA and associated appendices are considered significant, nor do the effects exceed those described in the RMP/FEIS.

2. **The degree to which the selected alternative will affect public health or safety.** Public health and safety were not identified as an issue. The selected alternative is comparable to other density management projects and habitat restoration projects which have occurred within the Salem District with no unusual health or safety concerns.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas**. There are no historic or cultural resources, park lands, prime farm lands, wild and scenic rivers, or wildernesses located within the project area (Elkhorn EA, Appendix 2).

The project area is located within the Adaptive Management Area and Riparian Reserve land use allocations, as identified in the RMP. Activities associated with the selected alternative are predicted to accelerate the development of some late-successional forest structural features, rehabilitate and restore at-risk fish stocks and their habitat, and will contribute to the attainment of ACS objectives.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** Extensive scoping of the selected alternative resulted in only four project specific comment letters. The disposition of public comments is contained in Appendix 4 of the Elkhorn EA. Scoping on the EA resulted in one project specific comment letter. The effects of the selected alternative on the quality of the human environment were adequately understood by the IDT to provide an environmental analysis. A complete disclosure of the predicted effects of the selected alternative is contained in Chapter 4 and Appendix 2 of the Elkhorn EA.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The selected alternative is not unique or unusual. The BLM has experience implementing similar actions in similar areas and have found effects to be reasonably predictable. The environmental effects to the human environment are fully analyzed in the Elkhorn EA There are no predicted effects on the human environment which are considered to be highly uncertain or involve unique or unknown risks.

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.** The selected alternative does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. The selected alternative decommissions 3.2 miles of road no longer needed by the BLM, accelerates the development of some late-successional forest habitat characteristics on 2003 acres of land, and restore fish habitat on 2 miles of stream managed by the BLM. Any future projects will be evaluated through the NEPA process and will stand on their own as to environmental effects.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The interdisciplinary team evaluated the selected alternative in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted (Elkhorn EA pp. 23-25, 27, 29-30, 36-38, 41, 44, 46, 51). A complete disclosure of the effects of the selected alternative is contained in Chapter 4 of the Elkhorn EA.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other 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 historical resources.** The selected alternative will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will the selected alternative cause loss or destruction of significant scientific, cultural, or historical resources (Elkhorn EA, Appendix 3).

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.**
Wildlife: In accordance with regulations pursuant to Section 7 of the Endangered Species Act of 1973, as amended, informal and/or formal consultation with the U.S. Fish and Wildlife Service (USFWS) concerning the potential impacts of the five timber sales, and the fish and wildlife habitat enhancement projects described in the Elkhorn EA, upon the spotted owl, marbled murrelet and bald eagle, will be or has been completed. This occurs by including the various projects within the appropriate programmatic Biological Assessment prepared by the North Coast Province Interagency Level 1 Team, depending upon two factors - the type of project (either disturbance-only or habitat modification) and the expected year of implementation. For timber sales the "year of implementation" equates to the year the sale is sold, for other projects "year of implementation" equated to the year that work is actually completed "on the ground". A portion of the density management (timber sale) projects have been included within the FY 2005-2006 North Coast Province Habitat Modification BA (USFWS Reference 1-7-05-F-005) and a portion of the fish and wildlife habitat enhancement projects have been included within the North Coast Province 2004-2005 Disturbance-Only BA (USFWS Reference 1-7-04-F-1113). The density management project in Alternative 1 is consistent with definitions for *light to moderate thinning* as found in the programmatic BA and meets the terms and conditions for the current Biological Opinion.

For projects or portions of projects, where the implementation date is later than the dates applicable for the current Programmatic Biological Assessments noted above, consultation will be carried into the next appropriate programmatic consultation package(s). If the project carried forward is determined not to be in compliance with the standards of the future programmatic consultation, the project will be modified to be in compliance or a project-specific consultation will be conducted. In either case, all of the applicable Terms and Conditions of the appropriate Biological Opinion will be incorporated.

Fisheries: In accordance with regulations pursuant to Section 7 of the Endangered Species Act of 1973, as amended, formal or informal consultation concerning the potential impacts of the selected alternative on Upper Willamette steelhead is anticipated to be initiated in 2006. Conferencing for Oregon Coast coho salmon will be requested if needed in 2006. The in-stream work in Cruiser Creek will be consistent with the Project Design Criteria contained in NOAA fisheries Biological Opinion dated February 25, 2003 for 10 programmatic actions occurring in NW Oregon. If the project is not completed before the

termination of the current Biological Opinion (end of fy 2007), the project will be consistent with the terms and conditions of the subsequent programmatic Biological Opinion.

Formal or informal consultation under the Magnuson-Stevens Fishery Conservation and Management Act is anticipated to occur for populations of coho and chinook that are located within the project area. This consultation for Essential Fish Habitat will likely occur concurrently with Section 7 consultation or conferencing.

10. **Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment**. The selected alternative does not violate any known Federal, State, or local law or requirement imposed for the protection of the environment. The EA and supporting Project Record contain discussions pertaining to the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, Coastal Zone Management Act, Executive Order 12898 (Environmental Justice), and Executive Order 13212 (Adverse Energy Impact). State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, the selected alternative is consistent with applicable land management plans, policies, and programs.

ADMINISTRATIVE REVIEW OPPORTUNITIES

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 5003, protests of this decision may be made within 15 days of the publication of a notice of decision in a newspaper of general circulation. This notice of decision will be published in the Headline Herald newspaper on May 18, 2005. To protest this decision a person must submit a written protest to William B. Keller, Tillamook Field Manager, 4610 Third Street, Tillamook, Oregon 97141 by the close of business (4:00 p.m.) on June 2, 2005. The protest must clearly and concisely state the reasons why the decision is believed to be in error.

- Wildlife and Fish Enhancement Projects: Any objection to the wildlife and fish habitat enhancement projects' design or my decision to go forward with these projects must be filed at this time in accordance with the protest process outlined above.

- Density Management Project: Any objection to the density management project design or my decision to go forward with this project must be filed at this time in accordance with the protest process outlined above.

  At the time of advertisement (notice of sale) what constitutes a protestable decision is limited to 1) whether there has been new BLM direction requiring a change from that in the Elkhorn EA and/or 2) changes between the timber sale design as described in the Elkhorn EA and that in the final timber sale contract.

IMPLEMENTATION DATE

If no protest is received within 15 days after publication of this Decision Record (Elkhorn DR) this decision will become final.

- The wildlife habitat enhancement and fish habitat enhancement projects will be implemented as soon as funding becomes available.

- The timber sales will be advertised at the times outlined in the **Project - Density Management Thinning** section of the Elkhorn DR. At the time of advertisement (notice of sale) the timber sale design as described in the Elkhorn DR is not subject to protest.

  At the time of advertisement (notice of sale) what constitutes a protestable decision is limited to 1) whether there has been new BLM direction requiring a change from that in the Elkhorn EA and/or 2) changes between the timber sale design as described in the Elkhorn EA and that in the final timber sale contract.

If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and shall serve a decision in writing on the protesting party (43 CFR 5003.3).

CONTACT PERSON

For additional information concerning this decision contact Carolina Hooper, Tillamook Field Office, 4610 Third Street, Tillamook, Oregon 97141; Telephone (503) 815-1119 or (503) 315-5927.

Approved by: _____ _____

William B. Keller Date
Tillamook Field Manager