

Proposed Action Title/Type: Request to Amend Reciprocal Right-Of-Way Agreement C-599 to allow permittee to use existing road and construct a new road across BLM land.

Location of Proposed Action: Hantz Creek, Section 11, T.28S., R.11W., Will. Mer., Coos County, OR.

Applicant (if any): Menasha Forest Products Corporation

Conformance With Applicable Land Use Plan: This proposed action is subject to the *Coos Bay District Resource Management Plan & Environmental Impact Statement* and its Record of Decision (BLM, 1995); which is in conformance with the *Final Supplemental Environmental Impact Statement on Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl* and its Record of Decision (Interagency, 1994). This plan has been reviewed to determine if the proposed action conforms with the land use plan's terms and conditions as required by 43 CFR 1601.5.

Remarks: The Proposed Action is in compliance with the *Coos Bay District Resource Management Plan & Environmental Impact Statement* and its Record of Decision (BLM, 1995)RMP; hereby incorporated by reference. The RMP has been determined to be consistent with the standards and guidelines for healthy lands at the land use plan scale and associated time lines.

I. Purpose and Need for Proposed Action: The permittee has requested access to his land by way of BLM road and land to facilitate the management, harvest, and transportation of private timber to market.

II. Description of Alternatives, Including the Proposed Action:

No Action: Should the government deny the use of Road No. 28-11-11.0, the permittee may request to utilize their existing crossing rights under Right-Of-Way Agreement C-599.

Proposed Action: The permittee has requested the use of BLM controlled Road No. 28-11-11.0 (0.4 mi.), to access their property in the SW¼ of Section 2, T.28S., R.11W., Will. Mer., Coos County, Oregon. In addition, the permittee has requested to construct 1250 feet of new road across BLM land in the NW¼ of Section 11. The age class of the timber to be removed in this road right-of-way is 50 year old conifers. The topography of the land in the area of new construction is a gentle side slope. The logging is expected to be accomplished with a high lead cable yarder in the summer months. In compliance with the Oregon State Forest Practices Act, they are leaving 2 down logs per acre and 2 wildlife trees per acre. In addition they plan on leaving a 50 foot buffer along Hantz creek on the northerly boundary of the proposed unit.

The following design features would be implemented under the proposed action:

- ◆ The permittee shall wash all logging equipment and vehicles prior to initial entry to help prevent the spread of noxious weeds.
- ◆ During the renovation of the 28-11-11.0 road, six additional ditch relief pipes will be installed in the sub-grade and an administrative lift of rock will be applied across the existing Hantz Creek crossing. In addition, upon completion of active hauling on BLM Road No. 28-11-11.0, it will be the permittee's responsibility to spot rock sections of the road where there is exposed soil on the running surface.
- ◆ After use of the newly constructed road across BLM land, the road shall be closed to public by installation of waterbars and a trench type closure at the junction with the 28-11-11.0 road.
- ◆ All exposed cutbanks of the new and reconstructed roads shall be covered with seed and hydromulch to reduce erosion.

Affected Environment

The government land impacted by this request is located in the East Fork Coquille River watershed and resides north of Frona County Park. The existing access road was constructed and is used to maintain the BPA Power Line which traverses through the center of Section 11. The lands involved in this crossing were logged in the late 40's-early 50's. The timber is

the road work required would be cut and fill construction. The BPA power line access road crosses Hantz Creek with a culvert. Portions of the road are steep with pitches up to 25%. Rill and gully erosion is evident in the road tread. There has been some sediment delivery from this road into Hantz Creek and the steelhead acclimation pond due to improper road surfacing and drainage control for the associated road grade.

Soils: The proposed road construction and renovation of Road No. 28-11-11.0 are located on Preacher-Bohannon loams according to the Soil Survey of Coos County. The slopes in the area are from 60 to 90% but the specific location of this action are generally located on sideslopes of less than 35%. In addition the first portion of the new construction crosses a Blachly silty clay loam for a greater portion of its length than would appear in the county survey. The existing road under the power line is rutting and delivering sediment to the stream network of Hantz Creek. Some effort to place gravel on this road have had limited success in the proposed area of use. No ditchline exists from the top of the hill to the stream crossing and pond area. This causes runoff to be confined to the roadway and the ruts within it. The Preacher and Bohannon soil types have both a rapid runoff and high erosion hazard. The Blachly soil type has a medium runoff and moderate erosion hazard. The vegetation adjacent to the 28-11-11.0 road is largely composed of brush species and small Douglas-fir. The width of vegetation between the first order stream and the road surface is of sufficient width to filter fine sediment. The Blachly and Bohannon soils are readily invaded by noxious weeds when native vegetation is removed particularly on cutbanks of roads.

III. Environmental Consequences

Environmental Impacts to Critical Elements of the Human Environment: (No Action)

Critical Elements	Affected		Critical Elements	Affected	
	Yes	No		Yes	No
Air Quality	—	<u>X</u>	T & E Species	—	<u>X</u>
ACECs	—	<u>X</u>	S & M Botany	—	<u>X</u>
Cultural Resources	—	<u>X</u>	S & M Mollusk	—	<u>X</u>
Environmental Justice Concerns	—	<u>X</u>	Wastes, Hazardous/Solid	—	<u>X</u>
Farmlands, Prime/Unique	—	<u>X</u>	Water Quality	<u>X</u>	—
Floodplains	—	<u>X</u>	Wetlands/Riparian Zones	—	<u>X</u>
Native American Religious Concerns	—	<u>X</u>	Wild & Scenic Rivers	—	<u>X</u>
Noxious Weed Management	<u>X</u>	—	Wilderness	—	<u>X</u>
Port Orford Cedar Management	—	<u>X</u>			

Description of Impacts under No Action:

Soils

The No Action alternative will not correct the surface runoff and drainage problem that is occurring along Road No. 28-11-11.0. Future use of this service corridor by recreationists from the nearby park will increase the delivery potential and amounts of fine sediments to Hantz Creek. The permittee has two options that are not as desirable as the proposed action to harvest the timber. One is to build new road in from the north and the other is to place a temporary fill and culvert in Hantz Creek during low flow and yard the timber downhill into a riparian area. Both options are more impacting to the land surface and potential sediment delivery is high in the case of the downhill yarding scenario.

Hydrology/Water Quality

The permittee has indicated that should the proposed action be denied they may exercise their rights under RWA C-599. This could result in the construction of 0.3 miles of new road across BLM managed lands in Section 35 and 0.7 miles of new road in Section 2 across their own land. This would enable them to harvest their timber on the southeast side of Hantz Creek by slack line. The yarding of timber through the riparian buffer adjacent to Hantz Creek would probably reduce the water quality of the creek.

Wildlife, Including T & E and S&M

Should the action be denied and the permittee access their lands from the north, the result would be an increase of 0.75 miles of new road. This increase in open road density would have a negative impact on the wildlife in the area.

Aquatic Habitat/Fisheries /Riparian Zones Including T & E and S&M

The no action alternative would, in all probability compromise the riparian buffer adjacent to Hantz Creek. This would probably adversely affect the water quality of this fish bearing stream.

Vegetation, Including T & E and S & M

No affect

Port-Orford Cedar

No affect

Noxious Weeds

Existing locations of Broom and Gorse will continue to spread along the road serving the BPA power line.

Cultural Resources

There are no affects to cultural resources anticipated under the no action alternative.

Hazardous Materials / Solid Wastes

There are no environmental consequences for hazardous material or solid waste under the no action alternative.

Environmental Impacts to Critical Elements of the Human Environment: (Proposed Action)

<u>Critical Elements</u>	<u>Affected</u>	<u>Critical Elements</u>	<u>Affected</u>
Air Quality	— <u>X</u>	T & E Species	— <u>X</u>
ACECs	— <u>X</u>	S & M Botany	— <u>X</u>
Cultural Resources	— <u>X</u>	S & M Mollusk	— <u>X</u>
Environmental Justice Concerns	— <u>X</u>	Wastes, Hazardous/Solid	— <u>X</u>
Farmlands, Prime/Unique	— <u>X</u>	Water Quality	<u>X</u> —
Floodplains	— <u>X</u>	-	
Native American Religious Concerns	— <u>X</u>	Wetlands/Riparian Zones	— <u>X</u>
Noxious Weed Management	— <u>X</u>	Wild & Scenic Rivers	— <u>X</u>
Port Orford Cedar Management	— <u>X</u>	Wilderness	— <u>X</u>

Description of impacts under proposed action:**Soils**

The sediment delivery impacts from the proposed action will be minor and limited to the initial construction and reconstruction activities of the proposed route. Little if any fine sediment should be delivered from the project area once vegetation established itself on the cutbanks. Water routing down the surface of the BPA access road should cease. With the addition of the ditch relief pipes, the volume of water would be reduced to the point that fine sediment filtering prior to the stream would occur. Closure of the new road after use will insure rutting of the road will not occur. Other timber harvesting (thinning) is planned in the adjacent side of Hantz Creek on BLM administered lands. This adjacent activity should not affect the delivery of sediment to the Hantz Creek, the acclimatization pond, or the mainstem of the E.F. of the Coquille River.

Hydrology/Water Quality

No impacts are anticipated if BLM Best Management Practices for Maintaining Water Quality and Soil Productivity are followed. Restrict active hauling operations to the drier portions of the year (July-October), to reduce potential for offsite soil movement and sediment delivery to road ditches and Hantz Creek.

Wildlife, Including T & E and S&M

There are no spotted owl sites within ¼ mile of the proposed road construction or private harvest. No suitable habitat would be removed on private or BLM lands. Dispersal habitat would be removed on BLM land (approximately one acre due to road construction) and 15 acres on the permittee's land. No suitable marbled murrelet habitat will be removed in conjunction with this proposed action on BLM or private lands. The road construction on BLM is within ¼ mile of unsurveyed suitable murrelet habitat. This stand of timber encompasses the Frona Park Recreation Site and is within 100m of the Coos Bay Wagon Road. Road construction activities are proposed during the summer; therefore, road construction activities could cause disturbance to murrelets should they be nesting in the unsurveyed habitat. This project may affect but is not likely to adversely affect murrelets because ambient noises levels are already quite high in this stand of timber due to its close proximity to Frona Park and the Coos Bay Wagon Road. The only S&M wildlife species requiring pre-project surveys in this area is the red tree vole (RTV). No RTV nests were observed in or near the proposed right-of-way.

Aquatic Habitat/Fisheries /Riparian Zones Including T & E and S&M

The nearest water to the proposed construction of the road on BLM managed lands is the mainstem of Hantz Creek, which
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is a minimum of 490 feet to the west. A tributary to the northeast is about equidistant to the road construction. Therefore, the vegetation density and the distance from water is sufficient to filter any sediment that might occur from the road construction. In addition, the construction and use of the road will be during the dry months, and at the end of the proposed use, the road will be barricaded, water barred, seeded, and mulched to prevent erosion during the wet season. Hence, water quality and water quantity should not be affected by the road construction.

One important design feature within this proposed project is the renovation /improvement of Road No. 28-11-11.0. The addition of six ditch relief pipes and the lift of rock on Hantz Creek crossing and the exposed subgrade of the existing BPA access road will greatly reduce the rutting and erosion that is presently taking place. Currently, the sediment from the road is deposited within Hantz Creek and the steelhead acclimation holding pond into which Hantz Creek enters and exits. Redirection of the water from the road into the adjacent vegetation will facilitate filtering of the sediment and dispersion of water energy. Therefore this project would improve the current water quality of Hantz Creek. The effects determination is a No Effect on federal land, and a May Affect, likely to Adversely Affect on private land. Pursuant to the June 20, 2000 (6500 OR931 P) memo on how to proceed on consultation with National Marine Fisheries Service for tailholds and right-of-ways, this analysis will be documented in the Level 1 team notes and will be included in the application file. In addition the permit holder will be notified of any requirements under ESA on their lands.

Vegetation, Including T & E and S & M

The site was visited 20 November 2001 by the District Botanist. The site is typified by Douglas fir, rhododendron, chinquapin, evergreen huckleberry, and swordfern. There is no habitat or known occurrence of any special status vascular or non-vascular plant species in the project area. In the project area, there is no habitat for the endangered western bog lily (*Lilium occidentale*), nine vascular species of concern, 13 vascular Bureau sensitive species (including the nine species of concern plus other List 1 species proposed by the Oregon Natural Heritage Program (ONHP) 2001), and 20 vascular Bureau assessment species (ONHP List 2 species). In the project area, there is no known occurrence of the two non-vascular Bureau sensitive species, 15 non-vascular Bureau assessment, or 15 Bureau tracking species within the Bryophyte/lichen/fungi categories (ONHP 2001). There is no known occurrence of any Survey and Manage species (USDA and USDI 2001).

Citation: Oregon Natural Heritage Program. 2001. Rare, threatened, and endangered plants and animals of Oregon. Oregon Natural Heritage Program, Portland Oregon, 94 pp.

USDA and USDI. 2001. Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines. 59 pp. + 86 pp.

Port-Orford Cedar

The 1,250 feet of new road construction location (also BPA power line road) was surveyed for the presence of Port Orford Cedar (POC). No POC was found. The proposed action will have no direct, indirect, or cumulative effect on the viability of Port Orford Cedar as a species. No mitigation measures are needed for POC management.

Noxious Weeds

In order to help prevent the spread of noxious weeds, the permittee should wash all logging equipment and log trucks prior to initial entry into the project area. In addition the removal of the Broom and Gorse species along the route will be accomplished by renovation activities. Closing the new road after use will prevent the spread of weeds onto cutbanks of the new road and on the recently harvested lands of the permittee.

Cultural Resources

There are no affects to cultural resources under the proposed action.

Hazardous Materials / Solid Wastes

Provisions for Oil Spill Prevention, Control & Counter measures (SPCC) under Oregon Administrative Rule No. OAR 340-108 apply to the use of any equipment using petroleum. In addition Oregon Forest Practices Act Section No. OAR629-57-3600, Petroleum Products Precautions, will be in affect. Any reportable quantity release (see OAR 340-108) shall also be reported to the appropriate BLM representative.

ACS Objectives

Reducing sediment delivery from the BPA service road will maintain ACS objectives 1, 4, 5, 6, 8 and 9 on Federal lands within the project area.

Road Density

