

FINAL DECISION DOCUMENTATION
August Knob Timber Sale
Revised August Knob Salvage Environmental Assessment (EA# OR118-06-009)

United States Department of the Interior
Bureau of Land Management
Glendale Resource Area, Medford District

INTRODUCTION

An environmental assessment (EA# OR118-06-009), including a Finding of No Significant Impact (FONSI), for the August Knob Salvage Project was made available for a 30-day public review period on July 18, 2006. Two comment letters were received. The Bureau of Land Management's (BLM) responses to the comments in those letters are found in the attached Public Comment to the Revised August Knob Salvage Environmental Assessment (EA# OR118-06-09) and BLM Response. Public comments were considered in reaching a final decision.

This decision conforms with the *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994); the *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995); the *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS, 2004 and ROD, 2004); the *Final Supplemental Environmental Impact Statement and Record of Decision and Standards and Guidelines for Amendment to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (FSEIS, 2000 and ROD, 2001) including any amendments or modifications in effect as of March 21, 2004; 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, and Proposal to Amend Wording About the Aquatic Conservation Strategy* (FSEIS, 2003 and ROD, 2004); and the *Medford District Integrated Weed Management Plan Environmental Assessment* (1998) and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985).

The Glendale Resource Area is aware of the August 1, 2005, U.S. District Court order in Northwest Ecosystem Alliance et al. v. Rey et al. which found portions of the *Final Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (January, 2004) (EIS) inadequate. The Glendale Resource Area is also aware of the January 9, 2006, Court order which:

- set aside the 2004 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) (2004 ROD) and

- reinstate the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines* (January, 2001) (2001 ROD), including any amendments or modifications in effect as of March 21, 2004.

The order further directs "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities....unless such activities are in compliance with the provisions of the 2001 ROD (as amended or modified as of March 21, 2004)".

The litigation over the amendment that eliminated the Survey & Manage mitigation measure from the Northwest Forest Plan does not affect the August Knob Timber Sale. This is because all required biological surveys for Survey & Manage species have been completed and meet the 2001 protocol (2001 ROD as amended or modified as of March 21, 2004). Therefore, this project complies with the Northwest Forest Plan prior to that amendment (See 2001 Compliance Review: Survey and Manage Botany Species).

The Glendale Resource Area is also aware of ongoing litigation Pacific Coast Federation of Fishermen's Associations et al. v. National Marine Fisheries Service et al. (W.D. Wash.) related to the 2004 Supplemental Environmental Impact Statement and Record of Decision for the Aquatic Conservation Strategy. The Magistrate Judge issued findings and recommendations to the Court on March 29, 2006. The District Court has not yet adopted them. The Court has not found this amendment to be "illegal," nor did the Magistrate recommend such a finding. The District Court has yet to adopt the findings and recommendations and rule.

REVISIONS TO ENVIRONMENTAL ASSESSMENT

The Revised EA replaces and supersedes the original August Knob Salvage EA (OR118-06-009) previously released on July 18, 2006. Any comments submitted for consideration must be directed to the analysis contained in the Revised August Knob Salvage Environmental Assessment (OR118-06-009) in order to be considered. The following are changes from the original EA:

1. Appendix 2 has been revised to include migratory birds as Not Affected in the *Migratory Birds (Species of Concern)* section on page 71.
2. Appendix 7 has been added on page 90 and includes the wildlife biologist's specialist report regarding the rationale for determining migratory birds as Not Affected in Appendix 2.
3. Remove wording in section 2.2.5.2 that states that "Dust abatement on landings would include rocking and/or applying lignin" as this PDF is generally applied to helicopter landings, in which none are proposed for the August Knob Salvage Timber Sale.
4. Appendix 2 has been revised to include Survey and Manage vascular and nonvascular botany species as Not Present in the *Special Status Species and Survey and Manage (not including T/E): Plant Species/Habitat* section on page 68. The *2001 ROD Compliance Review: Survey and*

Management Botany Species attachment provides the rationale regarding this determination as it documents that surveys were conducted with no sites found.

5. The PDF 2.2.7 *Special Status and Survey and Manage Plant Species and their Habitats* has been deleted to reflect the change in Revision 4 above.

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.

DECISION

Based on site-specific analysis, the supporting project record, the management direction contained in the Record of Decision and Standards and Guidelines of the Northwest Forest Plan (1994), the Medford District Resource Management Plan and Record of Decision (1995) and the Evaluation of the Medford Resource Management Plan Relative to Four Northern Spotted Owl Reports (2005), I have decided to implement the proposed activities as described in Alternative 2. The decision rendered below will encompass salvaging fire killed trees burned in the Blossom Fire of 2005 and removing or leaving hazardous trees (green or dead) along roads that are considered a risk to humans using these roads. These forest management treatments include salvage harvesting of dead and dying trees within two units totaling 12 acres on matrix lands. Scattered fire killed and hazard trees within 75 feet of existing roads and fire killed trees along dozer firelines in the matrix would be harvested. The only activity planned in the late successional reserve (LSR) and riparian reserve (RR) is felling hazard trees which would be left on site. Roadside and dozer fireline felling would occur along five segments totaling approximately 58 acres. For hazard trees that are more than 75 feet from roads, only those portions of those trees that land within 75 feet of the road would be harvested. Only salvage would occur within 75 feet of the dozer fireline. Other forest activities include construction of a cable harvest landing, re-opening and reconstruction of a temporary spur road and decommissioning it after use, re-opening one dozer fireline for salvage access and returning it to the same condition after salvaging, lopping and scattering logging vegetative debris back on site, and road maintenance work that would clean up roadside logging debris after harvest. Planting of conifer trees would occur on the one decommissioned road after use and if necessary in salvaged areas along the roads.

ALTERNATIVES CONSIDERED

The alternatives considered in detail included the No Action Alternative (Alternative 1), which serves as the baseline to compare effects, and the Proposed Action (Alternative 2) which initiated the environmental analysis process. A description of both of these alternatives is found on pages 14-20 of the EA.

REASONS FOR THE DECISION

My rationale for the decision is as follows:

1. The Selected Alternative (Alternative 2) addresses the purpose and need of the project (EA,

pp. 10, 11):

Salvage of fire killed trees would allow the BLM to retrieve some economic value from these trees and partially achieve RMP board foot volume commitments. There is also the need to fell hazard trees that are at risk of falling onto roads used by humans. The lands being harvested are on O & C lands. One of the primary objectives identified in the RMP is implementing the O & C Lands Act which requires the Secretary of the Interior to manage O&C lands for permanent forest production in accord with sustained yield principles (ROD/RMP, p.17).

Produce a sustainable supply of timber and other forest commodities on matrix lands to provide jobs and contribute to community stability (RMP, p. 38) by:

- recovering mortality volume that would otherwise be lost to decay (PRMP/EIS, p. 4-101)
 - remove snags and logs to reduce hazards to humans along roads and trails and in or adjacent to recreation sites in LSRs (RMP, p. 33)
 - silvicultural systems that are economically feasible (RMP, p. 180)
 - mortality above the level needed to meet snag retention and other habitat goals and provide desired levels of coarse woody debris would be harvested (RMP, p.186).
2. Alternative 1 was not selected because this alternative would not meet the purpose and need of the project.
 3. The Mitigation Measure was not selected because the effects are similar to Alternative 2 and would not eliminate removing large green trees. While “Approximately five to seven green trees 38” to 43’ in diameter would be removed in the landing area” (EA, p. 20) under Alternative 2, the Mitigation Measure would entail removing large green trees that are between the existing landing and Unit #2. As stated on page 38 of the EA “This Mitigation Measure would eliminate the construction of a new cable harvest landing approximately 0.2 acre in size. No green trees would be felled in creating the landing. Also approximately three acres of unit 2 would be deferred. Mitigation 1 was developed from one of the comments from KS Wild regarding opposition to new construction of roads.” The soils specialist determined that “Productivity losses from yarding corridors and the temporary landing construction would also be reduced under this mitigation measure, from approximately 1 acre to 0.8 acres,” (EA, p. 38) which is considered similar in effects to Alternative 2.
 4. New information regarding the NSO from the following four reports was also considered in this decision.
 - *Scientific Evaluation of the Status of the Northern Spotted Owl* (Sustainable Ecosystems Institute, Courtney *et al.* 2004);
 - *Status and Trends in Demography of Northern Spotted Owls, 1985-2003* (Anthony *et al.* 2004);
 - *Northern Spotted Owl Five Year Review: Summary and Evaluation* (USFWS, November 2004); and

- *Northwest Forest Plan – The First Ten Years (1994-2003): Status and trend of northern spotted owl populations and habitat, PNW Station Edit Draft (Lint, Technical Coordinator, 2005).*

To summarize these reports, although the agencies anticipated a decline of NSO populations under land and resource management plans during the past decade, the reports identified greater than expected NSO population declines in Washington and northern portions of Oregon, and more stationary populations in southern Oregon and northern California. The reports did not find a direct correlation between habitat conditions and changes in NSO populations, and they were inconclusive as to the cause of the declines. Lag effects from prior harvest of suitable habitat, competition with Barred Owls, and habitat loss due to wildfire were identified as current threats; West Nile Virus and Sudden Oak Death were identified as potential new threats. Complex interactions are likely among the various factors. This information has not been found to be in conflict with either the Northwest Forest Plan or Medford District RMP (*Evaluation of the Medford Resource Management Plan Relative to Four Northern Spotted Owl Reports*, 2005). The Selected Alternative meets the Medford District RMP goal regarding conservation of species while providing a sustainable supply of timber.

5. The two letters received in response to the 30-day comment period on the EA and FONSI were considered (see attached responses to public comments). Chapter 3 of the EA discloses the impacts from implementing Alternative 2. 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 *Medford District Resource Management Plan/Final Environmental Impact Statement* (June 1995). Furthermore, consultation pursuant to the Endangered Species Act has been completed with the United States Fish and Wildlife Service (Log #: 1-15-06-F-0162) and a no effect Determination was made for southern Oregon/northern California coho salmon for Endangered Species Act and Essential Fish Habitat for Magnuson-Stevens Act Consultation.

FINDING OF NO SIGNIFICANT IMPACT

Two letters were received during the 30-day review period for the EA and FONSI. The letters did not provide new information, nor did it identify a flaw in assumptions, analysis, or data that would alter the environmental analysis disclosed in the EA or conclusions documented in the FONSI. It is my determination that Alternative 2 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 for significance in context or intensity as defined in 40 CFR § 1508.27. Therefore an environmental impact statement will not be prepared.

ADMINISTRATIVE REMEDIES

This decision is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this decision. In accordance with the BLM Forest Management Regulations (43 CFR § 5003.2(1)), the decision for the timber sales will not become effective, or be open to formal protest, until the first Notice of Sale appears in a

newspaper of general circulation in the area where the lands affected by the decision are located.

To protest a forest management decision, a person must submit a written and signed protest to the Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526 by the close of business (4:00 p.m.) not more than 15 days after publication of the Notice of Sale. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Faxed or emailed protests will not be considered.

IMPLEMENTATION DATE

If no protest is received by the close of business (4:00 p.m.) within 15 days after publication of the Notice of Sale, the decision will become final. If a timely protest is received, the decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and a final decision will be issued in accordance with 43 CFR § 5003.3

CONTACT PERSON

For additional information contact either Katrina Symons, Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526; telephone 541-471-6653 or Martin Lew, Ecosystem Planner, 541-471-6504.

Katrina Symons
Field Manager, Glendale Resource Area
Medford District, Bureau of Land Management

Date

ATTACHMENT

PUBLIC COMMENT TO THE REVISED AUGUST KNOB SALVAGE ENVIRONMENTAL ASSESSMENT (EA# OR118-06-09) AND BLM RESPONSE

The August Knob Salvage Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) were released for public comment from July 18 to August 16. The EA and FONSI were sent to 32 parties that had expressed an interest in the project and total of two letters were received in reply. BLM responses to substantive comments are presented in this Attachment to the Final Decision Documentation for the August Knob Salvage Timber Sale.

Klamath Siskiyou Wildlands Center (KS Wild)

Comment 1: We are still very concerned about the proposed logging of wilderness quality lands proposed for logging in sections 23 and 24 and the proposed logging of green old-growth trees to facilitate yarding unit 2. Unfortunately, by refusing to recognize the ecological and social values of green old-growth forests like those in Kelsey Whisky and Westside, the Glendale Resource Area (more than any other Resource Area covered by the Northwest Forest Plan) has established that it does not possess the environmental ethic found in most Americans. Many reasonable people believe that the Glendale Resource Area has “declared war” on old-growth ecosystems and the animals that depend on them.

BLM Response: The BLM thoroughly responded to this similar scoping comment in Appendix 3 of the EA. None of the harvesting activities proposed by the August Knob Salvage EA are adjacent to the Wild Rogue Wilderness. Also, as is clearly stated in Appendix 2 (p. 62), the August Knob project area has not been designated, nor is in the process of consideration for designation, as a Wilderness Area under the Wilderness Act of 1964 [Wilderness Act, Public Law 88-577].

BLM does not believe that there is any true “social consensus” regarding the BLM’s management of timbered lands in Oregon. If there is indeed any “social consensus,” it is found in the Congressional directive of the O&C Act to produce a sustainable supply of timber from these lands. Until Congress provides different direction, BLM will continue to follow present management direction. The cutting and removal of green trees is proposed on matrix land only to facilitate salvage logging operations, which is an activity consistent with that land use allocation.

Comment 2: The August Knob timber sale calls for only leaving one snag per acre in harvest units. EA page 78 and 81. The August Knob EA is silent as to analyzing and disclosing the minimum number of snags necessary to maintain 40% population levels for some woodpecker species and required CWD levels for these stands. We strongly urge the BLM to leave at least 5-8 snags per acre as leave trees in the harvest units. By leaving 5-8 snags per acre the BLM would allow for wildlife habitat, nutrient cycling,

structural diversity, CWD recruitment, and increased needle-cast in a planning area that desperately needs those forest attributes.

Please note that the DecAID Wood Advisor for southwest Oregon recommends maintaining 5-8 trees per acre in order to maintain cavity nesters at 30 to 50 percent of their potential. Further, the Guidelines of Snag and Down Wood Prescriptions in Southwestern Oregon (White, 2001) recommends leaving 6 snags per acre in the Douglas-fir plant series averaged across a 6th field watershed.

Please also note that the concept of “averaging” snags across the landscape, rather than leaving an appropriate number of snags in harvest units, was flatly rejected in federal district court in the Timbered Rock litigation.

BLM Response: The project design feature (PDF) incorporated into the development of Alternative 2 stated that “Only mortality above the level needed to meet snag retention and other habitat goals and provide desired levels of coarse woody debris would be harvested (RMP, p.186)” (EA, p. 15). To maintain 40% level of snags for some woodpecker species the RMP clearly defines retention levels as “40% percent of the mean number of snags found in unentered stands.” Alternative 2 would meet those retention levels, as is explained below:

Although pages 78 and 81 state that “The 12 acres of harvesting would not create units over seven acres in size, which would retain green trees and at least one wildlife snag per acre,” this was based on the interdisciplinary team’s initial assessment of the amount of existing snags prior to the Blossom Fire of 2005. On further field analysis to determine snags prior to the Blossom Fire (most trees are dead or dying) 14 snags (pre-Blossom) were identified in Unit #2 (three acres) which would be 4-5 snags per acre. The contract provisions for this timber sale states that “All non-hazardous pre-existing (prior to the Blossom Fire) dead and down woody debris greater than or equal to 16 inches diameter would be retained from cutting or removal.” Therefore, it is expected that all harvest treatment areas would contain at least 40% of mean number of snags.

The RMP also says to “[meet] the 40 percent minimum throughout the Matrix with per-acre requirements met on average areas no larger than 40 acres” (RMP, p. 40). The actual harvest acres and sizes of units 2 and 3 have been reduced from the original unit analysis and therefore the average snag retention would be well over the 4-5 average per acre because of the unentered portions of the stands contain large amount of snags. The RMP defines a snag as ‘Any standing dead, partially-dead, or defective (cull) tree at least 10 inches in diameter at breast height (dbh) and at least six feet tall’ (RMP, p. 114).

KS Wild’s citation of Diane White’s “Guidelines for Snag and Down Wood Prescriptions in Southwestern Oregon” provides support that the August Knob Salvage would provide substantially more than 6 snags per acre averaged across a 6th field watershed. As mentioned in the EA, only 12 acres of the 1,669 acres burned in the Blossom Fire are

proposed for salvage harvesting. Averaging created snags (as much as 40 snags per acre) from the fire would well exceed the minimum snag retention suggestion.

Comment 3: Ground-based yarding systems are not compatible sustainable fiber production or soil and hydrological health. The impacts of yarding corridors through remaining green tree patches on “edge” effects and connectivity should have been analyzed and disclosed in the EA.

BLM Response: The impacts of yarding on soil productivity were analyzed in the Effects of Alternative 2 (Proposed Action) on Soils and Water section of the EA which determined that:

given the scope of the project, and the improvements to productivity that would be made as a result of Alternative 2, **the proposed action is anticipated to have a negligible impact to soil productivity** and erosion rates at the watershed scale. Compaction would not exceed 12%, and productivity loss would not exceed 5%, within any one unit, or within the Planning Area as a result of this action. This would keep impacts from compaction and productivity within those levels assessed under the RMP [EA, p. 28].

The impacts of yarding on hydrology were addressed in the Water Resources section of Appendix 2 of the EA which determined that:

Since effects are generally of greater magnitude within smaller watersheds, and since road acres and open space conditions would remain below those levels where measurable changes in watershed hydrology have been shown to occur, this **project would not be expected to have a measurable effect on watershed hydrology** or water resources within the Mule Creek HUC 6 sub-watershed [EA, p. 71].

The impacts of yarding corridors on wildlife were addressed on page 8 of the EA which determined that:

Units, landings and yarding corridors contain no suitable nesting, roosting and foraging (NRF) for spotted owls. Only Unit 3 has an area that may serve as dispersal habitat and would continue to do so following harvest.

KS Wild has not provided specific information that would either modify the analysis or make factual corrections to the analysis.

Comment 4: The EA did not fully disclose and analyze the cumulative impacts of the proposed fire salvage in conjunction with logging in the Kelsey Whisky timber sale. We strongly suggest that the decision maker familiarize herself with the opinion and order regarding cumulative effects analysis found in the 9th Circuit’s 2004 holding in KS Wild v. BLM.

The BLM has not addressed the cumulative impacts on future fire behavior, snag retention, soil health, hydrology and wildlife.

BLM Response: “Kelsey Whisky” is not a timber sale, but rather a project area that has been analyzed under an EIS. Because the Kelsey Whisky EIS does not include any activities within the analysis area of the August Knob EA (Mule Creek HUC 6), cumulative effects analysis involving Kelsey Whisky EIS activities are not required, nor have you provided specific information that would either modify the analysis or make factual corrections to the analysis.

Comment 5: Page 20 of the EA indicates that “approximately five to seven green trees 38” to 43” in diameter would be removed in the landing area” for unit 2. The removal of these green old-growth trees can be avoided if the decision maker elects to implement mitigation measure #1 proposed on page 38 of the EA. It is unclear to us whether RTV surveys were conducted for the green trees proposed for removal.

BLM Response: As stated on page 72 of the EA: Surveys were conducted in the Planning Area and though active red tree vole nests were found in the vicinity of the Proposed Action, no live trees within the prescribed buffer distance of one potential tree height would be removed by the Proposed Action. Also, live green trees would likely be removed under Mitigation Measure #1 due to safety and feasibility issues regarding yarding corridors.

Comment 6: The EA (page 67) indicates that the “project area was not surveyed for special status fungi.” We hereby provide the BLM with notice that the ROD and the ASRs relied on to avoid S&M fungi surveys are illegal.

The EA (page 68) claims that “Surveys for Special Status, including Survey and Manage, vascular and nonvascular plants within the August Knob Salvage units are currently underway.” The purpose of NEPA is to allow for informed public commenting and informed agency decision-making. The public cannot provide informed comments if significant elements of the timber sale are not available during the commenting period. The presence or absence of survey and manage plant species should be analyzed and disclosed in the EA.

BLM Response: KS Wild’s comments concerning the Northwest Forest Plans Annual Species Reviews involve matters in litigation, to which KS Wild is a party. The federal district court in Oregon has upheld the ASRs. Klamath Siskiyou Wildlands Ctr. v. BLM, 2006 U.S. Dist. LEXIS 9612 (D. Or. 2006).

Pre-disturbance surveys have been completed to protocol, and there is no Survey and Manage or Bureau Special Status vascular or nonvascular plant species within the August Knob project area (see attached 2001 ROD Compliance Review Form).

Comment 7: The EA (page 72) indicates that “active red tree vole nests were found in the vicinity of the Proposed Action” yet the location and number of these nests is not disclosed or analyzed. The EA (page 72) implies that active RTV nests receive a “one potential tree height” buffer, when in fact, clusters of known nests should receive a 10 acre buffer.

BLM Response: See response to “5.” Information regarding the location and number of RTV nest sites are included in the project record. Within a 10 acre buffer the minimum distance of an RTV nest to the edge of the buffer is one site potential tree (USDA, USDI 2000).

Comment 8: It is unclear to us why the BLM is proposing to log dead snags along the dozer fire lines. Is the purpose solely timber volume, or is there some sort of safety concern that is not described in the EA. To our knowledge, People are not currently using the dozer lines, and so existing snags pose no hazard to human beings.

BLM Response: As is clearly stated on page 10 of the EA: “Salvage of fire killed trees would allow the BLM to retrieve some economic value from these trees and partially achieve RMP board foot volume commitments.”

Comment 9: As you know, the dozer lines are visible from Mt. Bolivar, include several creek crossings, and come very close to the only designated wilderness area administered by the Medford BLM. It also appear that segment “D” of the dozer lines is located in an LSR. We urge the BLM to refrain from politicizing its fire suppression practices. Please refrain from salvaging the wilderness quality lands surrounding the dozer lines.

BLM Response: In regard to the comment “As you know, the dozer lines are visible from Mt. Bolivar, include several creek crossings, and come very close to the only designated wilderness area administered by the Medford BLM,” Appendix 2 (p. 69) states that “The Planning Area is located within VRM (Visual Resource Management) Class IV category lands. The Proposed Action is consistent with VRM IV visual resource management objectives as stated in the Medford District Resource Management Plan” (p. 69). Also, none of the harvesting activities proposed by the August Knob Salvage EA would occur adjacent to the Wild Rogue Wilderness.

In regard to the comment “It also appear that segment “D” of the dozer lines is located in an LSR,” segment “D” is located in the LSR but it is a road, not a dozer line, therefore hazard trees may need to be felled for safety reasons but, as is stated on page 19: “Hazard trees felled in the LSR and riparian reserves would be left on site”.

In regard to the comment “Please refrain from salvaging the wilderness quality lands surrounding the dozer lines” Appendix 2 (p. 62) clearly states that the August Knob project area has not been designated, nor is in the process of consideration for designation, as a Wilderness Area under the Wilderness Act of 1964 [Wilderness Act, Public Law 88-577].

The Siskiyou Project

Comment 10: The BLM needn't "push the envelope" and invite controversy over this timber sale by leaving the barest possible level of snags in harvest units that it thinks the ecosystem, and the law, might require. Please work collaboratively with the public to recognize and incorporate the values of additional CWD, wildlife habitat, nutrient cycling, needle-cast and structural diversity that would be achieved by maintaining 5-8 snags per acre in harvest units.

BLM Response: See response to "2."

Comment 11: The impacts of yarding corridors through remaining green tree patches on "edge" effects and connectivity should have been analyzed and disclosed in the EA.

BLM Response: See response to "3."

Comment 12: The EA did not fully disclose and analyze the cumulative impacts of the proposed fire salvage in conjunction with logging in the Kelsey Whisky timber sale. We strongly suggest that the decision maker familiarize herself with the opinion and order regarding cumulative effects analysis found in the 9th Circuit's 2004 holding in KS Wild v. BLM.

The BLM has not addressed the cumulative impacts on future fire behavior, snag retention, soil health, hydrology and wildlife. Instead the agency has elected to rely on illegal Bush-Administration CEQ guidance recommending that the BLM ignore the substantive requirements of NEPA by turning a blind eye to the cumulative impacts of past projects and practices.

BLM Response: See response to "4." As stated in the EA regarding cumulative effects:

As the Council on Environmental Quality (CEQ), in guidance issued on June 24, 2005, points out, the "environmental analysis required under NEPA is forward-looking," and review of past actions is required only "to the extent that this review informs agency decision-making regarding the proposed action." Use of information on the effects on past action may be useful in two ways according to the CEQ guidance. One is for consideration of the proposed action's cumulative effects, and secondly as a basis for identifying the proposed action's direct and indirect effects. Past harvest activities have been accounted for under the satellite change detection data used to estimate harvesting the last few decades.

The CEQ stated in this guidance that "[g]enerally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions." This is because a description of the current state of the environment inherently includes the effects of past actions. The CEQ guidance specifies that the "CEQ regulations do not require the consideration of the individual effects of

all past actions to determine the present effects of past actions.” Our information on the current environmental condition is more comprehensive and more accurate for establishing a useful starting point for a cumulative effects analysis, than attempting to establish such a starting point by adding up the described effects of individual past actions to some environmental baseline condition in the past that, unlike current conditions, can no longer be verified by direct examination.

The second area in which the CEQ guidance states that information on past actions may be useful is in “illuminating or predicting the direct and indirect effects of a proposed action.” The usefulness of such information is limited by the fact that it is anecdotal only, and extrapolation of data from such singular experiences is not generally accepted as a reliable predictor of effects.

Scoping for this project did not identify any need to exhaustively list individual past actions or analyze, compare, or describe the environmental effects of individual past actions in order to complete an analysis which would be useful for illuminating or predicting the effects of the proposed action [EA, p. 21, 22].

Comment 13: Page 20 of the EA indicates that “approximately five to seven green trees 38” to 43” in diameter would be removed in the landing area” for unit 2. The removal of these green old-growth trees can be avoided if the decision maker elects to implement mitigation measure #1 proposed on page 38 of the EA. We thank the ID Team for proposing mitigation measure #1 and we hope that the BLM will decide to implement it.

It is unclear to us whether RTV surveys were conducted for the green trees proposed for removal.

BLM Response: See response to “5.”

Comment 14: The EA (page 67) indicates that the “project area was not surveyed for special status fungi.” We hereby provide the BLM with notice that the ROD and the ASRs relied on to avoid S&M fungi surveys are illegal. Were the green trees proposed for logging to facilitate the landing for unit 2 surveys for RTVs?

BLM Response: See response to “5” and “6.”

Comment 15: It is unclear to us why the BLM is proposing to log dead snags along the dozer fire lines. Is the purpose solely timber volume, or is there some sort of safety concern that is not described in the EA. To our knowledge, People are not currently using the dozer lines, and so existing snags pose no hazard to human beings.

As you know, the dozer lines are visible from Mt. Bolivar, include several creek crossings, and come very close to the only designated wilderness area administered by the Medford BLM. It also appear that segment “D” of the dozer lines is located in an LSR.

BLM Response: See response to “8” and “9.”

SOURCES

USDA, USDI 2000. Instruction Memorandum No. OR-2000-086. *Management Recommendations for the Oregon Red Tree Vole Arborimus longicaudus, Version 2.0.*