**U.S. Department of the Interior**
**Bureau of Land Management**

Medford District Office
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# Record of Decision, Forest Health and Fuels Treatments for the Kelsey Whisky Landscape Management Area

As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering the wisest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all our people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

**BLM/OR/WA/PL-03/045+1792**

# Record of Decision, Forest Health and Fuels Treatments for the Kelsey Whisky Landscape Management Area

## Introduction

This record of decision applies to hazardous fuels treatments, forest health projects and treatments, wildlife habitat enhancement projects, and pre-commercial thinning. This is the second in a series of records of decision relating to the *March 2003 Kelsey Whisky Landscape Plan and Resource Management Plan Amendment and Final Environmental Impact Statement* (FEIS). The first is the *Record of Decision, Medford District Resource Management Plan Amendment in the Kelsey Whisky Landscape Management Area, September 2003.*

The project area is within the 104,000 acre Wild Rogue Watershed. The Wild Rogue Wilderness is to the west, the Rogue Wild and Scenic River flows through the center. The planning area contains designated critical habitat for northern spotted owls and marbled murrelets, Late-Successional Reserve, and two connectivity/diversity blocks. The area is located about 26 miles northwest of Grants Pass, Oregon. The Bureau of Land Management (BLM) manages most of the public lands within the watershed designated as Oregon and California (O&C) lands.

The FEIS presented an array of proposals that would implement management direction included in the *Medford District Resource Management Plan (RMP)*. The FEIS proposed treatments for fuel hazard reduction, density management, wildlife habitat enhancement, and non-commercial thinning.

## Policies and Procedures Remaining in Effect

1) *Statutory requirements*. BLM has a legal responsibility to comply with the Federal Land Policy and Management Act of 1976, the National Environmental Policy Act of 1969, the Oregon and California (O&C) Sustained Yield Act of 1937, the Endangered Species Act of 1973, the Wilderness Act 1964, the National Wild and Scenic Rivers Act of 1968, the Clean Air Act of 1967 and other applicable statutes, Executive Orders, regulations, manuals and handbooks.

2) *National Policy.* BLM also has an administrative obligation to conform with current national policies or procedures regarding program development and coordination or for individual resources or uses.

3) *Funding levels and program activity or project funding allocations.* These are determined annually at the national level and are beyond the control of the field office. It is assumed that funding will be available to fully implement the changes in land use allocations and subordinate projects or activities. It is anticipated that the majority of these projects will be completed within 5-7 years, however the implementation could take longer if funding is limited.

4) *Timber Sale Decisions.* Timber sale decisions become effective upon notice of sale. This record of decision does not identify any timber sales at this time.

**Alternatives Considered**

A number of alternatives were considered for evaluation during the Landscape Planning process. Several were eliminated from further study. The FEIS includes a brief description of these alternatives and the reasons for their elimination from further study on page 2-4.

Four alternatives were considered for detailed analysis. These are summarized below. A more detailed description of the alternatives can be found in the FEIS on pages 2-3 to 2-27.

**Alternative 1** identifies approximately 3,235 acres of high risk and high hazard fuels to be treated to reduce the potential for wildfires. The fuels treatments implement non-timber objectives of the Medford District Resource Management Plan (RMP) and can be found in the FEIS on pages 2-8 to 2-10, A-13 through A-36, and on map # 4.

Four small ponds or wetlands would be improved to create better conditions for wildlife. Vegetation treatments designed to promote forest health include a wide range of practices which sometimes overlap with management actions for timber harvest, fuels reduction, or wildlife habitat enhancement. Pre-commercial thinning is one such treatment that can accomplish forest health, stand development and timber objectives. Differences between alternatives can be found in some of the timber harvesting components of the FEIS, and will be addressed in subsequent decision documents. The land use allocation differences between the alternatives were addressed in the Record of Decision, Medford District Resource Management Plan Amendment in the Kelsey Whisky Landscape Management Area, September 2003.

**Alternative 2** identifies similar treatments as in Alternative 1, with a slight reduction in fuels treatment acres. The same ponds or wetlands improvements are proposed as in Alternative 1.

**Alternative 3** or the continued existing management direction strategy, would involve no changes in current management of the planning area. RMP related routine management actions would continue to occur, including fire suppression, road maintenance and plantation maintenance. Planning for RMP implementation actions would be ongoing in the Resource Area, and would include the Wild Rogue North Watershed. The opportunity for timber harvest, fuels treatments and forest health treatments in this watershed would continue to be a viable option for future entries under the no-action alternative as well as the three action alternatives.

**Alternative 4** focuses on treatments based solely on wildlife habitat enhancement needs and for hazardous fuels removal.

**Environmental Preferability of the Alternatives**

The Council on Environmental Quality (CEQ, 1981) judges environmental preferability using the criteria in the National Environmental Policy Act (NEPA) and subsequent guidance. The CEQ has defined the environmentally preferable alternative as the alternative that will promote the national environmental policy as expressed in Section 101 of the NEPA. This section lists six broad policy goals for all Federal plans, programs, and policies:

1) Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2) Assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3) Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4) Preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice;
5) Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
6) Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

Based on these criteria, identification of the most environmentally preferable alternative involves a balancing of current and potential resource uses with that of resource protection. Although the RMP amendment actions are essentially limited to transportation system planning and consideration of potential special areas, the decisions are intended to facilitate and complement other anticipated long-term forest health and commercial harvest activities within the landscape area in conformance with the intent of the existing Medford RMP. When viewed as a composite set of actions, all four alternatives fulfill CEQ policy goal #1 with different emphases and associated risks from actions and inactions. All three “action” alternatives modify the identified local surroundings of the planning area (CEQ goal #2) with minimal, if any effects, on human safety, and health. However, the level of facilitated and anticipated commercial productivity and associated employment opportunities may be considered, by some people, to be inversely proportional to the adverse effects on the esthetics and cultural values of the area. The four alternatives provide and document a diverse range of beneficial uses of the environment, with the associated impacts to the environment and other CEQ goal #3 consequences.

Resource uses that are dependent on an improved transportation system could provide for higher standards of living from commodity production or local economic benefits from timber harvests and forest health treatments. Impacts would vary in proportion to acres treated and volume sold, with the greatest benefits under CEQ goals #5 and #6 under alternative 1, then the lesser amounts, in descending order, under alternatives 2, 4 and 3.

At the potential project level, benefits and impacts from the timber harvests and prescribed or assumed harvest methods are proportional to acres by alternative, but include various design features to minimize adverse effects under CEQ goals #2-4. None of the CEQ goals specifically mentions habitat connectivity or scarcity, but it could be inferred from all of the goal statements. The Rationale for the Decision section below indicates the significance of the alternative impacts and suggests that in this area, given existing conditions, all of the alternatives provide for habitat values, with the treatments, or lack thereof, creating both opportunities and risks for the future. Given all six CEQ goals, we find that alternative 1 provides the best overall transportation system in support of our forest health treatment strategy and is the environmentally preferred alternative.

**Management Considerations**

**Rationale for the Decision**

The purposes and needs for the actions identified in the FEIS were expressed in the form of issues (FEIS pgs 1-3 to 1-7). Specific to this record of decisions, Issues 1 and 2 have been addressed. Issue 1 identified the need to reduce fuel hazard in the planning area to avoid large losses of valuable resources. The planning area has many high value resources, including late-successional forest providing habitat for late successional affiliated species, connectivity/diversity blocks, habitat for federally listed threatened or endangered species, riparian reserves, commercial timber lands and recreation areas. Issue 2 identified the need to meet annual forest management requirements through development and implementation of plans for harvesting trees, restoring sites, conducting forest health treatments, and reducing fire hazards.

The rationale for selecting Alternative 1 is based on how well the overall management strategy relates to the Resource Management Plan. Issues 1 and 2 are be addressed by fuels hazard reduction, silvicultural treatments, and wildlife enhancement projects.

Due to the increased accumulation of fuels throughout the planning area, a variety of fuels management treatments are planned. In most cases, other types of treatments are planned before implementing a prescribed burn. By treating fuels first either manually or mechanical, the fuel loading can be reduced to more natural levels before fire is reintroduced to the landscape. By treating fuels through multiple entries, risk to private property and the environment would be mitigated (FEIS pg 2-9). These management actions are designed to avoid large losses of valuable resources (Issue 1) and also address the need to restore sites relative to forest management timber objectives (Issue 2).

Density management and pine conversion are silvicultural treatments that support Issue 2. Under Alternative 1 there would be a slightly higher number of acres treated for hazardous fuels reduction. Silvicultural treatments would reduce stand density and ladder fuels to minimize conditions favorable to the spread of wildland fire and associated habitat loss.

Impacts to aquatic systems were analyzed through the Aquatic Conservation Strategy Consistency Analysis (FEIS Appendix 11). All surveys for Special Status and Survey

and Manage species have been completed. Buffers and other protections will be applied where applicable (FEIS Section 2.3.3 pgs.2-12 to 2-14).

Discussion of potential impacts to Port-Orford-cedar (POC) through the mechanism of a root disease, *Phytopthora lateralis*, was included in the FEIS (FEIS pg. 4-30). One isolated, uninfected population of Port-Orford-cedar is known to occur within the planning area and was described (FEIS pg 3-16). If POC is found during implementation, protective guidelines current at the time of action will be applied.

**Mitigation Measures**

The BLM prepared an Environmental Impact Statement for this project because of the sensitivity of the area to the interested public. The Kelsey Whisky landscape planning area encompasses the Wild Rogue Watershed and includes designated critical habitat for northern spotted owls and marbled murrelets, a Late-Successional Reserve, and two connectivity/diversity blocks. The watershed borders the Wild Rogue Wilderness to the west, and has a portion of the Rogue Wild and Scenic River Corridor through the center of the planning area. Any project proposed in this area generates public controversy, and BLM believed that the purposes of NEPA would be best served by preparing an environmental impact statement to address any possible environmental concerns to the public. However, the analysis of the minor amendments proposed for this portion of the project does not show any major impact of environmental concern. Furthermore, the proposed action already has incorporated into the design of the project alternatives design features that would minimize impacts (see FEIS section 2.3) For example, all alternatives include seasonal work restrictions in relation to stream channel activity, restricted locations for equipment refueling, and temporary work suspension when soil saturation on roads threatens excessive stream sedimentation.

**Public Involvement in the Planning Process**

The Kelsey Whisky planning involved the public through three public scoping meetings in June, July and October, 1999; through accepting comments on development of alternatives and analysis of effects through March, 2001; through a 90-day comment period for the Draft EIS from April 12 through July 12, 2002; and through a 30 day protest/comment period for the Final EIS from April 21 through March 21, 2003. BLM received comments from the scoping as well as the two document review processes (DEIS: 145 comments; FEIS: 48 comments. The comments from the DEIS were evaluated and incorporated when revising the EIS text. The evaluation of the comments is included in the FEIS as Appendix 15 (also available on CD and at www.or.blm.gov/Medford under planning documents).

Two protests dealing with the exclusion of the ACEC from the Preferred Alternative were filed with the Director of the BLM and were resolved in July 2003. From the protests the Director identified two major issues which concerned maintaining a late successional corridor, and inconsistency with the purpose and need by not designating an ACEC. The Director found the cumulative effects to be consistent with the goals and

objectives of the Medford RMP and the Northwest Forest Plan and would not diminish future opportunities for management.

**Consultation with U.S. Fish and Wildlife Service**

Consultation with the US Fish and Wildlife Service and NOAA Fisheries was conducted under Section 7, of the Endangered Species Act of 1973. We will adopt and implement any required terms and conditions which are identified in the biological opinions issued in the consultations under the Endangered Species Act.

**Tribal Participation**

Under Federal law and regulations, consultation with Native American Tribes who have an interest in the planning area is required. There are no areas within the Kelsey Whisky EIS Planning Area that are known to be currently important as Native American religious sites or are in use for traditional purposes at this time.

**Decision**

Having considered a full range of alternatives, associated impacts, and public input, the decision is hereby made to approve implementation of hazardous fuels treatments, forest health projects and treatments, wildlife habitat enhancement projects, and pre-commercial thinning projects identified in Alternative 1 of the Kelsey Whisky Landscape Plan. Unit 10-3 (30 acres) will not be treated for hazardous fuels at this time due to a potential conflict with the management of the Wild and Scenic River corridor. The planning and analysis process as well as the resulting resource management directions have been developed and will be implemented in a manner consistent with the procedures and intent of the Federal Land Policy and Management Act of 1976, the National Environmental Policy Act of 1969, the Oregon and California (O&C) Sustained Yield Act of 1937, the Endangered Species Act of 1973, the Wilderness Act 1964, the National Wild and Scenic Rivers Act of 1968 and other applicable statutes, Executive Orders, regulations, manuals and handbooks.

Lynda L Boody 11/21/03

**Lynda L. Boody** **Date**
**Field Manager**
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