

**Second Decision Record  
for  
Butte Falls Hazardous Fuels Reduction  
ODFW Units in T34S, R1W, Sections 9, 11, and 23;  
T34S, R2W, Section 27; and T35S, 1E, Section 5  
EA # DOI-BLM-OR-M050-2009-0035**

**Introduction**

The Medford District Bureau of Land Management, Butte Falls Resource Area (BLM) completed the *Butte Falls Hazardous Fuels Reduction Environmental Assessment* (EA) for fuels treatment activities proposed in the Butte Falls Resource Area. This project will reduce hazardous fuels by thinning noncommercial-size vegetation in the wildland urban interface. Fuels treatments will be implemented over the next 1 to 10 years.

On September 30, 2009, the BLM issued a *Finding of No Significant Impact* and decided to implement a portion of the proposed action, as described in the *Decision Record for Butte Falls Hazardous Fuels Reduction*, dated September 30, 2009. The Decision Record implemented in part the actions proposed and analyzed under Alternative 2 of the EA. The decision deferred the Oregon Department of Fish and Wildlife (ODFW) units as identified on Map 11 (EA p. 102), because surveys for vascular and nonvascular plants had not been completed on these units.

Since the Field Manager signed the Decision Record on September 30, 2009, surveys for vascular and nonvascular plants have been completed in the following locations: Township 34 South, Range 1 West, sections 9, 11, and 23; Township 34 South, Range 2 West, section 27; and Township 35 South, Range 1 East, section 5.

**Decision**

It is my decision to implement in part the actions proposed and analyzed under Alternative 2 of the *Butte Falls Hazardous Fuels Reduction EA*.

My decision will implement actions in locations described below and all required Project Design Features (PDFs), as described in the EA. Required PDFs were developed using the Best Management Practices (BMPs) identified in the *Medford District Resource Management Plan and Record of Decision* (p. 151-175).

**Location/Legal Description:**

Township 34 South, Range 1 West, sections 9, 11, 23;  
Township 34 South, Range 2 West, section 27; and  
Township 35 South, Range 1 East, section 5;  
Willamette Meridian, Jackson County, Oregon.

**My Decision is to**

1. Thin 223 acres by hand using chainsaws.
2. Hand pile and burn 223 thinned acres.
3. Broadcast burn 13 thinned acres.

4. Maintenance underburn or brush the previously thinned acres in 3 to 10 years.

### **Decision Rationale**

My decision to authorize the proposed action is in compliance with the *Medford District Record of Decision and Resource Management Plan* (ROD/RMP), dated April 1995 and the *Northwest Forest Plan*, dated April 1994 (EA p. 5). The proposed action complies with all applicable standards and guidelines. This action takes into consideration cumulative impacts of past, present, and future management activities on nearby private and Federal lands. All required Threatened and Endangered (T&E), Special Status Species (SSS), and cultural surveys were completed and mitigation was applied, where appropriate.

In preparing the EA, the BLM analyzed the impacts of the proposed action for the following issues: air quality, long-term maintenance, and access. The BLM determined the impacts will be within those analyzed in the Environmental Impact Statement for the Proposed Medford District Resource Management Plan (PRMP/EIS) or were otherwise insignificant. Discussion of those impacts can be found in the EA available at the Medford District Office, 3040 Biddle Road, Medford, Oregon.

I have chosen Alternative 2 because it most completely meets the identified purpose of and need for the project by:

- Reducing hazardous fuels in strategic areas to reduce the potential for a large-scale wildfire, improving forest resiliency, and aiding fire suppression activities.
- Increasing desirable browse and providing increased winter forage opportunities for deer and elk.

I did not select Alternative 1 (No Action) because it did not meet the identified purpose and need.

### **Consultation and Coordination**

Section 7(a)(2) of the Endangered Species Act (ESA) states that each Federal agency shall, in consultation with the Secretary, insure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

The BLM consulted with the US Fish and Wildlife Service pursuant to the ESA. Informal consultation was completed with the US Fish and Wildlife Service and the Service concurred with the BLM's determination that the proposed action may affect, is not likely to adversely affect the northern spotted owl or designated northern spotted owl critical habitat. The BLM received a Letter of Concurrence from US Fish and Wildlife Service on February 26, 2009 (LOC # 13420-2009-I-0045).

The BLM completed a programmatic consultation with US Fish and Wildlife Service for Threatened and Endangered Plants and received a Letter of Concurrence on September 25, 2008 (LOC #13420-2008-I-0136). The BLM determined the proposed action may affect, is not likely

to adversely affect *Fritillaria gentneri* and would have no effect on *Limnanthes floccosa* ssp. *grandiflora* or *Lomatium cookii*.

The BLM determined the fuels project will have no effect on Southern Oregon/Northern California coho salmon and coho critical habitat.

The BLM mailed letters to 421 adjacent landowners, businesses, organizations, tribes, government agencies, and other interested parties requesting the recipients to identify issues or concerns they may have with the project. The Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of Siletz, and The Confederated Tribes of Grand Ronde were notified of this project during the scoping process for the EA.

### **Public Involvement**

The Butte Falls Resource Area mailed a letter to a total of 421 adjacent landowners, businesses, organizations, tribes, government agencies, and other interested parties on July 27, 2009 to initiate public scoping for this project. Scoping recipients had either requested to be notified of such projects, were government entities, or owned land in the Project Area. A total of seven comment letters were received from adjacent landowners, private citizens, and an environmental group concerning the proposed fuels project.

A formal public comment period for the EA was held from September 12 to September 28, 2009. The BLM notified the public through a newspaper notice in the *Medford Mail Tribune* and a letter mailed to 73 individuals, organizations, and government entities. The EA was posted on the BLM website or mailed to the public at their request. We received eight letters containing comments on the EA.

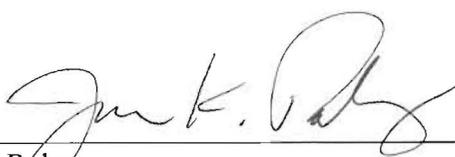
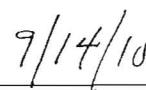
**Administrative Remedies**

Administrative remedies are available to persons who believe that they will be adversely affected by this Decision. Administrative recourse is available in accordance with BLM regulations and must follow the procedures and requirements described in 43 CFR § 5003 - Administrative Remedies.

In accordance with the BLM Forest Management Regulations 43 CFR § 5003.1(b)(1), this wildfire management decision is effective immediately following the completion of the protest period or protest review and response period. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire. The BLM has determined the hazardous fuel buildup in the Project Area and the consequent substantial risk of wildfire to the residences and resources in the Project Area call for expeditious implementation of this decision to facilitate implementation of hazardous fuel reduction work.

A Notice of Decision will be published in the *Medford Mail Tribune*; the publication date of this notice will initiate the 15-day protest period provided for under 43 CFR § 5003.3. A protest must be submitted in a signed, hard copy delivered to the physical address of the Medford District BLM office. If no protests are received, this decision will become effective upon the conclusion of the protest period. If a timely protest of the decision is received, this decision will become effective upon the BLM's completion of its review and response to the protest. Notwithstanding the provisions of 43 CFR 4.21 (a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. The Interior Board of Land Appeals will, however, decide an appeal within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed (43 CFR § 4.416).

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Jon K. Raby Date  
Field Manager  
Butte Falls Resource Area