



United States Department of the Interior  
BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
ASHLAND RESOURCE AREA  
3040 Biddle Road  
Medford, Oregon 97504



**DECISION RECORD # 1**  
**For the**  
**CONDE FOREST MANAGEMENT PROJECT**

(DOI-BLM-OR-M060-2012-0002-EA)

## **INTRODUCTION**

This document describes my decision, and reasons for my decision, regarding the selection of a course of action to be implemented for the Conde Forest Management Project. The Environmental Assessment (EA) for the Conde Forest Management Project documented the environmental analysis conducted to estimate the site-specific effects on the human environment that may result from the implementation of the Conde proposal. The Conde EA was issued for public review on October 26, 2011. The EA public review period ended on November 16, 2011.

## **BACKGROUND**

The Conde Forest Management Project EA documented the analysis of BLMs proposal to harvest trees on 283 acres of conifer forest stands on BLM-administered lands. The Conde Forest Management Project is located within the Conde Creek Drainage, a tributary of Dead Indian Creek, which drains into the South Fork Little Butte Creek. The Public Land Survey System description for the Conde Project Area is: T. 38 S., R. 3 E., in Sections 7, 8, 9, 15 and 17; Willamette Meridian, Jackson County, Oregon.

## **THE DECISION**

As the Responsible Official, it is my decision to implement a subset of Alternative 2 at this time, as described below.

My decision authorizes the following actions:

- The implementation of timber harvest on approximately 178 acres (of the 283 acres analyzed in the EA) of conifer forest stands using silvicultural prescriptions and harvest methods as described in the EA (Revised EA pp. 2-1 to 2-7). Timber harvesting will be implemented through a commercial timber sale.

- Follow-up pre-commercial thinning/fuels reduction treatments will occur as described in Table 1 and the Revised EA (p. 2-1 to 2-4) to mitigate hazardous fuels generated from timber harvest (activity fuels) and pre-commercial thinning; 187 acres of fuels reduction only (fuels reduction outside of commercial timber harvest units) will occur as described in the EA (2-34).
- Roads used for hauling will be maintained to meet BLM standards.
- An estimated 0.76 miles of road (roads 38-3E-9.6 and 38-3E-17.2) will be decommissioned. (note: an additional 0.55 miles of road will be decommissioned under a forthcoming decision record once road specific plant and noxious weed surveys have been completed).
- All applicable Project Design Features (PDFs) will be incorporated as required conditions of this project. A complete listing of the PDFs can be found in Chapter 2 of the Revised EA (p. 2-11 to 2-17).

**Table 1. Conde Project Harvest Units**

Unit	Acres	Harvest Treatment	Owl Habitat Type/Rx	Fuels Treatment	Yarding Method
9-1	57	Mixed Conifer Thin	NRF/M	PCT, Hand pile/burn	Tractor
9-2	14	Mixed Conifer Thin	NRF/M	PCT, Hand pile/burn	Tractor
9-3	51	Disease & Heritage	NRF/D	PCT, Hand pile/burn	Tractor
15-1	3	Disease & Heritage	NRF/R	PCT, Hand pile/burn	Tractor
15-2	17	Disease & Heritage	DSP/M	PCT, Hand pile/burn	Tractor
15-3	19	White-fir Thin & Heritage	DSP/M	PCT, Hand pile/burn	Tractor
15-4	17	White-fir Thin & Heritage	DSP/M	PCT, Hand pile/burn	Tractor
<b>Total</b>	<b>178</b>				

Owl Habitat Abbreviations:

NRF = nesting, roosting, and foraging habitat

DSP = dispersal habitat

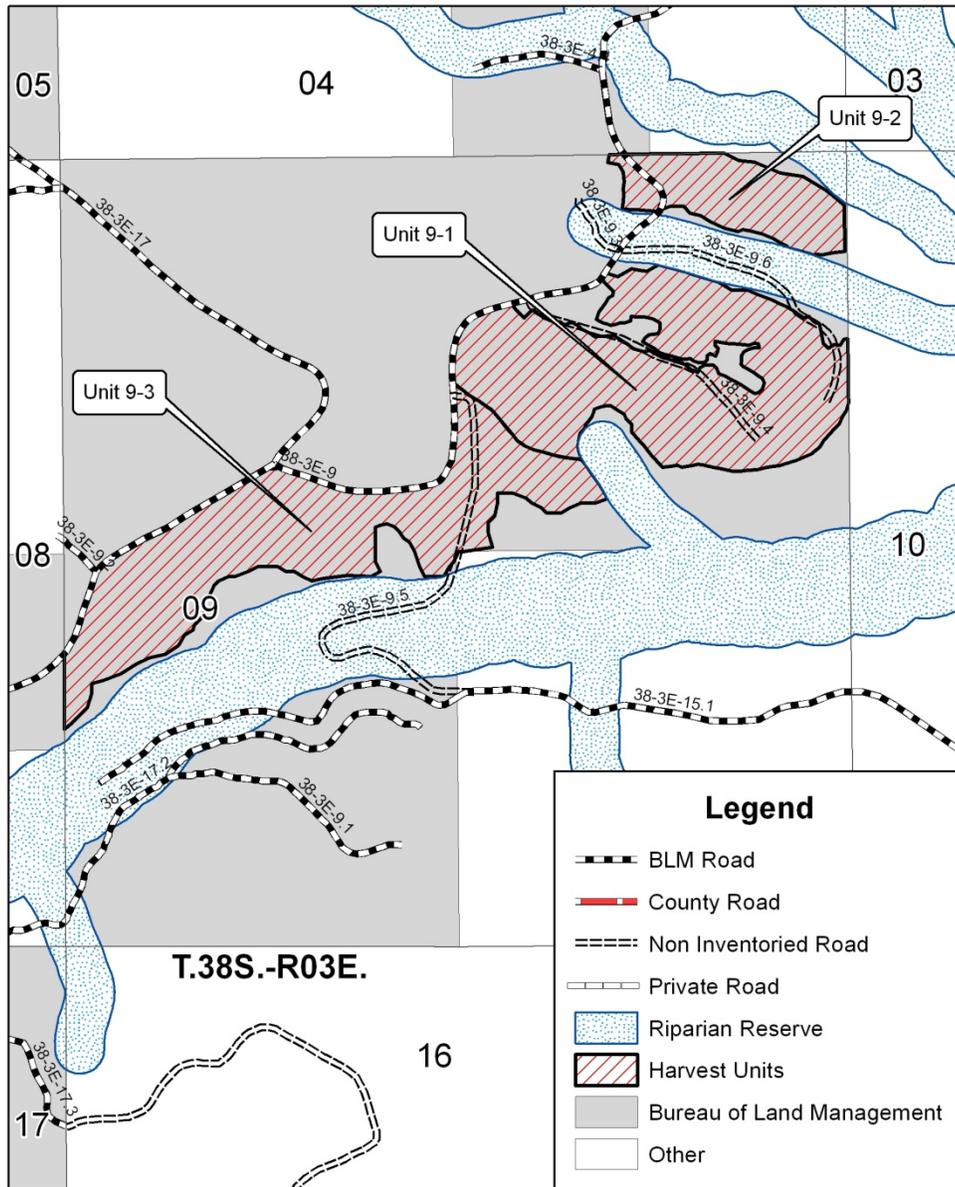
Owl Habitat Rx Abbreviations

R= remove habitat

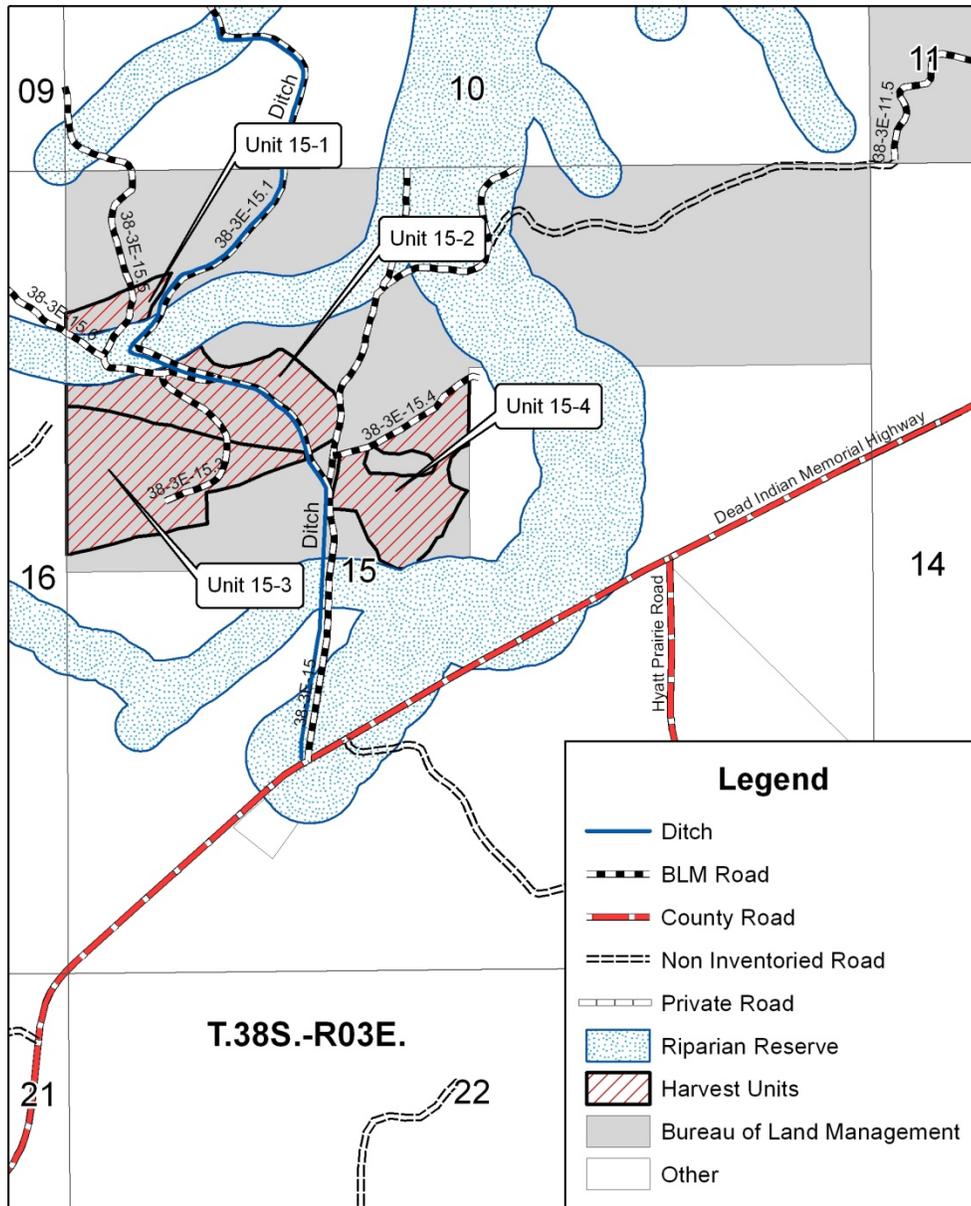
D = downgrade habitat

M = Maintain

**Map1. Conde Forest Management Project**



**Map2. Conde Forest Management Project**



## **DECISION RATIONALE**

My decision to implement a subset of Alternative 2 is based on consideration of the relative merits and consequences of either implementing or not implementing the Conde Forest Management Project, as documented in the Revised EA and Finding of No Significant Impact. I have also considered all public comments received. I have determined that my decision, as outlined above, best meets the purpose and need for this project, as identified in Chapter 1 of the Conde Forest Management EA, in summary:

My decision will implement silvicultural prescriptions that are designed to improve tree vigor and growth, maintain and create diversified stand structure, and decrease competition for more fire resilient pine, cedar, and oak species, and reduce the impacts of forest disease within stands treated (Revised EA p. 2-3).

The Conde Forest Management Project is located on BLM-administered lands allocated to produce a sustainable supply of timber. The implementation of this project will contribute timber volume towards the District's Allowable Sale Quantity, thus, meeting Timber Resource Objectives of the 2008 and 1995 Medford District RMP, one of the primary purposes identified for this project (EA p. 1-2).

I have personally read the comment letters sent in response to the EA public review period, and I have considered them fully. The BLM has identified substantive comments/issues submitted during the EA public review period and prepared a response to these comments. Responses are intended to be explanatory in nature and where applicable to guide the reader towards analysis or information contained in the Revised Environmental Assessment (Revised EA). BLM's response to substantive comments is documented in Appendix A, Response to Comments Received for the Conde Forest Management Project EA. In response to public comments, minor revisions and corrections were also made to the EA. The Revised Conde Forest Management Project EA will be posted to BLM's Medford District Website.

In conclusion, the Conde Forest Management Project as described in the Decision above best meets the purpose and need described for this project, while minimizing the potential for adverse effects on the environment. The required implementation of Project Design Features will provide for the protection of resources consistent with existing laws, policy, and the direction of the 2008 Medford District Resource Management Plan (RMP) and the 1995 RMP (see Plan Consistency below and the Finding of No Significant Impact document for the Conde Forest Management Project).

## **MONITORING**

Implementation monitoring is accomplished through BLM's contract administration process. Project design features included in the project description are carried forward into contracts as required contract specifications. BLM contract administrators and inspectors monitor the daily operations of contractors to ensure that contract specifications are implemented as designed. If work is not being implemented according to contract specifications, contractors are ordered to correct any deficiencies. Timber sale contract work could be shut down if infractions of the contract are severe. The contract violations would need to be corrected before the contractor would be able to continue work. If contract violations are blatant, restitution could be required.

## CONSULTATION AND COORDINATION

Pursuant to the Endangered Species Act (ESA), formal consultation was completed with the US Fish and Wildlife Service. The Service concluded in its Biological Opinion (BO #13420-2010-F-0107) and Letter of Concurrence (# 13420-2010-I-0025) that actions within the Conde Forest Management Project that would down-grade (Unit 9-3, 9-4, and 7-2) or remove (Unit 7-1 and 15-1) nesting roosting and foraging habitat are likely to adversely affect spotted owls (BO, #13420-2010-F-0107, p. 58; Revised EA p. 3-34); those actions that maintain nesting roosting and foraging habitat (Units 9-1 and 9-2) are Not Likely to Adversely Affect (NLAA) the northern spotted owl (LOC # 13420-2010-I-0025, p. 11-12). The project is not located within northern spotted owl critical habitat (Revised EA, p. 3-28). No units proposed in the Conde Forest Management project occur within the home range of known spotted owl sites; therefore, no incidental take is anticipated as a result of habitat down-grade or removal (BO #13420-2010-F-0107, p. 65). The Conde Forest Management Project would not jeopardize the continued existence of the northern spotted owl (BO #13420-2010-F-0107, p. 64).

BLM's fish biologist determined that the actions proposed in the Conde Forest Management Project EA would have no-effect on Southern Oregon Northern California Coastal coho, their Critical Habitat, or Essential Fish Habitat as none exist within the Conde Analysis Area (Revised EA p. 3-17).

A no-effect determination was made by BLM's botanist regarding federally listed plant species known to occur on the Medford District. The project area is not within the range of any Federally-listed plant species. Surveys for Bureau Special Status botanical species were conducted; no sites of federally listed plant species including *Arabis macdonaldiana*, *Fritillaria gentneri*, *Limnanthes floccosa* ssp. *grandiflora*, or *Lomatium cookii* were located (Revised EA p. 3-63).

The project will not adversely impact any sites of cultural or historical significance. The State Historic Preservation Office (SHPO) was informed of the BLM's finding in accordance with 36 CFR 800.5(b).

Scoping notices were sent on August 29, 2011 to Federally Recognized Tribes, the Klamath Tribe, the Confederated Tribes of the Siletz, the Confederated Tribes of the Grand Ronde, the Cow Creek Band of the Umpqua Indians, Shasta Indian Nation, and the Quartz Valley Indian Reservation.

Jackson County Commissioners, Oregon Department of Fish and Wildlife, and Oregon Department of Forestry were also notified of this project during the scoping period.

## PUBLIC INVOLVEMENT

Scoping was conducted for a subset of this project (about 70 acres), described as the MC Thin Timber Sale. A letter briefly describing the original proposed action and inviting comments was mailed to adjacent landowners, interested individuals, organizations, and other agencies on August 29, 2011. After further review of other forest management needs in the vicinity of the MC Thin Project Area, additional acreage was included to be analyzed under one environmental assessment. The combined project was renamed the Conde Forest Management Project.

Substantive issues brought forward by interested publics were incorporated into the list of relevant issues in Chapter 1 of the Conde Forest Management Project EA (Section G, 1, Relevant Issues).

The Conde Forest Management Project EA was completed on October 26, 2011 and made available for public review. The EA was sent to those who responded to the scoping letter or requested to be kept informed about the project. The EA was posted on BLM's Medford District Website on October 27, 2011. The EA public review period ended on November 16, 2011. Written comments received in response to the Conde Project EA were reviewed by the interdisciplinary team and responsible official and substantive comments were addressed in EA Appendix A, Response to Comments Received for the Conde Forest Management Project Environmental Assessment. Minor revisions and corrections were made to the EA in part as a result of the public comments. The revised EA will be posted to the Medford District BLM website (<http://www.blm.gov/or/districts/medford/plans/index.php>).

## **PLAN CONFORMANCE**

The proposed Conde Forest Management Project is located on lands designated by the 2008 Medford District RMP to Timber Management land allocation (2008 RMP, p. 39). The 2008 Medford District ROD/RMP specifically states: "Manage forests to achieve continuous timber production that could be sustained through a balance of growth and harvest" (2008 RMP, p. 40). The BLM also designed this project to be consistent with the Medford District's 1995 Record of Decision (ROD) and Resource Management Plan (RMP), which incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan).

The Conde Forest Management Project contains Project Design Features that apply Best Management Practices of the 1995 RMP (Appendix D), which are also consistent with Best Management Practices contained in the 2008 RMP (Appendix C). While this EA contains discussions of land allocations and components of the 1995 RMP (e.g., Riparian Reserves, Aquatic Conservation Strategy Objectives, etc.), which are not components of the 2008 ROD and RMP, the 2008 ROD and RMP do not preclude the application or discussion of these components. As designed, this project complies with Management Direction, Objectives, and Best Management Practices of the 2008 ROD and RMP, as well as the 1995 Medford District RMP.

The Conde Forest Management Project is also consistent with the Medford District Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

This decision is also in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

## ADMINISTRATIVE REMEDIES

This decision is a Forest Management Decision. Administrative remedies are available to persons who believe that they will be adversely affected by this decision. When timber is offered for sale, a Notice of Sale will be published in the Medford's Mail Tribune newspaper. Publication of the first notice of sale establishes the effective date of the decision. A protest may be filed within 15 days of the publication of the Notice of Sale in Medford's *Mail Tribune* newspaper.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests delivered to the Medford District Office will be accepted. The Medford District Office is located at 3040 Biddle Road, Medford, Oregon.

If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the Notice of Decision or Notice of Sale, the decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Ashland Resource Area will issue a protest decision.

  
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John Gerritsma  
Field Manager, Ashland Resource Area  
Medford District, Bureau of Land Management

11/30/11  
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Date