

**Decision Record
for
Ranch Stew II
EA # DOI-BLM-OR-M050-2010-0001**

Introduction

The Medford District Bureau of Land Management, Butte Falls Resource Area (BLM) recently completed the *Ranch Stew II Environmental Assessment* (EA) for thinning dense forest stands, removing old fence, constructing fence around two adjacent wet meadows, and decommissioning an old road paralleling Jackass Creek.

The project is on BLM-administered lands in the following locations:

Township 33 South, Range 2 East, Section 23;
Township 33 South, Range 3 East, Section 19 and 33;
Township 34 South, Range 2 East, Section 5, 9, 14, 15 and 35;
Township 34 South, Range 3 East, Section 3, 9, 10, 15, 23, and 31;
Township 35 South, Range 2 East, Section 13;
Township 35 South, Range 3 East, Section 5 and 11; and
Township 36 South, Range 3 East, Section 7 and 29; Willamette Meridian; Jackson County, Oregon.

Decision

It is my decision to implement the actions proposed and analyzed under Alternative 2, in the *Ranch Stew II EA*. My decision will implement actions in the locations described above. Actions will include all Project Design Features (PDFs), as described in the EA (p. 15-18). PDFs were developed using the Best Management Practices (BMPs) identified in the *Medford District Record of Decision and Resource Management Plan* (ROD/RMP) (p. 151-175).

The Ranch Stew II project is located in the Butte Falls Resource Area in the Big Butte Creek, Little Butte Creek, and South Fork Rogue River fifth field watersheds.

My Decision is to

1. Thin 781 acres: 624 acres of Matrix lands and 157 acres of riparian reserves.
2. Remove 2,000 feet of old fence.
3. Fence approximately 6 acres of 2 adjacent wet meadows.
4. Decommission approximately 2,100 feet of the old Jackass Creek Road.

Decision Rationale

The decision is in compliance with the ROD/RMP, dated June 1995, and the Northwest Forest Plan, dated April 1994 (EA p. 9-10). The proposed action complies with all applicable laws, rules, regulations, standards, and guidelines. This action takes into consideration cumulative impacts of past, present, and future management activities in the Project Area on nearby private and Federal lands. All required Threatened and Endangered (T&E) wildlife, Special Status

Species (SSS) wildlife, Survey and Manage (S&M) wildlife and cultural surveys were completed and mitigation was applied, where appropriate. Surveys for botany T&E, SSS and S&M species will be completed and appropriate mitigation applied prior to implementation of this decision. The pine plantation or mixed-conifer stands for the most part, do not contain suitable habitat for *Fritillaria gentneri*. However, three units contain small openings surrounded by Oregon white oak and shrubs that the Butte Falls Resource Area botanist determined are suitable habitat for this species. One year of surveys was completed and areas containing suitable habitat for *Fritillaria gentneri* have been buffered from any ground-disturbing or habitat-altering activities. Surveys for Special Status and S&M vascular plants have been completed on approximately 40 percent of the proposed thinning acres and the remaining acres will be surveyed in May 2010. Surveys for Special Status and S&M nonvascular plants have been conducted on approximately 90 percent of the proposed thinning acres and the remaining acres will be surveyed in May 2010. All areas proposed for treatment will be surveyed for Special Status and S&M plants prior to project implementation. If sites are discovered during surveys, sites will be protected with buffers appropriate to the species.

In preparing the EA, the BLM analyzed the impacts of the proposed action for the following issues: soil productivity, as it relates to soil compaction, and healthy forests, as it relates to stand density and diversity. The BLM determined the impacts will be within those analyzed in the Medford District Proposed Resource Management Plan and Environmental Impact Statement (PRMP/EIS) or were otherwise insignificant. Discussion of those impacts can be found in the EA (p. 18-80) available at the Medford District Office, 3040 Biddle Road, Medford, Oregon and on the Medford BLM web site at <http://www.blm.gov/or/districts/medford/plans/index.php>.

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

- Reducing dense overstocked and uniform stands, and increasing stand vigor, growth rates, crown differentiation, and stand complexity.
- Removing fencing no longer needed for tree protection.
- Protecting two adjacent wet meadows.
- Reducing sedimentation by ripping and planting an old roadbed adjacent to Jackass Creek.

I did not select Alternative 1 (the No Action alternative) 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, but 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 December 23, 2009, (LOC # 13420-2010-I-0025).

The Project Area is outside the ranges and does not contain designated critical habitat for two T&E plants, *Lomatium cookii* and *Limnanthes floccosa* ssp. *grandiflora*; therefore, the management actions proposed in Alternative 2 would be **“no effect”** to these two endangered plants.

Suitable habitat will be protected from ground-disturbing activities and using mitigating measures would result in **“no effect”** to *Fritillaria gentneri* from implementing the proposed thinning project.

The fence removal, meadow fence construction, and road decommissioning projects would also be **“no effect”** to *Fritillaria gentneri* because they are outside the range of this species and do not contain suitable habitat.

The BLM determined the Ranch Stew II project would have no effect on Southern Oregon/Northern California coho salmon and coho critical habitat, because coho salmon and their habitats would not be affected from any sediment deposition, temperature change, large wood reduction, or peak flow changes from the proposed project.

The BLM mailed letters to The Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of Siletz, and The Confederated Tribes of Grand Ronde notifying them of the Ranch Stew II project and scoping process for the EA.

Public Involvement

The Butte Falls Resource Area mailed a letter to a total of 59 adjacent landowners, businesses, organizations, tribes, government agencies, and other interested parties on October 26, 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 two comment letters were received from environmental groups concerning the proposed project.

A formal public comment period for the EA was held from March 12 to April 12, 2010. The BLM notified the public through a newspaper notice in the *Medford Mail Tribune* and a letter mailed to 11 individuals, organizations, and government entities. The EA was posted on the BLM web site or mailed to the public at their request. The BLM received two letters containing comments on the EA.

Response to Public Comment

The comment letters the BLM received were overall in support of the thinning and restoration projects. Noxious weeds, the thinning prescription in Matrix and Riparian Reserves, future snag recruitment, and thinning in northern spotted owl nesting, roosting, and foraging (NRF) habitat were the main points of the comment letters.

Noxious weeds

The BLM will continue to implement the noxious weed program, including documenting and treating noxious weeds, through an integrated vegetation management plan. The BLM will implement management actions using PDFs, BMPs, and other mitigating measures to reduce potential impacts to resources from noxious weeds (EA p. 56-57).

Thinning Prescriptions in Matrix and Riparian Reserves

Thinning prescriptions for overstocked stands in Matrix and riparian reserves are designed to improve individual tree health and increase species diversity. Density levels will be reduced to levels the site has resources to support. The spacing of the remaining trees will vary and depend on the existing spatial arrangement of the desired trees within the stand (EA p. 95-96).

Thinning in Riparian Reserves will not occur within the no-treatment buffer adjacent to either side of the stream: 35 feet on intermittent streams and 60 feet on perennial or fish-bearing streams. No existing snags will be removed within the Riparian Reserves. Within the no-treatment buffer snag development will not be changed. If a snag needed to be felled for safety, it would be left on site. Active silvicultural treatments are necessary to restore large conifers in Riparian Reserves (NWFP p. B-31).

Future Snag Recruitment

About 70 percent (approximately 600,000 acres) of BLM-administered lands on the Medford District are not proposed for timber management activities. Because the vast majority of BLM-administered lands are not allocated to intensive or restricted forest management, it is expected that large snag recruitment would occur at natural rates and levels within those areas. On the remaining 30 percent (approximately 250,000 acres) of BLM-administered lands designated as Matrix, the PRMP/EIS assumes an annual timber harvest of 3,000 acres. On those acres, a renewable supply of large live trees and snags are retained to provide habitat for cavity-using birds, bats, and other species, while providing a sustainable supply of timber to provide jobs and contribute to community stability. Snags and green trees are retained at levels sufficient to support species of cavity-nesting birds at 40 percent of potential population levels (ROD/RMP, p. 40). Generally, large snags are defined as 16 inches in diameter and greater.

To provide future large snag recruitment, large trees need to be present in the stand. In the stands proposed for thinning, large trees are generally absent because of the early stage of stand development. The Ranch Stew II stands are about 50 years old, with an average dominant tree diameter of 12 to 14 inches. The management proposal is to thin (precommercial and commercial) trees from below, removing smaller suppressed and intermediate trees that are prone to suppression-related mortality. The intent of thinning on Matrix land allocations is to reduce stand densities to levels that the site has resources to support, increase tree growth, and reduce the rate of tree mortality. The majority of the trees to be removed are between 1 inch and 10 inches in diameter. Although these smaller trees would be removed, it does not preclude the development of large trees (>16 inches) that have the potential of becoming future snags as the stand matures. The post-treatment thinning stand will contain 60 to 125 intermediate, co-dominant, and dominant conifer trees per acre, 200 or more conifer trees less than 8 inches in diameter per acre, all hardwoods greater than 12 inches in diameter, and any stage 1 or 2 snags

16 inches and greater (EA Appendix A). These various stand components would provide ample sources for the development and recruitment of large snags as the stand continues growing towards the mature or old growth seral stages.

Thinning in Northern Spotted Owl Nesting, Roosting, and Foraging (NRF) Habitat

The thinning is designed to treat and maintain the current function of the northern spotted owl habitat and would not change the way owls use the habitat. The habitat will continue to function as suitable or dispersal-only habitat for spotted owls. Existing overhead canopy will be maintained in the thinning units. Small diameter trees and brush will be cut and placed in piles and burned. An average of 10 percent of these piles will remain unburned, providing shelter for small mammals and maintaining forage opportunities for spotted owls (EA p. 64).

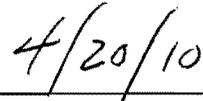
Administrative Remedies

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, Jon Raby within 15 days of the publication date of the notice of decision/timber sale advertisement in the Mail Tribune, Medford, Oregon.

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 that are delivered to the Medford district office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business 4:30 PM within 15 days after publication of the decision notice, this 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 Butte Falls Resource Area will issue a protest decision.

 
Jon K. Raby Date
Field Manager
Butte Falls Resource Area