



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Medford District Office  
3040 Biddle Road  
Medford, Oregon 97504  
email address: Medford\_Mail@blm.gov

IN REPLY REFER TO:

1792(ORM060)

JUL 26 2010

Dear Interested Public:

The enclosed *Environmental Assessment* (EA) for the Meriwether Right-of-Way Project is available for public review. The public review period ends on August 16, 2010.

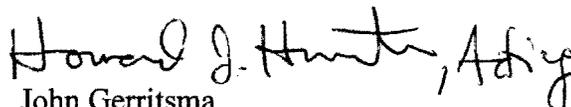
The Ashland Resource Area of the Medford District Bureau of Land Management (BLM) proposes to implement an amendment to the existing M-660 Right-of-Way and Road Use Permit (OR 048747) with Meriwether Southern Oregon Land & Timber, LLC. The project area is located in T. 37 S., R. 3 W., in Section 31, and T. 38 S., R. 3 W., in Sections 5 and 6, W.M., Jackson County, OR (Map 1-1). Meriwether Southern Oregon Land & Timber, LLC requested an amendment to an existing reciprocal right-of-way and road use agreement for the purpose of constructing a new road for accessing their private land adjoining BLM-administered land. The applicant holds an existing reciprocal right-of-way and road use permit with the Bureau of Land Management for land near the project area. If approved the existing road use permit would be amended to include new construction off of the 38-3-06 road to access the applicant's land. Segments of existing roads 38-3-5 and 38-3-6 would also be added to the permit, providing legal access from the end of County Road 842 to the start of the proposed new road construction.

We welcome your comments on the content of the EA. We are particularly interested in comments that address one or more of the following: (1) new information that would affect the analysis, (2) information or evidence of flawed or incomplete analysis; (3) BLM's determination that there are no significant impacts associated with the proposed action, and (4) alternatives to the Proposed Action that would respond to purpose and need. Specific comments are the most useful. **Comments are due by 4:30 PM, August 16, 2010.**

Before including your address, telephone number, email address, or other personal identifying information in your comment, be advised that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

All comments should be made in writing and mailed or delivered to Kristi Mastrofina, Ashland Resource Area, 3040 Biddle Road, Medford, OR 97504. Further information on this proposed project is available at the Medford District Office, 3040 Biddle Road, Medford, Oregon 97504 or by calling Kristi Mastrofina, Ashland Resource Area Planning, at (541) 618-2384.

Sincerely,

A handwritten signature in black ink that reads "Howard J. Hunter, Adige". The signature is written in a cursive style.

John Gerritsma  
Field Manager  
Ashland Resource Area

Enclosure

**ENVIRONMENTAL ASSESSMENT**

**for the**

**MERIWETHER RIGHT-OF-WAY PROJECT:  
AMENDMENT TO M-660 RIGHT-OF-WAY  
& ROAD USE AGREEMENT (OR 048747 FD)**

**United States  
Department of the Interior  
Bureau of Land Management  
Medford District**

**Jackson County, Oregon**

**July 2010**

**ENVIRONMENTAL ASSESSMENT (EA)**

**MERIWETHER RIGHT-OF-WAY PROJECT:  
AMENDMENT TO M-660 RIGHT-OF-WAY  
& ROAD USE AGREEMENT (OR 048747 FD)**

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT  
JACKSON COUNTY OREGON**

**EA COVER SHEET**

**RESOURCE AREA:** Ashland

**RESPONSIBLE OFFICIAL:** John Gerritsma, Ashland Field Manager,  
3040 Biddle Road  
Medford, OR 97504

**ACTION/TITLE:** Right-Of-Way Project: Amendment to M-660  
Right-of-Way & Road Use Agreement (OR 048747 FD)

**EA NUMBER:** DOI-BLM-OR-M060-2010-0025-EA

**LOCATION:** Forest Creek 6<sup>th</sup> Field Watershed, tributary to the Applegate River Watershed; the Public Land Survey System (PLSS) description is T. 37 S., R. 3 W., in Section 31, and T. 38 S., R. 3 W., in Sections 5 and 6; W.M.; Jackson County, Oregon (Map 1-1).

<b>List of Preparers</b>	<b>Responsibility</b>
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Ted Hass	Soils
Jeff Stephens	Wildlife
Stephen Haney	Wildlife
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Kristi Mastrofini	NEPA Compliance

**ENVIRONMENTAL ASSESSMENT (EA)**

for the

**MERIWETHER RIGHT-OF-WAY PROJECT  
AMENDMENT TO M-660 RECIPROCAL AGREEMENT**

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## **CHAPTER 1 - PURPOSE AND NEED FOR PROPOSED ACTION**

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### **A. INTRODUCTION**

This Environmental Assessment (EA) documents the environmental analysis conducted to estimate the site-specific effects on the human environment that may result from the implementation of the Bureau of Land Management's proposed action. The analysis documented in this EA will provide the responsible official, the Ashland Resource Area Field Manager, with current information to aid in the decision-making process. This document complies with the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA; 40 CFR Parts 1500-1508) and the Department of the Interior's regulations on Implementation of the National Environmental Policy Act of 1969 (43 CFR part 46).

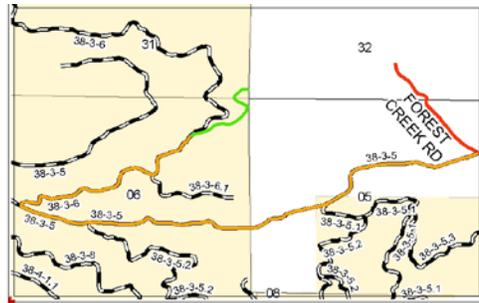
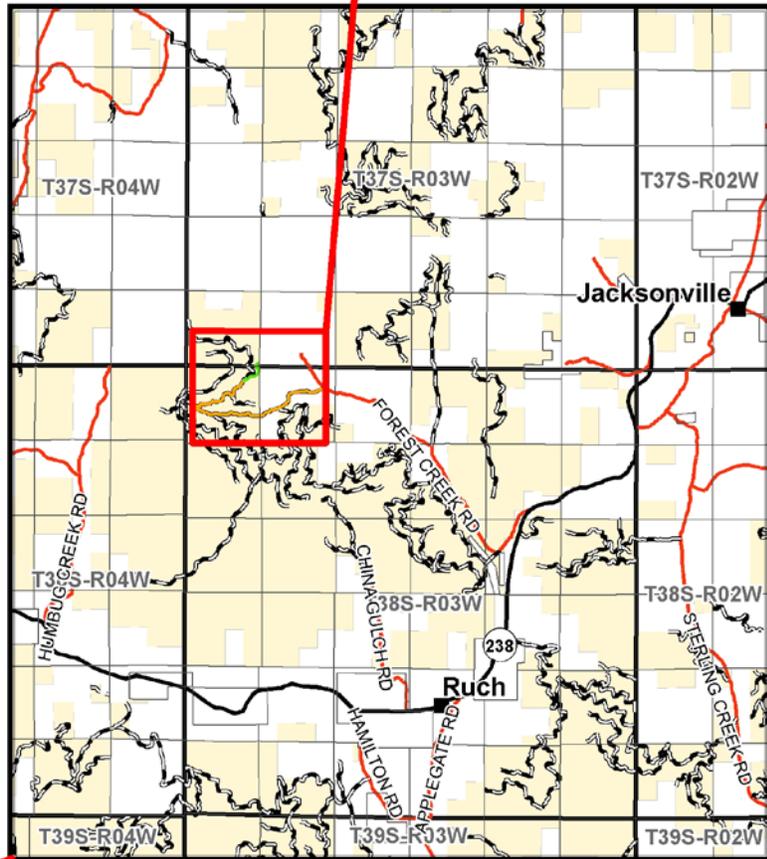
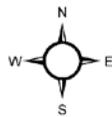
### **B. BLM'S PROPOSED ACTION**

The Ashland Resource Area of the Medford District Bureau of Land Management (BLM) proposes to implement an amendment to the existing M-660 Right-of-Way and Road Use Permit (OR 048747) with Meriwether Southern Oregon Land & Timber, LLC. The project area is located in T. 37 S., R. 3 W., in Section 31, and T. 38 S., R. 3 W., in Sections 5 and 6, W.M., Jackson County, OR (Map 1-1).

Meriwether Southern Oregon Land & Timber, LLC requested an amendment to an existing reciprocal right-of-way and road use agreement for the purpose of constructing a new road for accessing their private land adjoining BLM-administered land. The applicant holds an existing reciprocal right-of-way and road use permit with the Bureau of Land Management for land near the project area. If approved the existing road use permit would be amended to include new construction off of the 38-3-06 road to access the applicant's land. Segments of existing roads 38-3-5 and 38-3-6 would also be added to the permit, providing legal access from the end of County Road 842 to the start of the proposed new road construction. The segment of proposed new road construction is approximately 2,224 feet in length beginning in the northeast portion of Section 6 in T. 38 S., R. 3 W, where it takes off of road 38-3-6, and continues into the south eastern portion of Section 31, T. 37 S. R. 3 W (see Map 2-1).

# Map 1-1. Vicinity Map

-  Proposed ROW (Existing Road)
-  Proposed ROW (New Road)
-  BLM road
-  County route
-  State Highway
-  Municipal Road
-  Bureau of Land Management
-  Private Individual or Company



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

## C. NEED FOR THE PROPOSED ACTION

Reciprocal rights-of-way agreements are an important tool used by the BLM for acquiring access to BLM lands through cooperation with private forest land owners. These agreements establish cooperation among landowners for road use and land access. Reciprocal agreements and road right-of-way permits stipulate conditions of use for both the BLM and private land owners while using or constructing roads across private or public lands under agreement. The BLM has an obligation to respond to the private landowner's application for road use and construction in accordance with (CFR 43 Subpart 2812).

BLM has reviewed the private landowner's request for the use of the above referenced BLM roads, and the construction of a new road, and proposes to amend the applicant's M-660 right-of-way and road use permit to add the requested segments of existing BLM roads 38-3-5 and 38-3-6, and the proposed new road construction.

## D. DECISION FRAMEWORK

The Ashland Resource Area Field Manager must decide whether to implement the Proposed Action as designed or whether to select the No-Action Alternative. The decision will also include a determination whether or not the impacts of the Proposed Action are significant to the human environment. If the impacts are determined to be within those impacts analyzed in the *Medford District's 1995 Record of Decision and Resource Management Plan* (USDI 1995a) or otherwise determined to be insignificant, a Finding of No Significant Impact (FONSI) can be issued and a decision implemented. If this EA determines that the significance of impacts are unknown or greater than those previously analyzed and disclosed, then a project specific EIS must be prepared.

## E. LAND USE CONFORMANCE & LEGAL REQUIREMENTS

The right-of-way proposal is designed to be in compliance with the 1995 Medford District Record of Decision and Resource Management Plan (RMP). The 1995 Medford District Resource Management Plan 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) (USDA and USDI 1994). The 1995 Medford District Resource Management Plan was later 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*.

On July 25, 2007, the *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* amended the 1995 Medford District Resource Management Plan by removing the Survey and Manage Mitigation Measure Standards and Guidelines.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Rey, et al.*, No. 08-1067 (W.D. Wash.) (Coughenour, J.), granting Plaintiffs' motion for partial summary judgment and finding a variety of NEPA violations in the BLM and USFS 2007 Record of Decision eliminating the Survey and Manage mitigation measure. Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings, and did not enjoin the BLM from proceeding with projects.

This project may proceed even if the District Court sets aside or otherwise enjoins use of the 2007 Survey and Manage Record of Decision. This is because this project meets the provisions of the last valid Record of Decision, specifically 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 (not including subsequent Annual Species Reviews).

The proposed action 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.

## **F. RELEVANT ASSESSMENTS AND PLANS**

### ***Southwest Oregon Fire Management Plan***

The Southwest Oregon Fire Management Plan provides Southwest Oregon with an integrated concept in coordinated wildland fire planning and protection among Federal, State, local government entities and citizen initiatives. The FMP satisfies the requirements of the Federal Wildland Fire Policy of 1995 and its Revision of 2001 to describe fire management activities for every burnable acre of federal land, while recognizing the ecological importance of fire on these landscapes.

The Fire Management Plan introduces fire management concepts addressing fire management activities in relation to resource objectives stated in the current Land and Resource Management Plans (parent documents) of the federal agencies, the laws and statutes that guide the state agencies and private protective associations, and serve as a vehicle for local agencies and cooperators to more fully coordinate their participation in relation to those activities.

### ***Applegate Fire Plan***

The project area is covered by the Applegate Fire Plan, a plan developed through a collaborative effort between local citizens and local and federal agencies. The Applegate Fire Plan provides a strategic framework for addressing the high fire danger throughout the Applegate Valley. The main components of the plan include fire protection and suppression, fuel hazard reduction, and emergency communications. The plan is based on a foundation of neighbors cooperating with neighbors.

### ***Middle Applegate Watershed Analysis***

Watershed Analysis is a procedure used to characterize conditions, processes and functions related to human, aquatic, riparian and terrestrial features within a watershed. Watershed analysis is issue driven. Analysis teams of resource specialists identify and describe ecological processes of greatest concern in a particular “fifth field” watershed, and recommend restoration activities and conditions under which other management activities should occur. Watershed analysis is not a decision making process. Rather, watershed analysis provides information and non-binding recommendations for agencies to establish the context for subsequent planning, project development, regulatory compliance and agency decisions (See Federal Guide for Watershed Analysis 1995 p. 1).

The 1995 Middle Applegate Watershed Analysis followed the six-step process outlined in the *Draft Revised Federal Guide for Watershed Analysis, version 2.1*. The Middle Applegate Watershed Analysis Area encompasses about 83,585 acres within the Applegate River Subbasin. Five subwatersheds make up the Middle Applegate Watershed: Ferris/Slagle, Humbug/Chapman, Forest Creek and Spencer/Rock. Watershed analysis generally focused on existing information available at the time the analysis was conducted. While data gaps were identified for the watershed analysis, information determined to be necessary for completing an analysis of effects for this proposed action was obtained. Data acquired and analysis conducted in association with the development of this proposed action was considered along with information contained in Middle Applegate Watershed Analysis.

### ***Department of Interior, Bureau of Land Management, Western Oregon Districts, Transportation Management Plan (1996, updated 2002).***

The Western Oregon Districts, Transportation Management Plan, is not a decision document; rather it provides guidance for implementing applicable decisions of the Medford District Resource Management Plan (which incorporated the Northwest Forest Plan). This road management project is consistent with guidance in the Western Oregon Districts Transportation Management Plan.

### ***Applegate River Water Quality Restoration Plan***

The Oregon Environmental Quality Commission has adopted numeric and narrative water quality standards to protect designated beneficial uses. In practice, water quality standards have been set at a level to protect the most sensitive uses. Cold-water aquatic life such as salmon and trout are the most sensitive beneficial uses in the Rogue River and its tributaries (ODEQ 2004:5). The Oregon Department of Environmental Quality (DEQ) is required by the federal Clean Water Act (CWA) to maintain a list of stream segments that do not meet water quality standards for one or more beneficial uses. This list is called the 303(d) list because of the section of the CWA that makes the requirement. DEQ's 2004/2006 303(d) list is the most recent listing of these streams (ODEQ 2006a).

The BLM is recognized by Oregon DEQ as a Designated Management Agency for implementing the Clean Water Act on BLM-administered lands in Oregon. The BLM and DEQ have a Memorandum of Agreement (MOA) that defines the process by which the BLM will cooperatively meet State and Federal water quality rules and regulations. In accordance with the MOA, the BLM in cooperation with the Forest Service, DEQ, and the Environmental Protection Agency is implementing the Forest Service and Bureau of Land Management Protocol for Addressing Clean Water Act Section 303(d) Listed Waters (USDA and USDI 1999). Under the Protocol, the BLM will protect and maintain water quality where standards are met or surpassed, and restore water quality limited waterbodies within their jurisdiction to conditions that meet or surpass standards for designated beneficial uses. The BLM would also adhere to the State Antidegradation Policy (OAR 2005; 340-041-0004) under any proposed actions.

The EPA approved the Total Maximum Daily Load (TMDL) and Water Quality Management Plan (WQMP) for the Applegate Subbasin (2004). The Rogue Basin TMDL was issued by Oregon DEQ on December 22, 2008. A Water quality restoration plan (WQRP) for BLM-administered lands in the Applegate Subbasin (2005) was prepared by the BLM and approved by the DEQ. Recovery goals focus on protecting areas where water quality meets standards and avoiding future impairments of these areas, and restoring areas that do not currently meet water quality standards.

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## CHAPTER 2. THE PROPOSED ACTION AND ALTERNATIVES

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### A. INTRODUCTION

This chapter describes the Proposed Action Alternative developed by the ID Team to achieve the objectives and to respond to the Purpose and Need statement in Chapter 1. In addition, a “No Action” Alternative is presented to form a base line for analysis. Project design features (PDFs), which apply the Best Management Practices as described in Appendix D of the RMP, are an essential part of the Proposed Action. The PDFs are included as features of the action alternatives in the analysis of anticipated environmental impacts.

### B. ALTERNATIVES ANALYZED IN DETAIL

#### **Alternative 1 - No Action Alternative**

The No-Action Alternative describes a baseline against which the effects of the action alternatives can be compared. This alternative describes the existing conditions and the continuing trends, given the effects of other present actions and reasonably foreseeable actions identified, for the time periods relevant to the resource issues of concern. Under Alternative 1, the No-Action Alternative, the M-660 Road Use Agreement would not be amended and the proposed new road would not be constructed on BLM administered land.

#### **Alternative 2 – Proposed Action**

Under Alternative 2, the Proposed Action, the BLM would authorize the amendment of the M-660 right-of-way and road use permit (OR 048747 FD). The permit would allow the applicant to construct a new road off of the 38-3-06 road to access their land located in T. 37 S., R. 3 W., in section 32. The new road would be about 2,225 feet (0.42 mile) in length (Map 2-1). Existing BLM-administered roads 38-3-5 and 38-3-6 would also be added to the permit, providing legal access from the end of County Road 842 to the start of the proposed new road construction.

Project Design Features are an integral part of the Proposed Action developed to avoid or reduce the potential for adverse impacts to resources. The following project design features would be required as a condition of using the BLM administered road segment and for the new road construction.

#### **Project Design Features**

The Project Design Features (PDFs) incorporate BLM Best Management Practices (BMPs) related to roads (1995 Medford District RMP/ROD, Appendix D, pages 155-164). BMPs are considered the primary mechanisms to achieve Oregon Water Quality standards and are required by the Federal Clean Water Act (as amended by the Water Quality Act of 1987) to reduce nonpoint source pollution to the maximum extent practicable (1995 RMP/ROD, p.151).

The following project design features would be required as a condition of constructing and using the new road as well as existing roads 38-3-5 and 38-3-6 (to the intersection of the new road) on BLM administered land:

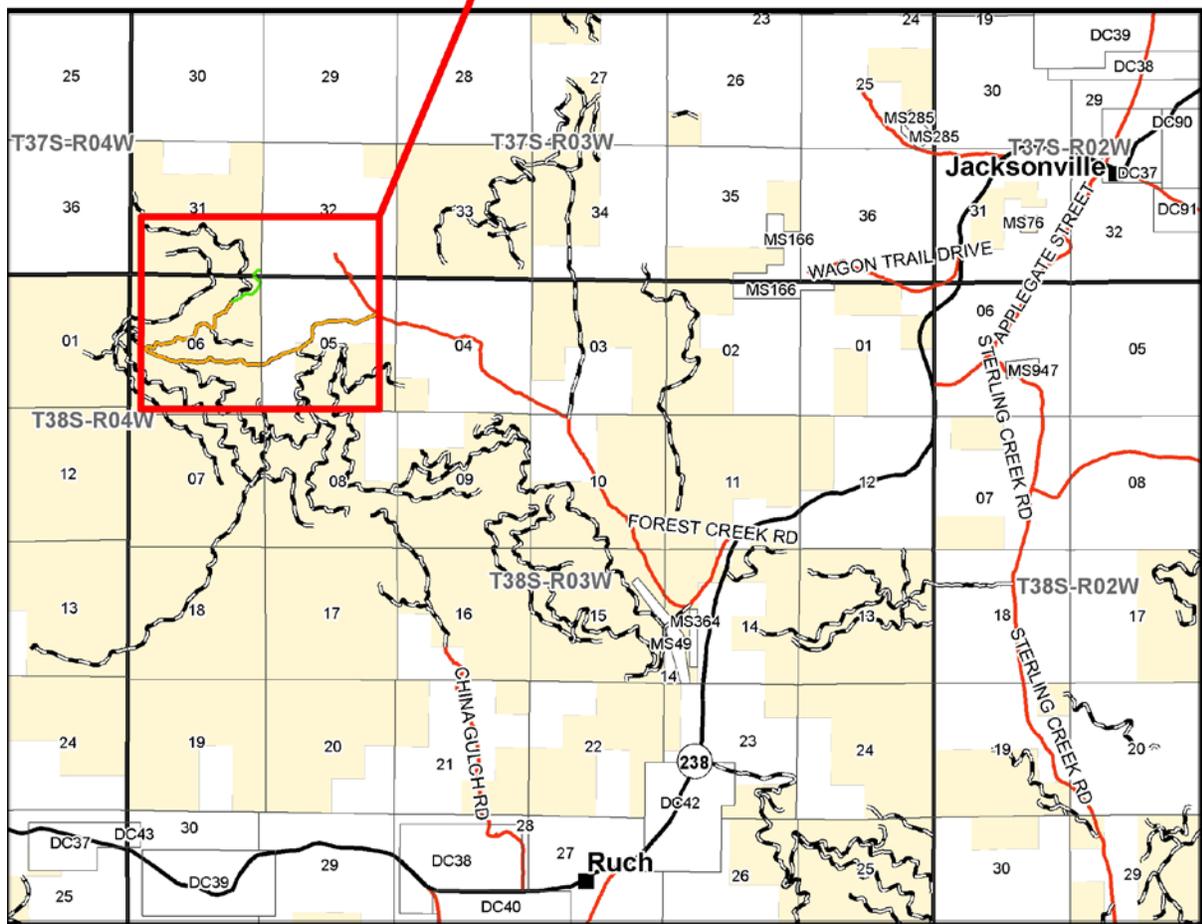
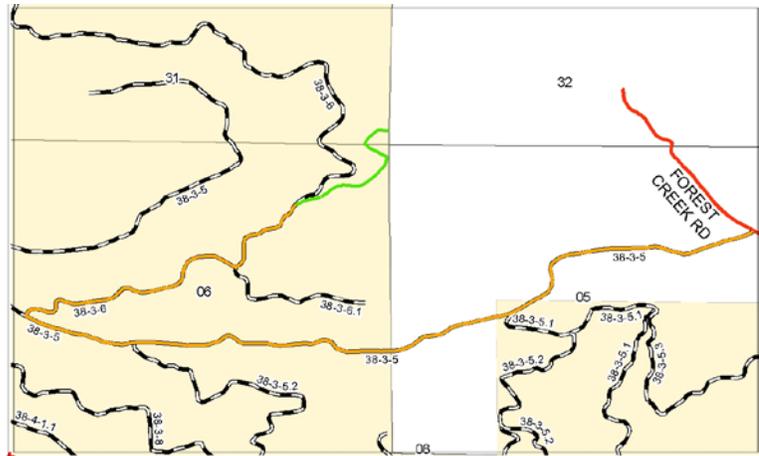
1. Limit road construction and other ground disturbing activities to the dry season, generally from June to October 15. A waiver may be considered for work to begin earlier if dry, low flow conditions exist, and with approval from the authorized officer and concurrence from a watershed specialist (hydrologist, soil scientist, or fisheries biologist).
2. All construction activities would be stopped during a rain event of 0.2 inches or more within a 24-hour period or if determined by the administrative officer that resource damage would occur if

construction is not halted. If on-site information is inadequate, measurements from the nearest Remote Automated Weather Station would be used. Construction activities would not occur for at least 48 hours after rainfall has stopped and on approval by the Permit Administrator.

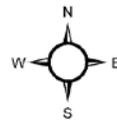
3. Install at grade a minimum 24 inch cmp with metal end section (MES) at the intermittent channel crossing; design approaches to minimize fill in the channel.
4. Minimize excavation where the proposed road crosses swales.
5. The permittee would be required to use filtering materials such as weed free straw bales, coconut fiber logs/bales, or other erosion control measures, as approved by the BLM, to minimize the movement of sediment downstream from the worksite.
6. Road design and resulting travelway should be out-sloped at 2-4 percent with rolling dips as necessary.
7. Where full bench construction is proposed, excavated material shall be end-hauled and placed in an approved stable location (Map 2-1).
8. All fill slopes and other areas of loose fill shall be seeded with an approved seed mix and mulched with weed free material prior to fall rains.
9. For dry weather haul (generally June through October 15), place 6 inches aggregate base or pit run rock for a minimum of 50 feet each side of the intermittent channel crossing; place 6 inches of pit run or fractured rock on the fillslope and travelway where the proposed road crosses swales.
10. For wet weather haul, all roads used for haul will be rocked to a depth specified by BLM road engineers to prevent road damage, road erosion, and off-site movement of sediment.
11. Roads would be maintained as necessary to maintain effective drainage and adequate rock depths for resource protection.
12. Construction of the proposed road right-of-way would not occur between March 1 and June 30 in order to minimize disturbance effects to nesting northern spotted owls.
13. Snags and downed coarse woody debris will be left undisturbed unless they present a safety hazard. Snags that need to be felled for safety or downed coarse woody material within the road prism will be windrowed along the lower side of road fill slopes to help maintain freshly disturbed soils on site and to continue to serve as habitat and refugia for terrestrial mollusks and prey species.
14. Slash would be windrowed at the base of newly-constructed fill slopes to catch sediment.
15. Dust abatement would be required to stabilize the road surface. All dust abatement application activities would comply with State and Federal laws.
16. Ensure that after use the road is adequately blocked to preclude vehicle traffic (including OHVs). This would include blocking the entrance with a gate, any large boulders (36 inches+) encountered during excavation, or another suitable method such as an earthen berm with logs. Also, consider placing cull or unmerchantable logs along the road length as equipment exits following use. The closure must be effective and maintained over time.
17. To minimize the spread of noxious weeds:
  - Vehicle and equipment use off existing roads in the project area would be limited to the dry season;
  - All construction equipment and trucks and trailers using the new road would be cleaned of all residual dirt and/or dried mud prior to use of the road;
  - Seeding of native grasses and/or an approved seed mix on highly disturbed soil (e.g., cut and fill slopes, etc.) would occur;
  - The BLM would treat any noxious weed populations found in the project area prior to ground disturbing activity with subsequent treatments occurring as necessary and as funding is available.
18. Implementation monitoring would occur to determine if the proposed action was implemented as planned.

Map 2-1. Proposed Action

-  Proposed ROW (Existing Road)
-  Proposed ROW (New Road)
-  BLM road
-  County route
-  State Highway
-  Municipal Road
-  Bureau of Land Management
-  Private Individual or Company

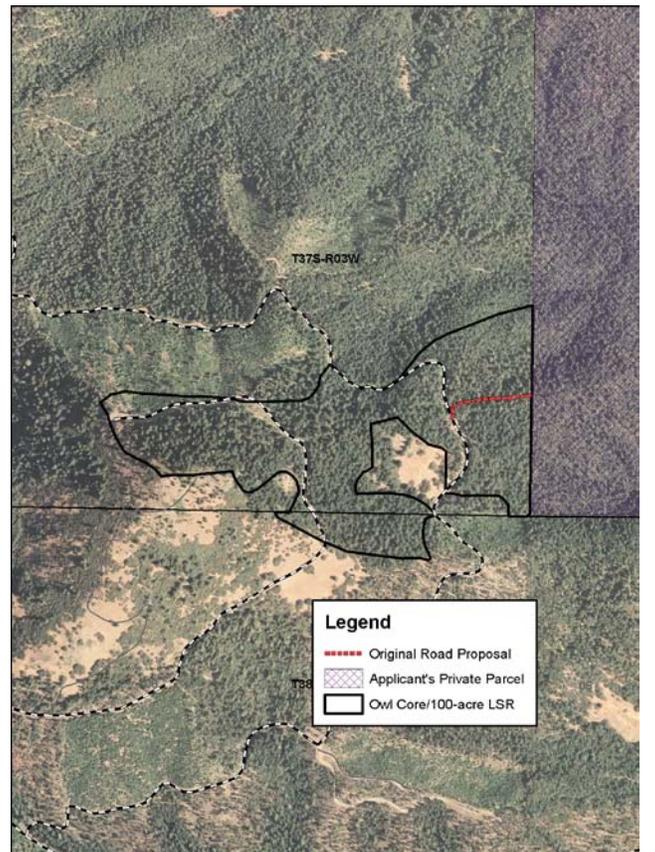


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## C. ALTERNATIVES AND ACTIONS CONSIDERED BUT NOT ANALYZED IN DETAIL

**Alternate route across BLM-administered land:** Initially, the applicant proposed that a road, approximately 913 feet in length, be constructed in the South Eastern portion of Section 31, T. 37 S., R. 3 W., where it would meet up with Road 38-3-6. While this was a shorter and more direct route, it was eliminated from detailed study as it was overly steep and passed through the middle of a 100-acre northern spotted owl core. Therefore, an alternate route was proposed (and analyzed under the proposed action) that would reduce the percent road grade (slope) and would substantially reduce the amount of area affected in the owl core.



**Figure 2-1. Proposed Road Location - Eliminated from Detailed Study.**

**Helicopter yarding:** This alternative would have analyzed an option using helicopter yarding to move the logs to a landing location and would not have required the construction and use of the proposed new road. This option would not have responded to the purpose and need, which is to respond to the applicant's request to amend the M-660 road right-of-way and road use permit to provide for road access to their private land, therefore, this option was not analyzed in detail.

**Alternate route across private land:** There is limited road access to the private land parcel via an existing road that enters the lower elevations of the property from private land to the north and east of the Meriwether parcel. The alternate road does not provide access to the entire parcel and would require extensive new road construction that would wind upslope from lower elevations requiring one or more switchbacks to reach the upper elevations of the private parcel. The use and improvement of the alternate route would likely involve new road construction/improvement in close proximity to Forest Creek, which is determined to be coho critical habitat (see Chapter 3, Fish Section). Because this alternate road across private land would not involve BLM-administered lands, it was outside the scope of detailed analysis under this EA.

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## CHAPTER 3: AFFECTED ENVIRONMENT & ENVIRONMENTAL CONSEQUENCES

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### A. INTRODUCTION

This chapter forms the scientific and analytical comparison of alternatives. The Affected Environment describes the existing conditions of the project area and associated analysis areas, and sets the environmental baseline for comparing the effects of the alternatives, including the No-Action Alternative. The affected environment is described to the level of detail needed to determine the significance of impacts to the environment of implementing the Proposed Action.

The Environmental Consequences portion of this chapter provides the analytical basis for the comparisons of the alternatives (40 CFR § 1502.16) and the reasonably foreseeable environmental consequences to the human environment that each alternative would have on the relevant resources. Impacts can be beneficial, neutral or detrimental. This analysis considers the direct impacts (effects caused by the action and occurring at the same place and time), indirect impacts (effects caused by the action but occurring later in time and farther removed in distance but are reasonably foreseeable) and cumulative impacts (effects caused by the action when added to other past, present and reasonably foreseeable future actions). The temporal and spatial scales used in this analysis vary depending on the resource being affected.

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.

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.” The importance of “past actions” is to set the context for understanding the incremental effects of the proposed action. This context is determined by combining the current conditions with available information on the expected effects of other present and reasonably foreseeable future actions.

### B. SOIL AND WATER RESOURCES

#### 1. Affected Environment

The proposed road is located within the Forest Creek Subwatershed, which is considered a 6<sup>th</sup> field hydrologic unit code (HUC). Forest Creek is a tributary of the Applegate River. Both watercourses are listed (303d) as impaired for dissolved oxygen and a TMDL has been developed for the Applegate River for summer temperatures. The analysis area for this proposal is Forest Creek above Forest Creek Right Fork. It is a 7<sup>th</sup> field HUC and referred to as drainage. The analysis area is approximately 4,924 acres, of which 53 percent, or 2,634 acres is managed by the BLM. The remainder is in private ownership. The runoff pattern is rain dominated and produces peak flows that generally occur during high rainfall after soils are saturated. There are approximately 74 miles of all stream types within the analysis area, with 36.7 miles located on BLM managed land.

Forest Creek is located within the Timber Mountain Off-highway Vehicle (OHV) Recreation Management Area. Off highway vehicle use is the dominant form of recreation and there is a network of roads and trails, some of which are user created, and many are not maintained. This has likely resulted in

observed elevated levels of sediment and degraded aquatic conditions along many stream reaches. Road and trail density can suffice as an indicator of watershed disturbance. Unsurfaced roads are frequently the largest source of sediment in forested, mountainous terrain. This is likely the case within the analysis area. It is important to realize that not all roads affect the landscape in a similar manner. Flat ridgetop roads are much less likely to contribute sediment and increased runoff than roads within the riparian reserve. Road density in miles per square mile within the analysis area is 5.2, with an additional OHV trail density of 1.2. The total road and trail density is 6.4, which is considered high and confirms that the analysis area may be at a greater risk for increases in sediment and peakflows.

The topography along the proposed road alignment is generally steep, ranging between 40-70 percent, and can be characterized as midslope between Forest Creek and the ridgetop. The dominant soils series identified in the proposed road alignment are Offenbacher and Vannoy. The water erosion potential for these soils series is high on slopes over 60 percent. Because of the steep sideslopes, delivery potential of disturbed soil to high gradient stream courses below the road and eventually Forest Creek is considered high. The proposed road crosses one long duration intermittent stream and several swales. There is little evidence of annual scour on the stream; however, stream surveys indicate that perennial water exists both above and below the crossing. At a minimum this would indicate a high groundwater table.

## **2. Environmental Consequences**

### **a. Alternative 1 - No Action**

Because no new road construction is proposed under this alternative, the effects described reflect current conditions and trends that are shaped by ongoing management and events unrelated to the proposed action. All current conditions and trends would continue as specified in affected environment. Namely, high road densities and continued OHV use would continue to deliver water and sediment to streams. Likewise, in certain stream reaches channel processes would maintain poor aquatic habitat conditions due to increases in fine sediment.

### **b. Alternative 2 - Proposed Action**

The effects to soils as a result of the proposed action are associated with proposed new road construction. Road construction affects soils by disturbing the soil surface, increasing surface erosion, and concentrating runoff. Road building would result in moderately high erosion rates locally as approximately 1.7 acres of land would be disturbed from the proposed new road construction. The increase in erosion would be most noticeable the first few substantial rainfall events after construction and would return to near pre-construction levels within the next three to five years as the cut and fill slopes stabilize and ground cover is re-established on the disturbed area. Required erosion control measures such as outsloping roads to disperse water, seeding and mulching fill slopes, and windrowing slash and large woody debris along the foot of fill slopes would help to reduce soil erosion.

New road construction would also have an impact on the soil productivity. Approximately four (4) acres of land is disturbed and taken out of vegetation production for every one mile of road proposed. The 0.4 mile of total new construction would take approximately 1.7 acres of land out of production.

The primary water quality concerns associated with this proposal are delivery of sediment to watercourses during and shortly after road construction activities and more long term impacts resulting from wet season use and potential future road failures. Wet season road use can cause road damage and generate turbid runoff and increase stream sedimentation. Road failures can occur as a result from slope instability caused by excavation, groundwater interception, saturated fill-slopes, or culvert failure. In addition, excavation through swales can result in shallow groundwater flow being altered. Required project design features, including, but not limited to, erosion control measures during and following construction, the maintenance of adequate water drainage, and maintaining adequate surface rocking during wet weather road use, are included as part of the project design (see Chapter 2, Alternative 2, Project Design Features) to minimize the potential for effects to soils and water quality.

The secondary effects are primarily related to the potential for increased off-highway vehicle use (OHV). The proposed road is located within the Timber Mountain Off-highway Vehicle (OHV) EIS planning area. OHV use in the area is resulting in instances of resource damage, and this use is likely to continue and possibly increase over time. Adding to the existing road network will elevate the potential for use of the newly constructed road and the likelihood of establishment of unauthorized connector routes. If this occurs, the result is the potential for long-term increases in sediment delivered to streams.

Although the proposed action has the potential to adversely affect water resources, the required project design features (see Chapter 2, Alternative 2, Project Design Features) would be effective in minimizing those impacts. Correct implementation of these measures would, under most circumstances, minimize adverse effects, and ensure compliance with all applicable statutes and management direction.

As previously discussed, the effects related to the proposed action involve those associated with new road construction. Within the Forest Creek subwatershed, there are numerous factors influencing water quality and aquatic habitat including: residential development, timber harvest, high road and trail densities, OHV use, and agriculture. Poor aquatic conditions, including elevated stream temperatures are partially the result of these and are likely synergistic, particularly within lower Forest Creek. The unit of measure used to assess potential cumulative effects for this analysis is road density. The proposed action would increase road density within the analysis area from 6.4 to 6.5 miles per square mile. This small increase (0.10 percent) is not expected to adversely affect water resources. Consequently, the small reduction in canopy cover would not increase potential for peak flows. Other actions, such as increased harvest on private lands may affect canopy cover over time, but the extent and timing is uncertain.

## **C. FISH**

### **1. Affected Environment**

The project area is located in the Middle Applegate River fifth-field watershed, specifically near a short duration intermittent tributary to the Forest Creek subwatershed. The nearest fish populations from the project area occur over one mile downstream, in the Left Fork of Forest Creek, where resident cutthroat trout have been documented. Anadromous fish species, such as steelhead trout and listed “threatened” Southern Oregon Northern California coho salmon currently are present much further downstream (4 miles from the project area) due to non-natural physical obstructions which have precluded these species from utilizing upstream habitats. Historical distribution of these species is not known, but given habitat characteristics common to both the Left and Right Forks (e.g. low gradient, lack of natural barriers, stream size), it is likely that both steelhead and coho could and would have historically utilized lower portions of both of the forks of Forest Creek. For the purpose of this analysis, Coho Critical Habitat (CCH) will be assumed to include the known fish bearing reaches in the subwatershed, including the Left Fork of Forest Creek downstream of the proposed new road. This is likely an overestimation of the historical range of coho, as cutthroat trout typically occur farther upstream than anadromous fish.

Aquatic habitat, particularly in the lower elevation fish bearing stream reaches, has been impacted by a suit of past and ongoing activities, most notably among them mining, extensive road and OHV trail construction, timber harvest, and streamside lands converted to agricultural and residential use. The effects of these activities to aquatic habitat include: straightened and incised stream channels, and formation of non-natural migration barriers, which has resulted in loss of suitable spawning and rearing habitat; loss of stream side shade in some areas, which results in higher stream water temperatures; and accelerated erosion both in channels and across the landscape, which has led to increased inputs of fine sediment and turbidity.

## **2. Environmental Consequences**

### **a. Alternative 1 – No Action**

Under the No-Action Alternative, the proposed road would not be constructed on BLM-administered lands; therefore, there would be no-effect to fish and aquatic habitat as a result of this federal action. Aquatic habitat would continue to be impacted both by the legacy of past actions (for example, loss of habitat resulting from anthropogenic barriers and channel modifications) and continuing chronic inputs of sediment and turbidity, resulting primarily from an extensive road and OHV trail network.

### **b. Alternative 2 – Proposed Action**

The proposed action could potentially impact aquatic habitats as a result of new road construction and wet weather hauling. The proposed new road construction would cross one midslope intermittent stream channel and would be hydrologically connected to the stream continuum. Roads with hydrologic connectivity are particularly problematic, as they have the ability to directly input sediment into aquatic habitats. The proposed new road construction would also require the removal of some vegetation from a Riparian Reserve on BLM lands. However, stream temperatures would not be adversely affected, as the stream in the project area is intermittent and dry during the summer months.

The primary mechanisms by which the new road construction may impact water quality and aquatic habitat is the potential for it to disrupt natural flow paths by intercepting, concentrating, and routing flow down the road prism. Intercepted water could be transported down the road causing erosion and rutting. Eroded particulates (sediment) from the road could potentially be transported to aquatic habitat in the intermittent channel. During high flow events, this sediment could be mobilized, potentially affecting aquatic habitats in the Forest Creek subwatershed.

Project Design Features, including those outlined in the soil and water resources section of this document, would serve to greatly reduce the erosive and transport potential resulting from the proposed road construction and haul. Disturbed soils, both on the fill slopes and in the vicinity of the channel crossing itself, would be mulched and seeded and have a period to stabilize before the onset of wet weather (usually mid to late fall), increasing their resistance to erosion. Outslope construction of the road prism, coupled with installation of rolling water dips, would allow the road to shed the majority of intercepted water and eroded and mobilized fine sediment to downslope vegetated areas, where it would be filtered and trapped long before reaching aquatic habitats. Any water/sediment not diverted off the road prior to the crossing would encounter the armored approaches to the channel crossing. These approaches would enable the channel adjacent areas of the road to be resistant to rutting, but would not necessarily preclude the transport of small quantities of sediment from being input into the channel. If the road is to be used during wet weather, the entire length of the road would be rocked to BLM specifications. The rock surfacing would enable the road to be much more resistant to erosion, and would greatly limit the potential for road rutting and sediment transport to channels resulting from haul.

In the event that sediment mobilized from the new road were to be transported to the intermittent stream, it would not measurably affect fish habitat located downslope/downstream from the project area. The intermittent channel below the proposed road crossing has a large amount of vegetative debris present within the channel. As such, mobilized sediment released to this channel during typical flow events would have a high probability of being stored by this debris, and then subsequently slowly released downstream over time in the intermittent channel. In such a scenario, inputs to fish habitat would be so small as to be immeasurable. In the event of a large flood event, displaced sediment could become entrained as a brief pulse of elevated turbidity, which would not be detectable or meaningful to fish habitat beyond background turbidity levels anticipated to occur during such an event from other sources.

Use of other project area roads for hauling, especially during the wet season, increases the likelihood that the surface will be broken down to fine sediment, and subsequently routed down the roads/ditches.

Adequate rock surfacing would be maintained appropriate to the season of use for all roads used for hauling. BLM road 38-3-5 parallels Oregon Belle Creek from county road 842 to the intersection of BLM road 38-3-6. The 38-3-5 road is chip sealed and use of this road would not increase the potential for sediment delivery to aquatic habitat. BLM road 38-3-6 is rocked. This particular road is located near the top of the ridge, has limited hydrological connectivity (only 2 intermittent channel crossings), and a gentle grade. The road bed is in good condition, and does not exhibit signs of excessive erosion (i.e. no ruts or other signs of water being routed down the road). As such, use of these two road segments for haul would have minimal potential to contribute sediment to aquatic habitats.

In sum, though this new road construction and haul would yield a slight increase in road density and an additional disturbance in an already disturbed watershed, this perturbation would be relatively small and inconsequential to aquatic habitat in the intermittent stream and would not add a measurable or meaningful effect to fish habitat in the Forest Creek subwatershed. As such, authorizing construction of this road and associated hauling activities would have no effect to designated CCH in lower stream reaches.

#### **D. CONSISTENCY WITH THE AQUATIC CONSERVATION STRATEGY**

The Northwest Forest Plan's (NWFP) Aquatic Conservation Strategy (ACS) has four components: Riparian Reserves, Key Watersheds, Watershed Analysis, and Watershed Restoration. It is guided by nine objectives which are used to assess agency actions and their effects to ecological processes at the 5<sup>th</sup>-field hydrologic scale, or watershed, at the 6<sup>th</sup> and or 7<sup>th</sup> fields (subwatershed and or drainage), and at the site level. In this case, the intermittent stream is tributary to a small 7<sup>th</sup> field drainage in the Forest Creek 6<sup>th</sup> field (subwatershed) within the larger Middle Applegate River 5<sup>th</sup> field Watershed. How the four components of ACS relate to the road construction is explained below:

1. Riparian Reserves: Riparian Reserve widths for streams, springs, wetlands, and unstable soils have been determined according to the protocol outlined in the NWFPs ACS. As an intermittent stream, the Riparian Reserve involved in this project is one site potential tree, or 160 feet slope distance as measured from either side of the channel edge.
2. Key Watersheds: Tier 1 Key Watersheds contribute directly to conservation of at-risk anadromous salmonids, bull trout, and resident fish species. They also have a high potential of being restored as part of a watershed restoration program. The Middle Applegate River Watershed is not a designated Key Watershed.
3. Watershed Analysis: BLM completed the Middle Applegate River Watershed Analysis in 1995. The analysis covers the planning area.
4. Watershed Restoration: Most of the restoration activities in the watershed have focused on restoring and facilitating fish passage to provide better access to habitat on private and federal lands. Projects by the local watershed council, ODFW and/or BLM include culvert removal and replacement, road decommissioning, and irrigation ditch fish screens and siphoning.

#### **Evaluation of This Action's Consistency with Northwest Forest Plan Aquatic Conservation Strategy Objectives:**

1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted.

Though a disturbance at the site scale, the new road construction would be too minor to appreciably affect landscape-scale features, and would not impact the distribution, diversity, or complexity of these features.

2. Maintain and restore spatial and temporal connectivity within and between watersheds. Lateral, longitudinal, and drainage network connections include floodplains, wetlands, upslope areas, headwater tributaries, and intact refugia. These network connections must provide chemically and physically unobstructed routes to areas critical for fulfilling life history requirements of aquatic and riparian-dependent species.

Spatial connectivity at the site level would be maintained by a properly sized culvert installed at the one channel crossing involved in this project. Connectivity would not be affected at the drainage or watershed scale.

3. Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.

The physical integrity of the intermittent channel would be disturbed at the site level, as the shorelines, banks, and stream bottom of about 15 feet of the channel would be converted from a natural state to a culvert to allow for passage of water downstream of the road crossing. This would not impact the physical integrity of aquatic systems at larger spatial scales.

4. Maintain and restore water quality necessary to support healthy riparian, aquatic and wetland ecosystems. Water quality must remain within the range that maintains the biological, physical, and chemical integrity of the system and benefits survival, growth, reproduction, and migration of individuals composing aquatic and riparian communities.

There is potential for this project to input fine sediment to aquatic habitat in the intermittent channel downstream of the proposed road crossing. Sediment inputs would typically occur as small pulses that would slowly migrate downstream and be assimilated into background conditions, or in the event of a large flood, a brief flush could entrain sediment in the nature of elevated turbidity. In any case, inputs would not exceed the range necessary to maintain biological, physical, or chemical integrity of the aquatic system. Any additional inputs of sediment resulting from this road would only be measurable at the site level, and would not meaningfully impact this objective at the larger spatial scales.

5. Maintain and restore the sediment regime under which aquatic ecosystems evolved. Elements of the sediment regime include the timing, volume, rate, and character of sediment input, storage, and transport.

See objective #4. Minute site level sediment inputs would not compromise further the sediment regime of the aquatic ecosystems within the Forest Creek subwatershed or larger 5<sup>th</sup> field Middle Applegate Watershed.

6. Maintain and restore instream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing. The timing, magnitude, duration, and spatial distribution of peak, high, and low flows must be protected.

Instream flows would not be measurably affected at any spatial scale by this project (see Soil and Water Resources above).

7. Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.

No meadows or wetlands exist in the vicinity of the proposed road. No causal mechanism exists between any element of the proposed road construction and this objective. It would not be affected at any spatial scale. See objective 6 also.

8. Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands to provide adequate summer and winter thermal regulation, nutrient filtering, appropriate rates of surface erosion, bank erosion, and channel migration and to supply amounts and distributions of coarse woody debris sufficient to sustain physical complexity and stability.

No wetlands exist in the project area. Though some vegetation would be removed from the riparian area of an intermittent stream channel to accommodate the construction of the road, the species composition and structural diversity of the plant community beyond the road-stream crossing would not be compromised due to the small area disturbed (<0.1 acre) within a riparian area. Surveys for special status and 2001 Survey and Manage vascular and non-vascular plants were conducted and none were found.

9. Maintain and restore habitat to support well-distributed populations of native plant, invertebrate, and vertebrate riparian-dependent species.

See objectives # 4, 5, and 8. Site level inputs of sediment would be of too small a magnitude to measurably degrade aquatic habitat. Small site scale disturbance of riparian vegetation would not affect plant communities beyond the site scale.

## E. TERRESTRIAL WILDLIFE

### 1. Affected Environment

The potential for effects to wildlife is primarily associated with the proposed new road construction. Plant associations along the proposed road alignment are diverse and include a mosaic of white oak woodland, hardwood stands dominated by madrone and oak, shrubland and early, mid and mature conifer stands. The primary tree species in the project area are Douglas-fir, ponderosa pine, madrone and white oak. Shrub species include manzanita, deerbrush ceanothus, wedgeleaf ceanothus. Hardwood tree species in riparian areas include willow, ash and maple. This assortment of vegetations types provides for a wide array of wildlife species habitats and needs.

The following Bureau Special Status species, Survey and Manage species, Game Birds Below Desired Condition and Birds of Conservation Concern species are known or suspected to occur in the proposed project area (see Table 3-1). Species determined to have a very low likelihood of occurring in the project area or whose presence would be considered accidental, were not included in this analysis.

**Table 3-1. Bureau Species of Concern Known or Suspected to Occur**

Species	Bureau Status	Occurrence
<b>northern spotted owl</b> ( <i>Strix occidentalis caurina</i> )	FT	Known
<b>great gray owl</b> ( <i>strix nebulosa</i> )	SM	Suspected
<b>flamulated owl</b> ( <i>Otus flammeolus</i> )	BCC	Suspected
<b>olive-sided flycatcher</b> ( <i>Contopus cooperi</i> )	BCC	Known
<b>rufus hummingbird</b> ( <i>Selasphorus rufus</i> )	BCC	Known
<b>band-tailed pigeon</b> ( <i>Patagioenas fasciata</i> )	GBBDC	Known
<b>mourning dove</b> ( <i>Zenaida macroura</i> )	GBBDC	Known
<b>purple finch</b> ( <i>Carpodacus purpureus</i> )	BCC	Suspected
<b>red tree vole</b> ( <i>Arborimus longicaudus</i> )	SM	Suspected
<b>fringed myotis</b> ( <i>Myotis thysanodes</i> )	SEN	Suspected
<b>Townsend's big-eared bat</b> ( <i>Corynorhinus townsendi</i> )	SEN	Suspected
<b>pallid bat</b> ( <i>Antrozous palidus</i> )	SEN	Suspected
<b>chase sideband</b> ( <i>Monadenia chaceana</i> )	SEN/SM	Suspected
<b>traveling sideband</b> ( <i>Monadenia fidelis celeuthia</i> )	SEN	Suspected
FT= Federally threatened under the Endangered Species Act SM= Survey and Manage species BCC=USFWS Birds of Conservation Concern GBBDC=USFWS Game Birds Below Desired Condition SEN= Bureau sensitive species		

The Bureau of Land Management (BLM), Forest Service (FS), and US Fish and Wildlife Service (USFWS) have conducted a coordinated review of four recently completed reports containing information on the northern spotted owl (NSO). The reviewed reports include the following:

- *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 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 2005).

Anthony et al. (2004, 2006) is the most recent meta-analysis of owl demographic data collected in 14 demographic study areas across the range of the northern spotted owl. Four of the study areas are in western Washington, six are in western Oregon, and four are in northwestern California. 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.

Summarizing Anthony et. al., between 1985-2003:

- The northern spotted owl population declined over its entire range, and varied from the most pronounced in Washington (7.3% year per) to the least pronounced in California (2.2%)
- Within Oregon, the northern demographic study areas averaged 4.9% population decline, and the southern study areas decline averaged less than 1% per year and were statistically stable, with a western Oregon average of 2.8% decline per year.
- Range-wide, adult survival rates declined in 5 of 14 study areas (western Washington and northwestern California) and western Oregon was stable in all six study areas.

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. Even though some risk factors had declined (such as habitat loss due to harvesting) other factors had continued such as habitat loss due to wildfire, potential competition with the barred owl, West Nile virus, and sudden oak death (USFWS 2004, Lint 2005). The barred owl is present throughout the range of the spotted owl, so the likelihood of competitive interactions between the species raises concerns as to the future of the spotted owl (Lint 2005). Lint (2005) also found that between 1994-2003, federal lands in the Klamath Province lost 6.6% of spotted owl nesting habitat to stand-replacement fire, mainly to the Biscuit Fire (almost 500,000 acres).

There is one **northern spotted owl activity center** in the vicinity of the project area. The area was last surveyed by BLM biologists in 2003 and 2004 with vocal responses but breeding status could not be determined. The Medford District Resource Management Plan designated about 100 acres of northern spotted owl habitat in the closest proximity to this activity center (known to exist as of January 1, 1994), as a 100-acre Late-Successional Reserve (see Section below titled Late-Succession Reserve). These 100-acre areas are also termed *Known Spotted Owl Activity Centers*.

**Northern Spotted Owl Critical Habitat:** The proposed project is not located in any designated critical habitat for the northern spotted owl.

The **great gray owl**, a Survey and Manage species, nests in late-successional habitat near forest edges where decadent features provides suitable nesting platforms and prefers open areas to forage. Although surveys are not required for suitable nesting habitat adjacent to natural openings smaller than 10 acres, this area was surveyed by BLM biologists in 2003 and 2004 with no birds being detected.

BLM has interim guidance for meeting BLM's responsibilities under the Migratory Bird Treaty Act and Executive Order (EO) 13186. Both the Act and the EO promote the conservation of migratory bird

populations. The interim guidance was transmitted through Instruction Memorandum (IM) No. 2008-050. The IM relies on two lists prepared by the U.S. Fish and Wildlife Service to determine which species are to receive special attention in land management activities; the lists are *Bird Species of Conservation Concern* (BCC) found in various Bird Conservation Regions (BCR) and *Game Birds Below Desired Condition* (GBBDC). The following species are known or suspected to be present in the vicinity of the proposed action, which is located in BCR 5, **flamulated owl, olive-sided flycatcher, rufus hummingbird, band-tailed pigeon, mourning dove, and the purple finch.**

**Red tree voles** are the most arboreal mammal species in the Pacific Northwest and are predominantly found in Douglas-fir forests. Aubry et al. (1991) found that red tree voles occur in old-growth forests significantly more than in younger forests. The only potential habitat for tree voles is located along the 260 foot section inside the spotted owl core. Red tree vole surveys were conducted along the proposed right-of-way and no presence was detected.

The **fringed myotis, pallid bat** and **Townsend's big-eared bats** prefer caves or adits to roost but will also utilize snags at times. These species forage in open areas and around water sources where insects are more abundant. There are no adits proximate to the proposed right-of-way and all snags will be retained unless they present a safety hazard. Therefore, this proposed action will not adversely affect any of these bureau sensitive bat species.

The **chase sideband** and the **traveling sideband** are Survey and Manage terrestrial mollusks. Both species are found in downed woody debris, talus areas adjacent to forest, and are also associated with riparian areas. Large scale surveys were conducted previously in association with timber sales in the Forest Creek watershed and recently along this proposed right-of-way; neither species was detected.

No **deer** or **elk** big game management areas or critical wintering habitat areas designated in the Medford District RMP (USDI 1995a) are found within the proposed action area.

## **2. Environmental Consequences**

### **a. Alternative 1 – No Action**

Under the **No-Action Alternative**, the proposed road would not be constructed; therefore, there would be no-effect to any wildlife species of concern as a result of this federal action. All current conditions and trends in the project area would continue. The project area is located within the Timber Mountain OHV Recreation Management Area. Under Alternative 1, OHV use would continue along existing roads in the vicinity of the project area with potential for noise disturbance to wildlife species, including northern spotted owls. Although, the nearest route used by OHVs, BLM Road 38-3-6, is greater than 195 feet from the last recorded northern spotted owl nest tree, and beyond the distance used for seasonal operating restrictions employed for reducing noise disturbance to northern spotted owls during breeding season.

Other wildlife in proximity to OHV use may be impacted by ongoing OHV noise disturbance, which has occurred in the area for the last 40 years. Implementation of any action alternatives of the Timber Mountain OHV Recreation Management Plan would result in reducing OHV trail density in the Forest Creek Watershed.

### **b. Alternative 2 – Proposed Action**

The proposed action would enter a **northern spotted owl** core. *Application of the Endangered Species Act to proposals for access to non-federal lands across lands administered by the Bureau of Land Management and the Forest Service*, an Interagency Agreement reached among the Bureau of Land Management (BLM), U.S. Forest Service (FS), U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS), establishes policy for evaluating access proposals with regard to Endangered Species Act compliance. The following evaluation of the proposed action employs the policy and procedures described in the Interagency Agreement (IA).

The portion of the proposed right-of-way in the core is approximately 260 feet long and would remove less than 1 acre of suitable habitat. The right-of-way would be within 770 feet from the nearest known nest tree. This section of the proposed right-of-way is located on a 10 degree slope, dual canopy stand and would minimally reduce the average canopy coverage. The rest of the right-of-way is located in an area that was previously harvested or treated for fuels reduction by the BLM, and no longer provides suitable spotted owl habitat. Although this action would affect a negligible amount of the total owl habitat in the area (see Section F, Terrestrial Wildlife Habitat, Late-successional Habitat & Late Successional Associated Species) and seasonal restrictions would be required, it was included in the 2009 formal consultation with the US Fish and Wildlife Service (USFWS). The USFWS Biological Opinion (13420-2009-F-0147) concluded that implementation of the proposed action will not jeopardize the continued existence of the northern spotted owl. This proposed right-of-way is not located in designated critical habitat and would not adversely affect spotted owls.

The proposed action would authorize the grantee to construct approximately 2,224 feet of road on BLM managed land. The new construction would remove approximately 3 acres of existing habitat. The loss of this small amount of habitat would have a negligible impact to the terrestrial wildlife species in the project area. However, there are other pervasive effects of roads to wildlife, and include vehicular disturbance, increased potential for poaching, and microclimatic changes to habitat adjacent to roads. These impacts will be reduced by gating or barricading the new road when not in use by the applicant.

This proposed action would potentially remove some nesting platforms for **great gray owls**. However, the area of affected nesting habitat is very small and snags not determined to be safety hazards would be retained. The removal of this small amount of potential nesting habitat would not adversely affect great gray owls. Seasonal restrictions required for spotted owls would also provide protection for great gray owls. Additionally, previous surveys did not detect great gray owls in the project area.

**Red tree vole** surveys were conducted along the proposed right-of-way and no presence was detected. This section of the right-of-way is somewhat flat and road construction would not greatly reduce the average canopy closure in the stand. The proposed action would not adversely affect red tree voles.

There are no adits proximate to the proposed right-of-way and all snags will be retained unless they present a safety hazard. Therefore, this proposed action will not adversely affect any bureau sensitive bat species **fringed myotis**, **pallid bat** and **Townsend's big-eared bats**.

Surveys for Survey and Manage mollusk species did not detect either the **chase sideband** or the **traveling sideband** mollusk species. Additionally, the potential effects to mollusk habitat would be minimal because the proposed action impacts only a negligible amount of suitable habitat (<1 acre) and downed woody debris would be maintained onsite. Therefore, the proposed right-of-way would not adversely affect Survey and Manage terrestrial mollusk species.

**Flammulated owl**, **olive-sided flycatcher**, **rufus hummingbird**, **band-tailed pigeon**, **mourning dove**, and the **purple finch** all utilize open areas and edge habitat to nest or forage (Marshall et al., 2006). Therefore, the proposed action will not adversely affect any of these bird species.

Some migratory bird individuals other than USFWS species of concern may be lost or displaced during project activities, but there would be no perceptible shift in species composition because of the small scale habitat modifications. Adequate untreated areas in and adjacent to the project area would maintain habitat for displaced individuals. Overall, populations in the region would be unaffected due to this small amount of loss that would not be measurable at the regional scale.

As with Alternative 1, OHV use would continue along existing BLM Road 38-3-6 in the vicinity of the project area with potential for noise disturbance to wildlife species, including northern spotted owls. The construction of additional 2,224 feet of road, off of road 38-3-6, has the potential to slightly increase the miles of OHV routes in Forest Creek Watershed and in the vicinity of the project area. Although, both

BLM Road 38-3-6 and the proposed new route is greater than 195 feet from the last recorded northern spotted owl nest tree and beyond the distance used for seasonal operating restrictions employed for reducing noise disturbance to northern spotted owls during breeding season. Additionally, the road would be barricaded and camouflaged with rocks, downed wood, or other vegetative material to close the road following operations to all vehicle use. The steep side slopes along the road prism would help to effectively close the road following its intended use.

## **F. TERRESTRIAL WILDLIFE HABITAT, LATE-SUCCESSIONAL HABITAT & LATE-SUCCESSIONAL ASSOCIATED SPECIES**

### **1. Affected Environment**

The project area is located in the Forest Creek sixth-field watershed. The 22,500-acre Forest Creek Watershed drains into the Middle Fork Applegate River. The Middle Fork fifth-field watershed encompasses about 83,054 acres and is tributary to the Applegate River. The Forest Creek watershed is comprised of federal administered lands and privately owned lands; approximately 11,000 acres (49 percent) are managed by Bureau of Land Management and 11,500 acres (51 percent) are privately owned.

#### **General Vegetation & Conditions**

Vegetation of the Forest Creek sub-watershed is located within the Siskiyou Mountains of the Klamath Mountains Geologic Province. The Siskiyou Mountains serve as a link between the Cascade Mountains and the Oregon and California Coast ranges. Vegetation has migrated into Siskiyou Mountains over the last 60 million years from the Oregon and California Coast ranges, Sierras, Cascades, the Klamath River corridor, and the lowland chaparral areas. From about the 14<sup>th</sup> through the mid 19<sup>th</sup> century, the landscape pattern had a high degree of variation in the vegetation patterns including condition class (grass/forb, shrubland, hardwood/woodland, young forest, mid-sized forest, late-successional/old-growth forest), arrangement, and composition of plant species. Forest stands had fewer trees per acre of larger diameter, and forests had more ponderosa pine, incense cedar, and native grasses due to frequent fire from natural lightning ignitions and Native American and Euro-American use of fire for various purposes. Forests probably never reached climax vegetation stage due to frequent fire disturbances (USDI 1995b). For more detailed description of pre-settlement conditions in the Forest Creek area, refer to the Middle Applegate Watershed Analysis (USDI 1995b).

The present day composition and distribution of vegetation in the Forest Creek sub-watershed is influenced by site characteristics (soil types, aspect, and topography), natural disturbance (wildfires, insects, disease, etc.) historic mining, rural residential development, agricultural activities, timber harvest, fuels reduction projects, fire suppression, and road building. Common forest types in the Forest Creek Watershed include Douglas-fir, ponderosa pine, and white oak forest series (USDI 1995b). In most of the watershed, south to westerly facing slopes are dominated by shrub, early and mid-successional vegetation, with north to easterly slopes are dominated by mixed conifer mid to late-successional vegetation. Although the Inland Siskiyou have always been fragmented by meadows and shrubland, the current habitat conditions have changed from that which existed in the pre-settlement environment. One element in particular, hiding cover used for protection from predators is inadequate or lacking in some areas. Wildlife species now face greater risks from predation as they move across the landscape. Information on the current distribution of successional stages (Table 3-2) was derived from a combination of vegetation data stored in the Medford District's Geographic Information System (GIS), aerial photography, and the District's completed management activities layer.

**Table 3-2. Vegetation Distribution (acres) by Successional Stages**

Successional or Seral Stages	Forest Creek Watershed BLM Land (acres)
Late-Successional/Old-Growth Forest	1,297
Mid-Successional	3,836
Early Successional (seedlings/saplings)	2,630
Hardwood/Woodland	2,150
Grass/Shrubland	1,093
Totals	11,006

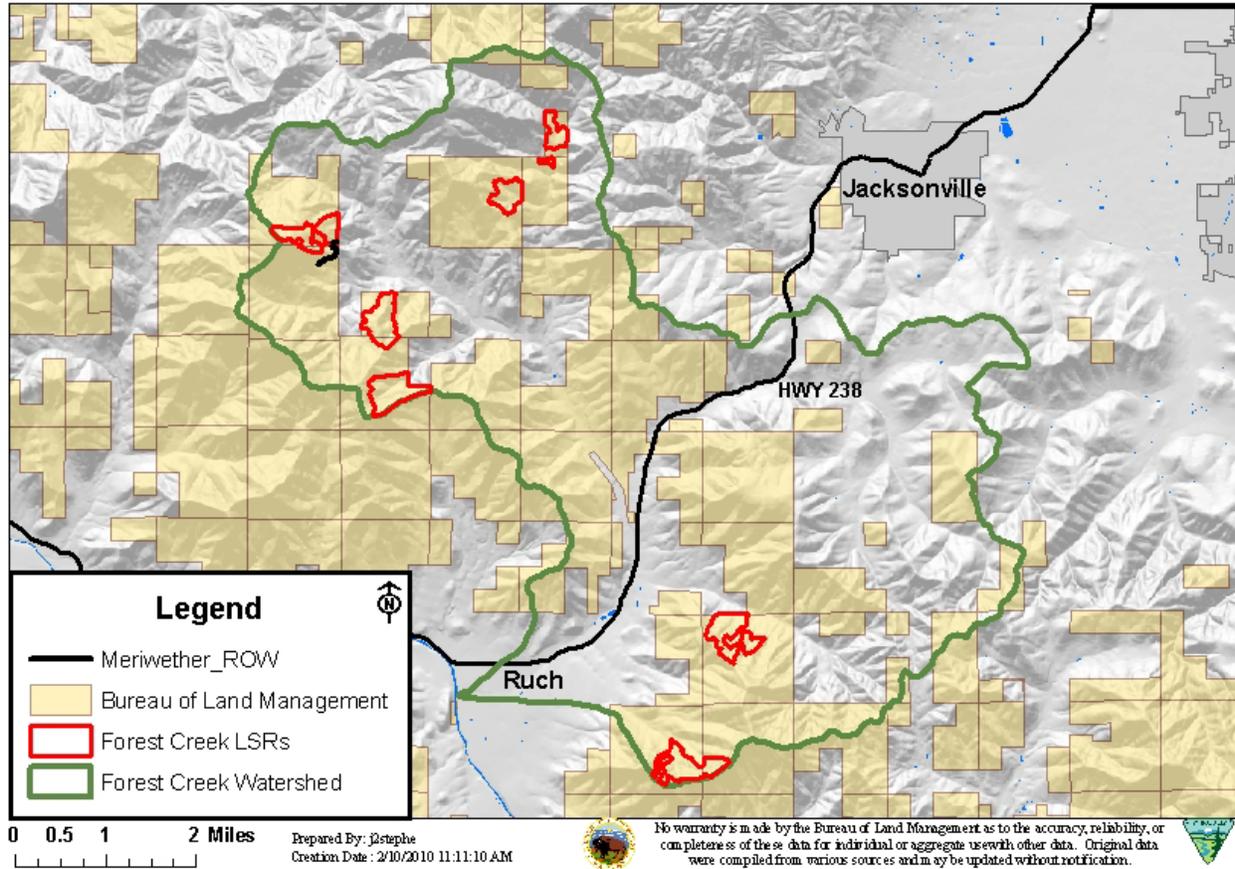
**Habitat Conditions in 100-acre Northern Spotted Owl Cores/Late Successional Reserves**

About 260 feet of the proposed new road would enter a northern spotted owl core, which is also designated as a 100-acre Late Successional Reserve (LSR). Unmapped 100-acre LSRs were established by Standards and Guidelines of the Northwest Forest Plan to protect the best 100 acres of northern spotted owl habitat in the closest proximity of all northern spotted owl nest sites or activity centers, known to exist as of January 1, 1994, on Federal lands within matrix or Adaptive Management Area (AMA) land allocations. These 100-acre areas are termed *Known Spotted Owl Activity Centers* (KOAC) or 100-acre LSRs. The intent was to preserve the intensely used portion of the breeding season home range. These areas were also identified as important refugia habitat and centers for dispersal for species other than the northern spotted owl, such as plants, fungi, lichens, small vertebrates, and arthropods, and are to be maintained even if they become unoccupied by northern spotted owls (USDA/USDI 1994b p. C-10 and C-44).

These 100-acre Late-Successional Reserves combined with Riparian Reserves, other green tree retention areas, and retention of coarse woody material, provide for dispersal of organisms across the landscape between mapped Late-Successional Reserves as well as source areas for maintenance and recovery of some late-successional organisms in the matrix and AMA.

Six 100-acre unmapped Late-Successional Reserves (LSRs), or Known Spotted Owl Activity Centers (KOACs), are located BLM-administered land within Forest Creek Watershed. Although these reserves are described as 100-acre LSRs, as shown in Map 3-1, the size is variable (Table 3-3). Table 3-4 displays the vegetation conditions for each 100-acre Late-successional Reserve. Desired late-successional old growth forest characteristics to be maintained in the these Late-successional Reserves include: multi-species and multi-layered forest stands, moderate to high accumulations of large downed wood and standing snags, moderate to high canopy closure, moderate to high numbers of trees with physical imperfections (broken tops, large deformed limbs, cavities, etc.), and moderate to high accumulations of fungi, lichens, and bryophytes (USDA/USDI 1994b p. B-5).

**Map 3-1. Known Spotted Owl Activity Centers (100-acre LSRs)**



**Table 3-3. Acres Late-Successional Habitat in the 100-Acre LSRs Pre and Post Proposed Action**

LSR/KOAC Name	LSR Acres	Late-Successional Acres	Post Action Late-Successional Acres	Percent Change in Acres
Isabella South	95	65	64	1.5
East Fork Forest Creek	109	10	10	0
Oregon Belle	98	26	26	0
Bunny Meadows	110	25	25	0
Bishop Creek	108	60	60	0
Squires Rock	119	49	49	0
TOTAL	639	235	234	0.4

**Table 3-4. Distribution (acres) of Successional Stages in Forest Creek Watershed LSRs**

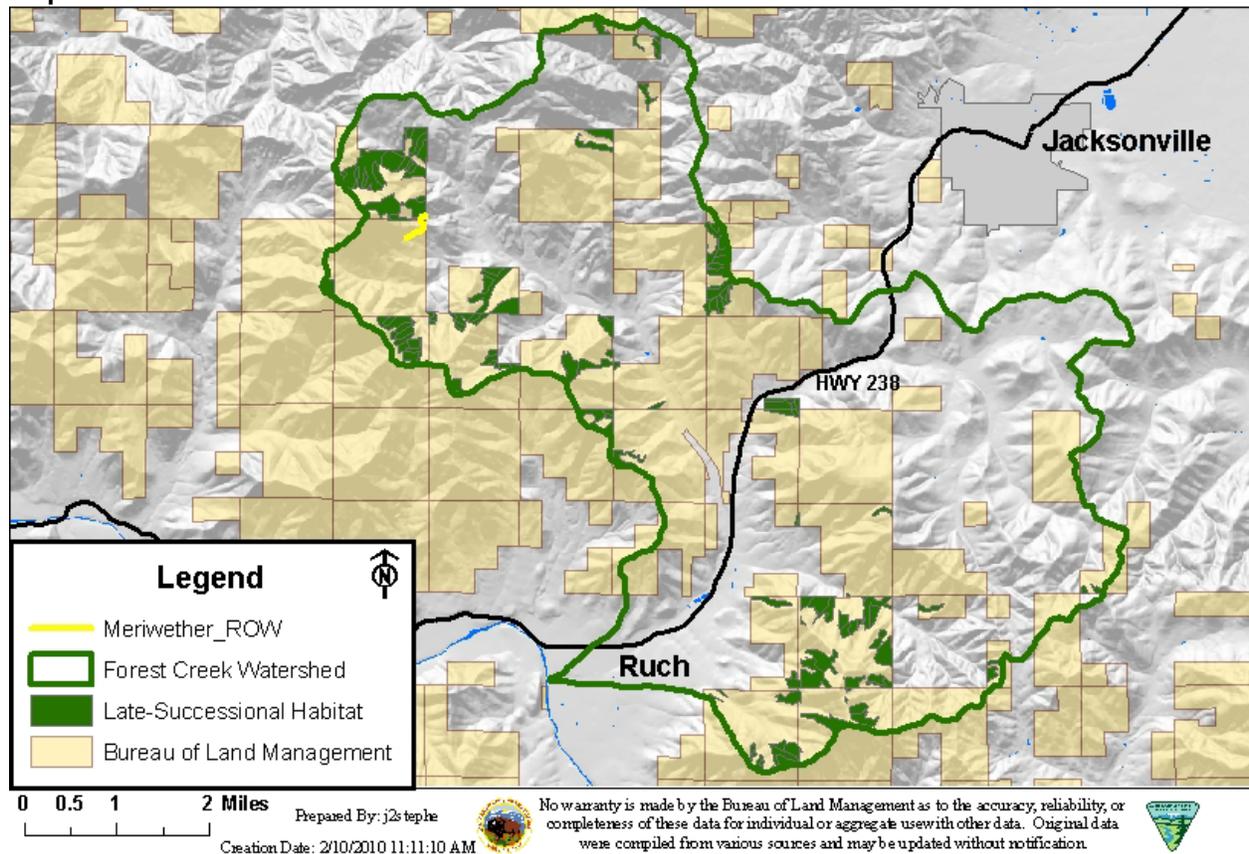
Vegetation Successional Stages	Forest Creek Watershed LSRs Total Acres
Late-Successional/Old Growth	235
Mid-Successional	268
Early Successional	134
Woodland	1
Grass/Shrubland	1
TOTAL	639

**Late-Successional Habitat – Watershed Scale**

Late-successional habitat within the Forest Creek Watershed has been fragmented by a combination of land management practices (timber harvest, road development, and rural development) and naturally occurring vegetation patterns influenced by climate, topography, soils. Privately owned lands intermingled among federally a managed land creates a checkerboard pattern in portions of the watershed (see Map 3-2). Private lands in the Forest Creek Watershed currently contain late-successional habitat and provide connectivity. However, it is assumed that these private lands will not provide substantial amounts of late-successional habitat connectivity over time. It is expected that rotational harvest (60-year average) on commercial timberlands would maintain forest conditions in an early to mid seral condition (USDI 1995a) and land disturbance attributed to development of private lands will continue. Current and past management practices employed on private lands in the area support this assumption.

The main land use associated with the 100-acre LSRs within the Forest Creek Watershed is the transportation system. There are about 205 miles of roads in the Forest Creek Watershed and 6.5 miles are within the 100-acre LSRs (Known Owl Activity Centers). These roads decrease connectivity and increase human access into habitat used by various species throughout the analysis area. Many species need security from disturbance during movements and roads open passages into habitat that would otherwise provide security and reduce chance of predation. Roads fragment habitat and often create barriers not passable by some smaller species. As the number of miles of roads increase throughout a watershed, negative impacts to wildlife tend to increase.

**Map 3-2. Late Successional Habitat Within Forest Creek Watershed**



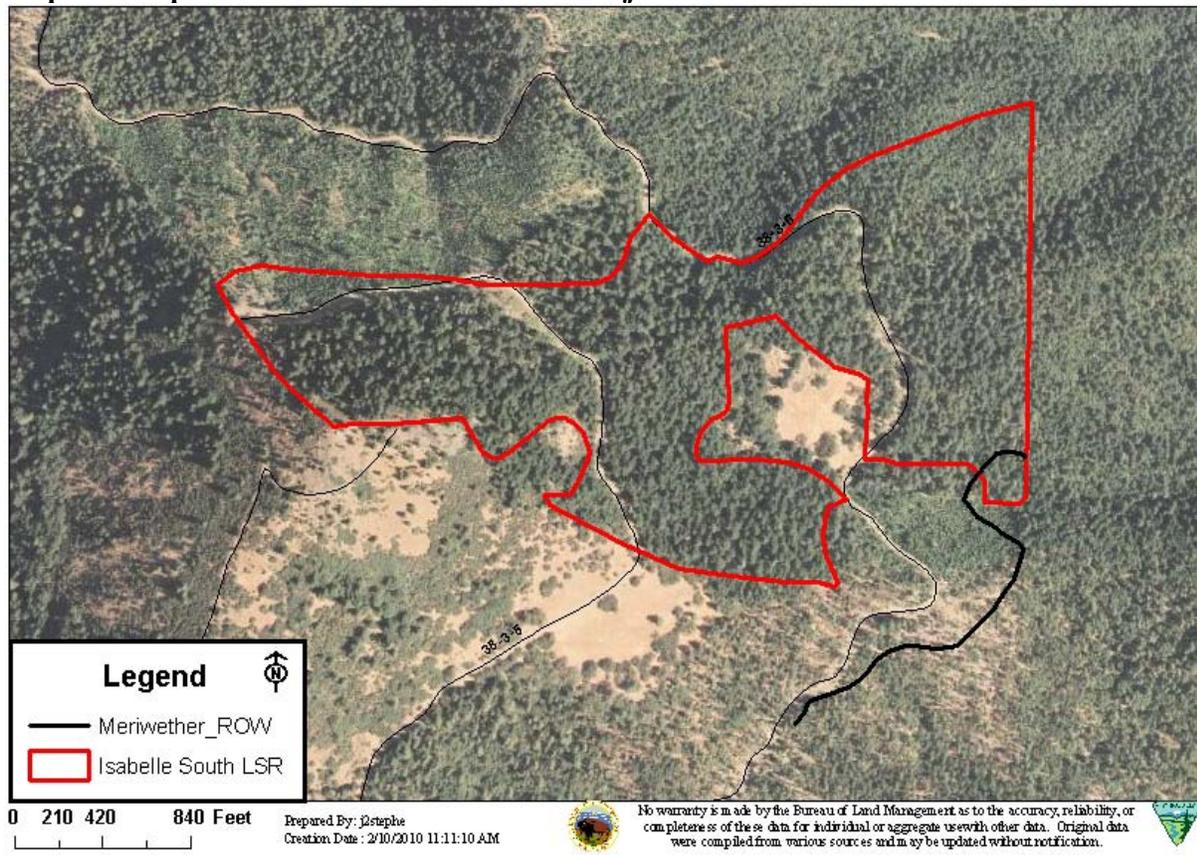
**Late-Successional Species Known or Suspected To Occur**

The following list (see Table 3-5) is not all-inclusive, but highlights representative groups, which utilize late successional habitat. These species are known or suspected to be in the analysis area, although they may or may not specifically need late successional habitat to meet various life needs, many of them are opportunistic and utilize habitat as it occurs. This list duplicates some species included in Table 3-1, which enumerates only Bureau Special Status species of concern.

**Table 3-5. Late-Successional Habitat Associate Species**

Species	Bureau Status	Occurrence
deer mouse ( <i>Peromyscus maniculatus</i> )	NSS	Known
dusky-footed woodrat ( <i>Neotoma fuscipes</i> )	NSS	Known
Douglas' squirrel ( <i>Tamiasciurus douglasii</i> )	NSS	Known
Roosevelt elk ( <i>Cervis canadensis roosevelti</i> )	Habitat only	Suspected
black-tailed deer ( <i>Odocoileus hemionus</i> )	Habitat only	Known
gray fox ( <i>Urocyon cinereoargenteus</i> )	NSS	Known
red tree vole ( <i>Arborimus longicaudus</i> )	SM	Suspected
northern flying squirrel ( <i>Glaucomys sabrinus</i> )	NSS	Suspected
Townsend's chipmunk ( <i>Tamias townsendii</i> )	NSS	Known
pallid bat ( <i>Antrozous palidus</i> )	SEN	Suspected
fringed myotis ( <i>Myotis thysanodes</i> )	SEN	Suspected
Townsend's big-eared bat ( <i>Corynorhinus townsendi</i> )	SEN	Known
northern goshawk ( <i>Accipiter gentalis</i> )	NSS	Known
northern spotted owl ( <i>Strix occidentalis caurina</i> )	FT	Known
great gray owl ( <i>Strix nebulosa</i> )	SM	Known
flamulated owl ( <i>Otus flammeolus</i> )	BCC	Known
olive-sided flycatcher ( <i>Contopus cooperi</i> )	BCC	Known
pileated woodpecker ( <i>Dryocopus pileatus</i> )	NSS	Known
golden-crowned kinglet ( <i>Rigulus satrapa</i> )	NSS	Known
Siskiyou mountain salamander ( <i>Plethodon stormi</i> )	SEN/SM	Suspected
Pacific giant salamander ( <i>Dicamptodon tenebosus</i> )	NSS	Suspected
common kingsnake ( <i>Lampropeltis getula</i> )	NSS	Known
chace sideband ( <i>Monadenia chaceana</i> )	SEN/SM	Suspected
traveling sideband ( <i>Monadenia fidelis celeuthia</i> )	SEN	Suspected
Johnson's hairstreak ( <i>Callophrys johnsoni</i> )	SEN	Suspected
FT= Federally threatened under the Endangered Species Act SM= Survey and Manage species BCC= USFWS Birds of Conservation Concern GBBDC= USFWS Game Birds Below Desired Condition SEN= Bureau sensitive species NSS= No special status		

**Map 3-3. Proposed ROW Location within and Adjacent to Isabelle South LSR.**



## 2. Environmental Consequences

### a. Alternative 1- No-Action

Under the **No-Action Alternative**, the proposed road would not be constructed; therefore, there would be no-effect to the Isabella South Late-Successional Reserve as a result of this federal action. All current conditions and trends in the project area would continue. The project area is located within the Timber Mountain OHV Recreation Management Area. Under Alternative 1, OHV use would continue along existing roads in the vicinity of the project area with potential for noise disturbance to wildlife species utilizing the 100-acre Late-Successional Reserve. OHV use has occurred in the area for about 40 years. Implementation of any action alternatives of the Timber Mountain OHV Recreation Management Plan would result in reducing OHV trail density in the Forest Creek Watershed.

### b. Alternative 2 - Proposed Action

The proposed new road construction is located partially (260 feet) within a 100-acre LSR. While road construction to access non federal land is a valid land-use consideration in Late-successional Reserves, roads must be designed to minimize impacts on late-successional habitat. “For all new rights-of-way proposals, design mitigation measures to reduce adverse effects on late-successional reserves. Consider alternate routes that avoid late-successional reserves. If rights-of-way must be routed through a reserve, design and locate them to have the least impact on late-successional habitat.” (USDI 1995a, p. 35).

The original road proposal was eliminated from detailed analysis as it would have had greater impacts on late-successional habitat within the 100-acre LSR (see Chapter 2, Section C, Alternatives and Actions Considered but not Analyzed in Detail). BLM specialists worked with the proponent to relocate the road so as to avoid to the extent possible impacts to late-successional habitat. However, there is still a need to cross approximately 260 feet of late-successional habitat in the southwest corner of the reserve.

Construction of the proposed road would remove less than 0.5 acre from a total of 65 acres of late successional habitat in the Isabella South LSR unit, and would reduce the total late-successional habitat in the Forest Creek Watershed from 235 to 234 acres. As with Alternative 1, OHV use would continue along existing BLM Road 38-3-6 in the vicinity of the project area with potential for noise disturbance to wildlife utilizing the Isabella South 100-acre Late-Successional Reserve. The construction of additional 2,225 feet of road off of road 38-3-6 has the potential to slightly increase the miles of OHV routes in Forest Creek Watershed (see Chapter 3, Section B, Soil and Water Resources) and in fragmentation of the Isabella South LSR. The proposed road right-of-way would be barricaded and camouflaged with rocks, downed wood, or other vegetative material to close the road following operations to all vehicle use. The steep side slopes along the road prism will help to effectively close the road following use. Therefore, the implementation of the proposed action would have negligible short-term effects on late-successional habitat connectivity and functionality at the site-scale. Because the reduction of late-successional habitat is so minor (0.4 percent) at the 6<sup>th</sup>-field watershed scale, the proposed action is not anticipated to adversely affect the long-term function of unmapped 100-acre LSRs in the Forest Creek Watershed, which is to provide refugia habitat and centers for dispersal for late-successional associated species including the northern spotted owl, plants, fungi, lichens, small vertebrates, and arthropods. Nor would the proposed action have any significant affects to any late-successional associated species or trend those species towards listing under the provisions of the Endangered Species Act.

## G. BOTANY

### 1. Affected Environment

For the purpose of this analysis, Special Status Plants, Lichens, and Fungi (SSP) include species that are listed as threatened or endangered under the Endangered Species Act (ESA), proposed or candidates for listing, State-listed, Bureau designated sensitive species, and 2001 Survey and Manage. For these species, the BLM implements recovery plans, conservation strategies, and approved project design criteria of biological opinions, and ensures that actions authorized, funded, or carried out by the BLM do not contribute to the need for the species to become listed.

The proposed road passes through three plant series: Doug-fir, Ponderosa Pine and White Oak. In addition, the proposed road passes through riparian vegetation towards the north end of the proposed action near the boundary of early-seral Doug-fir and late seral Doug-fir stands. Oregon Ash, Big-leaf Maple and assorted riparian shrubs occur here. In the forest Creek watershed, these plant series provide habitat for a variety of special status plants (Table 3-6).

**Table 3-6. Special Status Plants Occurring in the Forest Creek Watershed**

Species	Bureau Status
<i>Buxbaumia viridis</i>	Survey and Manage category D
<i>Cammissonia graciliflora</i>	Bureau Sensitive
<i>Carex serratodens</i>	Bureau Sensitive
<i>Cypripedium fasciculatum</i>	Bureau Sensitive, Survey and Manage category C
<i>Cypripedium montanum</i>	Survey and Manage category C
<i>Dendriscoaulon intricatum</i>	Survey and Manage category B
<i>Eucephalus vialis</i>	Bureau Sensitive
<i>Fritillaria gentneri</i>	Bureau Sensitive, Federally Endangered
<i>Mimulus bolanderi</i>	Bureau Sensitive
<i>Mimulus congdonii</i>	Bureau Sensitive
<i>Rafinesquia californica</i>	Bureau Sensitive
<i>Solanum parishii</i>	Bureau Sensitive

**Bureau Sensitive:** actions shall not trend species towards listing under ESA (BLM Policy Manual 6840)

**Federally Endangered:** implement Project Design Features per 2009-2013 BLM Biological Assessment (August 2008)/ USFWS Letter of Concurrence (September, 2008).

**Survey and Manage categories:** B: rare, pre-disturbance surveys not practical, manage known sites; C: uncommon, pre-disturbance surveys practical, manage known sites; D: uncommon, pre-disturbance surveys not practical or necessary, manage known sites.

## **2. Environmental Consequences**

### **a. Alternative 1 – No Action**

Under the No-Action Alternative, the proposed road would not be constructed; therefore, there would be no-effect to Special Status botanical resources as a result of this federal action. Road construction would likely occur on the private land parcel to access the upper elevations of the private parcel. Presence or absence of Special Status plants on private lands are unknown.

### **b. Alternative 2 – Proposed Action**

The project area is within the range of *Fritillaria gentneri*, a plant listed as endangered under the Endangered Species Act. The project area has been surveyed for all aforementioned categories of Special Status and Survey and Manage vascular and non-vascular plants. No Special Status plants were found. Therefore, there will be no effects on Special Status plant species and this proposed action will not trend any of these species towards listing under the ESA. The scale at which habitat for special status plant species will be impacted is very small relative to available habitat nearby for these species.

Surveys for Medford District Special Status Fungi were not conducted. BLM Policy for these Sensitive Fungi is met per Information Bulletin No. OR-2004-145 and Survey & Manage objectives and criteria. For the 20 species of fungi that are on the Medford District Sensitive Species list, 19 are former Survey and Manage species whose status determined that pre-disturbance surveys were impractical and not required; one species is a hypogeous (underground) fungus, as are other of the previously referenced fungi, where pre-disturbance surveys would be impractical. Oregon State Office Information Bulletin No. OR-2004-145 reaffirmed this. Bureau policy (Manual Section 6840) would be met by known site protection and large-scale inventory work (strategic surveys). Two species do not have suitable habitat within the Timber Mountain OHV planning area. No known sites of Special Status fungi occur within the project area. There will be no affect on Special Status fungi species.

## **H. NOXIOUS WEEDS & NON-NATIVE SPECIES**

Noxious weeds are Oregon Department of Agriculture (ODA) designated nonnative plants that cause or are likely to cause economic or environmental harm or harm to human health. Non-native plant species are species that have been introduced by humans into ecosystems in which they did not evolve. Non-native plants may adversely affect the proper functioning condition of ecosystems by competing with native vegetation for light, water and nutrients.

There are no known infestations of ODA designated noxious weeds in the project area. Other non-native species present along BLM rd 38-03-6.0 could colonize and spread along the newly constructed road. Seeding with a native grass/forb mix could mitigate this invasion. As resources permit, the project area will be monitored for post-implementation infestations of weeds and located weeds would be treated.

## **I. OTHER EFFECTS**

### **1. Cultural Resources**

The proposed project area has been surveyed for cultural resources and none were found. Based on survey findings and the nature and scale of the undertaking, it is unlikely that the project would encounter or have an effect on historic properties. No subsurface sampling has been conducted so if cultural resources are discovered during excavation, the work must stop and the District Archaeologist consulted before work can resume.

This project would not result in restricting access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. No sites have been

identified in the project area. Executive Order 13007 (Indian Sacred Sites).

This project would have no effect on Indian Trust Resources as none exist in the project area.

## **2. Potential Effects to Public Health and Safety.**

No aspects of the project have been identified as having the potential to significantly and adversely impact public health or safety. All operations on BLM-administered lands are required to meet Occupational Safety and Health Association regulations for worker and public safety.

## **3. Environmental Justice**

This project was reviewed for the potential for disproportionately high or adverse effects on minority or low income populations; no adverse impacts to minority or low income populations would occur.

*Executive Order 12898 (Environmental Justice).*

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## **CHAPTER 4. PUBLIC PARTICIPATION**

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Public notice of this proposed action was published in BLMs Medford Messenger, Medford BLM's quarterly newsletter. Notice of This EA was mailed to adjacent landowners, interested individuals and the following agencies, organizations, and tribes. This EA was also posted on BLM's Medford District Website.

### **Organizations and Agencies**

Association of O&C Counties  
Audubon Society  
Forest Capital Partners, LLC  
Meriwether Southern Oregon Land & Timber  
Indian Hill, LLC  
Jackson County Stockmen's Association  
Jackson County Commissioners  
Jackson Co. Soil and Water Conservation District  
Klamath Siskiyou Wildlands Center  
Northwest Environmental Defense Center  
Oregon Department of Forestry  
Oregon Wild  
Oregon Department of Fish and Wildlife  
Oregon Department of Environmental Quality  
The National Center for Conservation Science and Policy  
Siskiyou Project  
Rogue River National Forest (RRNF)  
Southern Oregon University Library  
Southern Oregon Timber Industries  
Pacific Legal Foundation  
Applegate River Watershed Council

### **Federally Recognized Tribes**

Cow Creek Band of Umpqua Indians  
Confederated Tribes of Grand Ronde  
Confederated Tribes of Siletz  
Klamath Tribe  
Quartz Valley Indian Reservation (Shasta Tribe)

### **Other Tribes**

Shasta Indian Nation  
Latgawa Native American Indian Tribe

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