

**Decision Record
for the
Butte Falls Insect and Blowdown Salvage Project DNA**
As Analyzed under the Butte Falls Blowdown Salvage Environmental Assessment
(EA #DOI-BLM-OR-M050-2010-0019-EA)

Introduction and Background

A windstorm in January 2008 blew down trees on 6,800 acres of land administered by the Bureau of Land Management's Butte Falls Resource Area (BLM). The BLM completed the environmental analysis for salvage on 6,100 acres and published the Butte Falls Blowdown Salvage Environmental Assessment (EA) in July 2008. In September 2008, the BLM issued a Finding of No Significant Impact and the first of three Decision Records that resulted from the EA.

The BLM's current proposal is to salvage insect-killed trees and blowdown trees on 65 acres of matrix lands in the Big Butte Creek (25 acres), Little Butte Creek (39 acres), and blowdown trees in the Rogue River/Lost Creek (1 acre) fifth field watersheds. The proposed salvage is located within the original EA Project Area. The trees identified for salvage are primarily insect-killed Douglas-fir trees, although some mortality occurred in incense cedar, sugar pine and ponderosa pine species.

Tree selection is based on the marking guidelines included in the Butte Falls Blowdown Salvage Environmental Assessment (EA) (p. 184-188). Salvage will allow the BLM to recover the economic value of the dead and dying trees before fire or natural decay causes the trees to lose value and volume.

Public Involvement

The BLM completed the following public outreach:

- Mailed scoping letters to 90 individuals, businesses, organizations, tribes, and government agencies on May 28, 2008.
- Held a public meeting in Butte Falls, Oregon in June 2008 that was attended by 20 people.
- Conducted a field trip with Klamath Siskiyou Wildlands Center in May 2008.
- Met with Southern Oregon Timber Industry Association in May 2008
- Met with Jackson County Natural Resource Advisory Committee in June 2008.
- Met with Jackson county Commissioners in August 2008.

- Mailed the completed EA to 29 individuals, organizations, and government entities. Published a notice of EA availability in the Medford Mail Tribune and Upper Rogue Independent to initiate a 30-day public comment period.
- Published all NEPA-related documents (e.g., scoping letter, EA, Decision Record) on the Medford District BLM planning Web site as they were completed.

Consultation and Coordination

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

The BLM consulted with the US Fish and Wildlife Service pursuant to the ESA. Informal consultation was completed with the US Fish and Wildlife Service and the Service concurred with the BLM's determination that the proposed action may affect, is not likely to adversely affect the northern spotted owl or designated northern spotted owl critical habitat. The BLM received a Letter of Concurrence from US Fish and Wildlife Service on July 10, 2008.

The BLM consulted with National Marine Fisheries Service (NMFS) on Southern Oregon/Northern California coho salmon (*Oncorhynchus kisutch*), listed as a "threatened" species under the ESA. The BLM determined the only portion of the Butte Falls Blowdown Salvage project that may affect coho salmon is within the Big Butte Creek 5th field watershed. The BLM received a Letter of Concurrence from NMFS on August 12, 2008.

The Klamath Tribe, the Confederated Tribes of the Siletz, and the Confederated Tribes of the Grand Ronde were notified of this project during the scoping process for the EA.

Jackson County Commissioners, Oregon Department of Fish and Wildlife, and Oregon Department of Forestry were also notified during scoping and the EA public review period.

Decision

My decision is to implement mortality salvage on 64 acres of matrix lands in the Big Butte Creek fifth field watershed (25 acres), and Little Butte Creek fifth field watershed (39 acres). Blowdown salvage on approximately 1 acre within the Rogue River-Lost Creek watershed. Tree selection is based on the marking guidelines and project design features (PDFs) included in the *Butte Falls Blowdown Salvage Environmental Assessment (EA) #DOI-BLM-OR-M050-2010-0019-EA* (p. 184-188).

Decision Rationale

This project would recover the economic value of the dead and dying trees before fire or natural decay causes the trees to lose their economic value. The proposed salvage activities were analyzed in the 2008 EA. The EA (p. 10) stated, "Should additional salvage trees be discovered after this EA is approved, the harvest of that material could occur after a determination of NEPA adequacy or additional NEPA analysis is completed, and the following criteria are met:

1. Newly discovered material must be located on matrix lands within the Project Area, which is defined as BLM-administered lands in
 - T33S, R1E, R2E, R3E
 - T34S, R1E, R2E, R3E
 - T35S, R1E, R2E, R3E
 - T36S, R2E, R3E
2. Inventories and surveys for cultural resources, Special Status Species, and Threatened and Endangered plants must be undertaken at the same levels as they were for the salvage units identified in this EA.
3. Harvest systems must be essentially the same as those previously described.”

The insect mortality and blowdown trees are located within the project area analyzed in the EA and within the Look Out B Low and Windy Salt timber sale units. Salvage trees will be tractor yarded from existing roads or from existing skid trails to minimize ground disturbance.

A BLM interdisciplinary team of resource specialists reviewed the project and determined no significant changes in circumstances or significant new information have occurred since the EA was written. All surveys were completed for plants, wildlife, and cultural resources.

The BLM initiated planning and design for this project to conform and be consistent with the Medford District's 1995 RMP. Following the March 31, 2011 decision by the United States District Court for the District of Columbia in *Douglas Timber Operators et al. v. Salazar*, which vacated and remanded the administrative withdrawal of the Medford District's 2008 ROD and RMP, we evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP. Based on this review, I have determined that this Decision is consistent with both the Medford District's 1995 RMP and the 2008 ROD/RMP. The proposed action complies with all applicable standards and guidelines. This action takes into consideration cumulative impacts of past harvesting and silviculture practices on nearby private and Federal lands. All required Threatened and Endangered (T&E), Special Status Species (SSS), and cultural surveys were completed and mitigation was applied, where appropriate.

Administrative Remedies

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, Jon Raby, within 15 days of the publication date of the notice of decision/timber sale advertisement in the *Medford Mail Tribune*, Medford, Oregon. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

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

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

Publication of this notice establishes the date initiating the protest period provided in accordance with 43 CFR § 5003.3. While similar notices may be published in other newspapers, the date of publication in the *Medford Mail Tribune* will prevail as the effective date of this decision.

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

Douglas C Lindsay
for Jon K. Raby
Field Manager
Butte Falls Resource Area

8/30/2011
Date