



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



FINDING OF NO SIGNIFICANT IMPACT
for the
OREGON GULCH FIRE SALVAGE RECOVERY PROJECT
(DOI-BLM-OR-M060-2015-0004-EA)

Introduction

The Medford District Bureau of Land Management, Ashland Resource Area (BLM) analyzed 683 acres of post-fire forest management recovery of BLM-administered land in the Oregon Gulch fire. Project activities would salvage standing dead trees, fire-injured trees, and hazard trees. Site rehabilitation would occur through tree planting, coarse woody debris and snags retention, road facility maintenance, and road decommissioning on BLM-administered land. A limited amount of temporary road construction (0.6 miles) is proposed to access salvage areas to be decommissioned after harvest on BLM-administered lands. The Planning Area is the perimeter of the Oregon Gulch Fire on the Medford District (2,425 acres) within the Fall Creek drainage of the Iron Gate-Reservoir-Klamath River and Copco Reservoir-Klamath River fifth-field watersheds.

Based on the context and intensity of the effects analyzed in the Oregon Gulch Fire Salvage Recovery Project Final EA, (p. 3-1 through 3-89), I have determined Alternative 2, the Selected Alternative with the incorporated Project Design Features, is not a major federal action that would significantly affect the quality of the human environment, individually or cumulatively with other actions within the analysis area and would not exceed the effects described in the Medford District Resource Management Plan/Final Environmental Impact Statement (June 1995).

The Oregon Gulch Fire Salvage and Recovery Project Environmental Assessment documented the site-specific analysis of effects to the environment and tiered to and incorporated by reference as appropriate broader scale analyses documenting the environmental and human effects of a forest management program included in the Medford District Proposed Resource Management Plan/Environmental Impact Statement (USDI 1994); the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old Growth Forest Related Species within the Range of the Northern Spotted Owl (USDA/USDI 1994); and the Final Supplemental Environmental Impact Statement for Amendment to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (USDA/USDI 2000).

Alternative 2 would include implementation of the Project Design Features (PDFs) described in the Final EA (p. 2-16 through 2-25), and applicable Best Management Practices in Appendix D of the 1995 Medford District ROD/RMP. By implementing these protective measures, the BLM will avoid or reduce adverse effects from management activities.

In the following discussion, I considered the following criteria, as required in 40 CFR § 1508.27 by the Council on Environmental Quality (CEQ) for evaluating the significance of the effects of the activities proposed in the Oregon Gulch Fire Salvage Recovery Project.

1. Not result in significant beneficial or adverse effects.

The Final EA documented the site-specific analysis of effects to the environment. The required application of the PDFs, an integral part of the Oregon Gulch Fire Salvage Recovery Project, will ensure the potential for adverse effects on resources is avoided or minimized to the extent possible.

Based on the analysis documented in the Final EA, no significant adverse or beneficial effects will result from implementing Alternative 2 in the Oregon Gulch Fire Salvage Recovery Project Final EA.

Vegetative Resources

Actions in Alternative 2 are expected to have measurable, although insignificant, beneficial cumulative impacts. Required project design feature would maintain long-term forest productivity for the establishment and growth of vegetation, namely commercial conifer species, which would be expedited under this alternative. Timber investments would generally be recovered by Alternative 2 actions. These actions would also function to expedite safe and effective tree planting operations and future monitoring for conifer establishment. Both short- and long-term regeneration targets and timeframes are more likely to be met. Coarse woody debris and snags would be retained in a manner that meets the needs of species consistent with RMP requirements. Snag retention would emphasize the largest trees available to ensure their longevity and to provide the unique structure and functions associated with these large trees (USDI 1995, 39). Large insect infestations are not expected and the reduction of host material for the insects would limit the potential damage and prolong the standing retention of snags (Final EA, p. 3-14).

Fire Hazard

The 683 acres proposed for salvage logging have little to no surface, ground and ladder fuels present due to the intensity of the wildfire. Aerial fuels have been burned so needles and many of the small diameter limbs are absent from the trees that would otherwise contribute to fire hazard conditions during harvest operations. Existing fuel loadings in these stands would not sustain a fire due to the absence of surface, ground, ladder, and aerial fuels. The fire hazard for the acres proposed for salvage logging is currently low and in most stands there is no current fire hazard present.

Fire hazard following the salvaging of fire killed and damaged trees would still remain low following fire salvage because the contribution of woody material from salvage that is less than 3 inches diameter would be of such a small amount that fire hazard would still remain low, less than 1 foot flame lengths. Direct fire suppression would still remain safe and effective. The main contributor to increased fire hazard over time (5 years and beyond) will be the growth of grasses and brush with potential flame lengths of 2 feet. The response of grass and shrub growth would occur whether or not proposed fire salvage and tree planting takes place. The contribution of conifer seedlings from tree planting was modeled and would result in one additional foot of flame length (about 13 foot flame lengths) as opposed to 12 foot flame lengths under the No Action Alternative, resulting in nearly the same fire behavior as the No Action Alternative (Final EA, p. 3-18 to 3-19).

There is no potential for significant adverse effects to fire hazard from the Oregon Gulch Fire Salvage and Recovery Project in the short- or long-term. The immediate fire hazard (1-5 years) would remain low (less than 1 foot flame lengths) following fire salvage and tree planting. Over the long-term (10-20 years) fire hazard would become high as a result of shrub and conifer seedling growth and some snag fall;

however, based on fire modeling, Alternative 2 would result in only one foot flame length difference in comparison to the No Action Alternative.

Soil Resources

No significant impacts to soil resources have been identified. The total compaction/displacement associated with temporary roads, tractor skid trails, landings and cable yarding corridors would account for approximately 79 acres (11.6% of the project Activity Area). Best Management Practices and Project Design Features will keep each proposed Oregon Gulch Fire Salvage Recovery Project harvest unit below 12% compaction and 5% productivity loss as analyzed in the 1994 Medford District FEIS RMP (Final EA, p. 3-25).

Temporary road construction on federal land would be decommissioned after harvesting is completed. There would be some short-term loss of soil productivity where temporary roads were constructed due to displacement of soil organics. Soil productivity would recover within 1-3 years as disturbed sites become re-vegetated (Final EA, p.3-26).

Additionally, 2.3 additional miles of roads are proposed to be decommissioned (8 different road segments). This would amount to approximately 9.3 acres of land with soils being restored. Some of the roads are already naturally decommissioned, whereas 1.6 miles (6.5 acres) would be sub-soiled. Soil productivity is expected to be returned in the long-term (Final EA, p.3-26). Skid trails and landings will be subsoiled to reduce compaction and restore productivity (Final EA, p. 3-27).

There would be no effects to the soil resource in the Analysis Area from future livestock grazing in the Dixie Allotment as grazing would be temporarily suspended for two full years while vegetation recovers. Surface disturbance from future cattle grazing on the BLM portion of the Dixie Allotment would be managed through cattle distribution and lease duration. The rehabilitation plans include seeding and mulching of bare soils, tree planting, and construction and repair of temporary fences which would assist in returning soil productivity at treated sites and would minimize further compaction from other sources such as OHV and cattle (Final EA, p.3-27).

All other road use, temporary road, skid trail, and landing construction, road renovation, decommissioning, and yarding operations proposed under Alternative 2 would result in only localized increases in accelerated onsite erosion that would persist for 1-3 years. There would be no instances of chronic erosion or excessive soil displacement that would occur as a result of this project (Final EA, p.3-31).

Water Resources

The implementation of Alternative 2, including the construction and decommissioning of three temporary spur roads within Riparian Reserves would not have significant adverse or beneficial impacts to water quality:

1. The temporary spurs are located within Riparian Reserves of short-duration intermittent streams with flows less than 30 days of the year (Final EA, p. 3-45).
2. Required Project Design Features incorporate Best Management Practices including constructing, using, decommissioning the road during the dry season to prevent the offsite transport of sediment and mulching and stabilizing disturbed soils prior to onset of fall rains (Final EA, p. 3-45).
3. The temporary spurs would be hydrologically disconnected from the prior to the onset of fall rains; there would be no surface flow during construction, use or decommissioning to transport sediment to active waterways (Final EA, p. 3-45).

4. None of the temporary Riparian Reserve spurs cross the stream channels, they are on the opposite side of existing road separating the new construction from the existing channel. (Final EA, p. 3-45).
5. Any snags within the Riparian Reserve that need to be felled for safety and operations would be retained within the Reserve for downed CWD (Final EA, p. 2-17).
6. While there is a potential for increased sediment due to log hauling on roads in close proximity to streams required Project Design Features such as requiring dry season (generally May 15th to October 15th) maintenance and use on natural surfaced roads and no hauling on adequately rocked roads between November 15th to May 15th any increases of sediment are not anticipated to be discernable above background levels (Final EA, p. 3-46 and 3-52) .

Municipal water rights are held by the City of Yreka California for waters in Fall Creek would not be adversely affected by either alternative. Required Project Design Features would reduce the risk of sediment entering streams. The water intake for the pumping station for the City of Yreka is over six miles away and outside of the Oregon Gulch Fire Salvage Recovery Analysis Area. The potential for the transport of sediment from the Analysis Area to the water intake is low because of the sediment storage capacity in the low gradient sections of Fall Creek within and downstream of the Analysis Area, the six mile distance to the intake, and the porosity of the rocky soils found in much of the Analysis Area, which provide for soil stability during vegetation recovery (Final EA p. 3-41).

Actions planned under Alternative 2 would not increase the timing or magnitude of peak flow beyond what may already occur as a result of the wildfire. This is because there would be no net increase in areas compacted with the implementation of required Project Design Features (i.e., ground based yarding would only occur from designated skid trails approved by the BLM and existing skid trails would be used to the extent practical) and there would be no reduction in canopy cover as all areas proposed for salvage had canopy already removed by the Oregon Gulch Wildfire. Following the completion of harvest activities skid trails would be ripped to de-compact soils to the extent allowed in rocky soil conditions (Final EA, p. 3-25 to 3-26).

Based on analysis documented in the Final EA, the Oregon Gulch Fire Salvage Recovery Project will have no significant adverse impacts on water quality, and is compliant with the Safe Drinking Water Act, the Clean Water Act, and the 1995 Medford District RMP.

Aquatic Habitat

Applicable Project Design Features (PDFs) are incorporated into this project primarily to protect aquatic resources from significant adverse impacts. Project Design Features include: No ground disturbing project activities would occur in Riparian Reserves except for three temporary spurs (less than 0.1 miles) to be constructed for access into Units 25-4, 35-1 and 35-5. None of these temporary roads would have a stream crossing. Thus, there would be a low risk of sediment reaching a water body. Erosion prevention and sediment control measures implemented during the construction and subsequent decommissioning would greatly limit any offsite soil movement

One element of the proposed Oregon Gulch Fire Salvage Recovery Project that has potential to affect aquatic habitat is the decommissioning of one road 40-4E-25.4 and its associated crossing. To minimize sediment deposition, the work would occur during the dry season when the stream would not be flowing. A small amount of unconsolidated fine sediment may be transported downstream at the onset of rains and surface flow in the intermittent channel. However, past small culvert removal projects the BLM has performed suggest that less than a cubic yard of sediment at the crossing would be contributed to the intermittent channel. Sediment contributed to the small stream would likely work its way down stream to Fall Creek (~0.9 mile downstream) by the end of the first spring following decommissioning, where it

would be assimilated into the existing substrate, or flushed through the system as a brief plume of increased turbidity. In either scenario the contribution would be inconsequential to aquatic organisms, and would be less than the chronic contributions the road could contribute over the years should it not be decommissioned. In the long-term, decommissioning the road would reduce chronic erosion and sediment input into aquatic habitat, would restore aquatic connectivity in one small intermittent channel, and would allow for the eventual recovery of ~0.12 acres of riparian vegetation (Final EA, p. 3-52).

There is no hydrologic connectivity from yarding activities to stream channels (Final EA, p. 3-44) to contribute impacts to fish or aquatic habitats. All road work would be done during the dry season to prevent or minimize sediment delivery to streams to the maximum extent practicable.

Wildlife

This section discusses only those wildlife species identified to be potentially affected by the Oregon Gulch Fire Salvage and Recovery Project; no significant effects to these species were identified.

Black-backed woodpecker

The implementation of Alternative 2 would reduce suitable nesting habitat. While the implementation of Alternative 2 would reduce suitable nesting habitat and potentially reduce population recruitment, the effects would be local and are not expected to lead to a regional population decline. The Medford BLM District will reserve 32 percent of suitable BBWO habitat within the Oregon Gulch Fire area from salvage harvesting (Final EA, p. 3-75). The Lakeview District will salvage only 60 percent of fire-created black-backed woodpecker habitat (Final EA, p. 3-77) while reserving 40 percent suitable habitat from fire salvage. Combined, the BLM is reserving 36 percent of suitable habitat from salvage harvesting within the Oregon Gulch Fire area (Final EA, p. 3-77).

BLM is a cooperator in the Partners in Flight Habitat Conservation program. The Partners in Flight Conservation Strategy for Landbirds of the East Slope of the Cascade Mountains in Oregon and Washington recommend retaining 40 percent of post-fire suitable habitat in old-growth lodgepole pine (Final EA, p. 3-67). While the Partners in Flight Conservation Strategy does not have recommendations for forest types of the Oregon Gulch Fire area (Final EA p. 3-67), black-backed woodpeckers are found in most conifer forest types and are most common in stands with a high abundance of dead and dying trees, especially in stands that experienced high severity wildfire (Final EA, p. 3-66). The Partners in Flight Conservation Strategy provides valuable information; however, it is not a regulatory requirement and does not represent the policy of any agency or organization. While the 32 percent of habitat reserved on the Medford BLM (36 percent within the entire Oregon Gulch Fire area) falls short of the Partners in Flight recommended 40% retention goal, another 2,000 acres burned during the summer of 2014 in the 790 Fire located about 40 miles to the north in the Sky Lakes Wilderness. Suitable habitat within the 790 fire area would remain unsalvaged due to wilderness status. The ecoregion scale is the most appropriate scale to study impacts to migratory birds (Final EA p. 3-76). Reserve areas in the Oregon Gulch Fire, along with the 790 Fire and other wildfires that receive no salvage treatment, will provide dispersed areas across the Oregon Cascades and Klamath Mountains for BBWO nesting and population growth (Final EA p. 3-77).

In addition to reserving unsalvaged habitat, the Medford BLM conducted pre-harvest surveys to determine the presence of nesting black-backed woodpecker pairs in or near the project area. Surveys conducted in the project area during the spring nesting period of 2015 did not detect any black-backed woodpecker nest sites (Final EA, p. 3-76). Project Design Features require surveys in unsalvaged habitat remaining in 2016 to protect any nesting pairs that may occur during the 2016 nesting period.

A seasonal restriction will be applied from March 15 (start of breeding season) until May 31st. If BBWO nest site(s) are detected, a seasonal restriction would be enforced within 0.4 miles of the site until July 31st, or until young have fledged the nest (Final EA, p. 2-22).

This combined strategy of reserving habitat and conducting surveys will ensure the Oregon Gulch Fire Salvage Recovery Project does not contribute to the need to list the black-back woodpecker under the Endangered Species Act (Final EA, p. 3-76). Therefore, no significant adverse impacts are expected to the black-backed woodpecker.

Fringed myotis and pallid bats

Fringed myotis and pallid bats are suspected to occur in the planning area. No significant effects are expected occur to this species. Live trees killed by the fire would be expected to be harvested prior to developing the loose bark or cavity character most utilized by bats for roosting. Additionally, 32 percent of forest stands that were burned with moderate to high fire severity would be retained and unharvested. Existing non-hazardous older decay class snags would be retained where available and protected to the greatest extent possible from disturbance (Final EA, p. 3-75). BLM's Lakeview District would retain about 40 percent of suitable black-backed woodpecker habitat which would also provide habitat for bat species. Because adequate habitat would remain post-harvest, the Proposed Action would have minimal negative effects and no negative cumulative effects are expected for these species that would increase the need to list as threatened.

Lewis' Woodpecker

Medford BLM-managed lands in the Planning Area that experienced moderate to severe fire severity in forest stands, 32% would be retained and unharvested. The fire also created snags in light burn and mixed-severity burn areas with individual trees or small groups of trees throughout the fire area, resulting in both aggregated and dispersed snag retention. Existing non-hazardous older decay class snags would be retained where available and protected to the greatest extent possible from disturbance. BLM's Lakeview District would retain about 40 percent of suitable black-backed woodpecker habitat which would also provide habitat for this species. Years to follow the fire, the species would benefit as a brushy understory develops and more downed woody material is created from falling snags, and as a result the Proposed Action would have minimal negative direct, indirect, or cumulative effects on this species.

USFWS Birds of Conservation Concern and Game Birds Below Desired Condition

Olive-sided flycatcher: Presence in early successional forest appears dependent on availability of snags or residual live trees for foraging and singing perches. Suitable nesting habitat is located approximately 0.75 miles from the Project Area. There will be an abundance of snags in the unsalvaged areas adjacent to the nesting habitat in addition to the snag retention in the proposed salvage units and, as a result, the Proposed Action is not expected to negatively affect available nesting or foraging habitat, or the species persistence in the Planning Area.

Mourning doves: Mourning doves are one of the most abundant birds in North America and can have multiple clutches in a single breeding season. Human alteration of original vegetation in North America is generally beneficial for this species, with creation of openings in extensive forests and plowing of grasslands for cereal-grain production of particular importance. The Proposed Action is not expected to negatively affect available nesting or foraging habitat, or the species persistence in the Planning Area (Final EA, p. 78).

Rufus hummingbirds: This species forages in adjacent open areas with abundant nectaring flowers. The species could benefit from the early successional vegetation that will colonize the area post-fire. The Proposed Action is not expected to negatively affect available nesting or foraging habitat and may in fact provide more habitat over coming years as early seral stage vegetation colonizes the area.

See Section 9 below for a discussion of species listed or proposed to be listed as Federally Endangered or Threatened Species and their designated critical habitat.

Botany, Noxious Weeds and Introduced Species

The Project Area is outside the range of any federally-listed T&E plant species. There are no known occurrences of Bureau Sensitive Species (BSS) or Survey & Manage (S&M) vascular or non-vascular plants in the proposed treatment units. Therefore, there would be no effect on these species as a result of implementing this alternative (Final EA, p. 3-81).

In the short-term (1 to 5 years), timber harvest and the associated road work could introduce or spread noxious weeds within the Oregon Gulch Fire on the Medford District. Proper implementation of PDFs would reduce the risk of spreading noxious weeds from Alternative 2. The rate at which weeds could potentially spread as a result of these activities cannot be predicted due to the indistinguishable causal effect of other activities and factors, both natural and human-caused. The risk of introducing or spreading class A and B noxious weeds as a result of activities proposed in Alternative 2 is low because inventory, monitoring, and treatments have been funded via the ESR Plan (Final EA, p. 3-87).

Visual Resources

Proposed activities are located in VRM (Visual Resource Management) Class III and IV category lands under the 1995 Medford RMP. These VRM categories allow for varying amounts of modifications to the existing character of the landscape (p.70). The Proposed Action is consistent with these visual resource management objectives as stated in the 1995 Medford District Resource Management Plans (Final EA, p. 3-89).

2. Not result in significant impacts on public health or safety.

The Selected Alternative would reduce the risk that standing fire killed and weakened pose to the safety of BLM employees, other agencies, private land owners, forest workers, firefighters, and the general public by removing standing fire killed and weakened trees within the Oregon Gulch Project Area.

Dust created from vehicle traffic on gravel or natural-surfaced roads and logging operations would be localized and of short duration. Applying water or lignon, as appropriate, would limit dust creation. The Selected Alternative would use prescribed fire to burn landing slash piles. Consequently, there would be some smoke related impacts. Prescribed burning would comply with the guidelines established by the Oregon Smoke Management Plan (OSMP) and the Department of Environmental Quality Air Quality and Visibility Protection Plan. Prescribed burning throughout southwest Oregon is administered and coordinated under the authority of the State Forester. In situations where air quality of the entire State or part thereof is, or would likely become adversely affected by smoke, additional restrictions are applied to avoid cumulative effects of prescribed burning across multiple ownerships. As such, the Selected Alternative is consistent with the provisions of the Federal Clean Air Act.

3. Have no significant adverse effects on unique characteristics of the geographic area.

No wilderness areas, wilderness study areas, prime farm lands, Wild and Scenic Rivers (or rivers suitable for Wild and Scenic designation), caves, parks, refuge lands, or Areas of Critical Environmental Concern exist in the Oregon Gulch Fire Salvage Project Area.

There are no developed BLM recreation sites on public lands in the project Planning Area. Recreation activities in the Planning Area included driving for pleasure, hiking, camping, hunting, off-highway vehicle use, horseback riding, and bicycling. While there might be increased logging truck traffic during the operational months, this type of activity is typical for the area because of harvesting on private and other government owned lands.

4. Not have highly controversial environmental effects.

The effects of the Selected Alternative on the quality of the human environment are adequately understood by the interdisciplinary team to provide analysis for the decision. Public concerns and input have been considered throughout the analysis (see the Public Involvement sections of the EA and Response to Comments of the Decision Record). For this project, the BLM considered and reviewed numerous publications, both in support of, or in opposition to the analysis performed and conclusions reached in the EA. While there is some opposition regarding the appropriateness of salvage harvest on O&C Matrix lands, the interdisciplinary team used the best available science specific to the purpose and need of the project. Opposition to the project is not the same as “controversial effects.” The Ninth Circuit has held that a project is “highly controversial” if there is a “substantial dispute [about] the size, nature, or effect of the major Federal action rather than the existence of opposition to a use.” Blue Mountains Biodiversity Project v. Blackwood, 161 F.3d 1208, 1212 (9th Cir. 1998) (quoting Sierra Club v. U.S. Forest Service, 843 F.2d 1190, 1193 (9th Cir. 1988)).

A complete disclosure of the predicted effects is contained in Chapter 3 of the Final EA. The effects of this project are similar to those of other salvage projects implemented within the scope of the RMP and Northwest Forest Plan. Public comments did not identify inadequacies with the science that was utilized and referenced in the Final EA.

For this project, I find that the best available science was fully considered and interpreted appropriately to design the alternatives and predict effects based on professional judgment. The effects of the quality of the human environment are not highly controversial from a scientific or technical standpoint. Neither the environmental analysis nor the public comments identified any evidence of a significant scientific controversy.

5. Not have highly uncertain and potentially significant environmental effects, or unique or unknown environmental risks.

The effects of the Selected Alternative are not unique or unusual. The BLM has experience with similar forest management projects, including salvage projects, and has found the effects to be reasonably predictable. The environmental effects to the human environment are fully analyzed in Chapter 3 of the Final EA. Public concerns and input have been considered throughout the analysis (see Public Involvement section of the Final EA and Response to Public Comments in the Decision Record). The actions analyzed in the Selected Alternative are routine in nature, which includes standard PDFs, BMPs and seasonal restrictions. These effects are well known and do not involve unique or unknown risk to the human environment.

6. Not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The decision to implement the Selected Alternative of the Oregon Gulch Fire Salvage Recovery Project will not set any precedents for future actions with significant effects nor does it represent a decision in principle about future considerations. The Selected Alternative will implement actions that meet

management direction in the 1995 Medford District RMP. Any future action will have its own set of conditions and will be evaluated through a future NEPA process.

7. Not result in significant cumulative environmental effects.

Cumulative environmental effects are “the impact on the environment which results from the incremental impact of the proposed action when added to other past, present, and reasonably foreseeable future actions” (See definition of “cumulative impact” in 40 CFR § 1508.7).

Analysis was performed at multiple scales, and included the consideration of past actions, as reflected in current conditions, current actions, and foreseeable future actions on both private and federal lands (EA, Chapter 3, Affected Environment & Environmental Consequences). No significant cumulative impacts were identified (Final EA, Chapter 3).

8. Have no significant effects on scientific, cultural, or historic resources, including those listed in or eligible for listing in the National Register of Historic Places.

The Proposed Action would not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor would the Proposed Action cause loss or destruction of significant scientific, cultural, or historical resources.

In accordance with the Protocol for Managing Cultural Resources on Lands Administered by the BLM and the National Historic Preservation Act of 1966 (specifically, section 106), as amended, a literature review and archaeological reconnaissance was conducted for the Oregon Gulch Fire Salvage Recovery Project Area. The Oregon Gulch Fire Salvage Recovery Project was reviewed for the potential for adverse impacts to cultural resources.

Sites within the Projects Area of Potential Effect (APE) would be protected during project implementation unless determined to be not eligible to the National Register of Historic Places with concurrence from the State Historic Preservation Office (SHPO). Proposed management direction includes protecting and managing the integrity of all historic/prehistoric sites identified in the cultural survey. The minimum level of protection for sites is avoidance. This includes timber removal, tree planting, and road work.

9. Have no adverse effects on species listed or proposed to be listed as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species.

No significant adverse or beneficial significant effects would occur to species listed or proposed to be listed as federally endangered or threatened Species or their critical habitats.

There will be no effects to the northern spotted owls as a result of the Oregon Gulch Fire Salvage and Recovery Project, Alternative 2, because the proposed action does not occur in spotted owl nesting, roosting, or foraging (NRF), or dispersal habitat, or within potential disturbance distances of known sites (Final EA, p. 3-73). While the proposed salvage does occur in the home range of a historic owl site, there is a low likelihood this site was occupied prior to the fire due to insufficient habitat to support occupancy, reproduction, and survival (Final EA, p. 3-73). The planned Oregon Gulch Fire Salvage and Recovery Project is located in stands that suffered high fire burn severity, with small inclusions of moderate fire burn severity (Final EA, p. 2-1, 2-4 and 3-73). There is no post-fire NRF or dispersal habitat remaining in the project area further reducing the likelihood of occupancy. There is no designated northern spotted owl critical habitat or recovery action (RA 32) habitat within the Project Area. Because the BLM determined there would be no-effects to the northern spotted owl or its critical habitat, no consultation is required.

The gray wolf is a federally listed species in Oregon west of Highways 395 and 78. The Oregon Department of Fish and Wildlife (ODFW) updated the known wolf activity maps for the known gray wolves in western Oregon on January 27, 2015. The Area Known Wolf Activity (AKWA) for OR-7, his mate, and pups (Rogue Pack) is no longer in the Oregon Gulch Fire Salvage Recovery project area. ODFW identified a second AKWA that covers approximately 177,380 acres. This area is the Keno AKWA. The Oregon Gulch Fire Salvage Recovery Project area covers about 0.02 percent of the Keno AKWA. Currently, effects from this project are not expected because the proposed activities would not disturb key wolf areas such as known den sites and rendezvous sites, would not change prey availability, would not increase public access to areas known to be used for denning and rendezvous sites, and no effects from disturbance are expected. If wolves are found to be denning in or adjacent to the project area, activities would be suspended to allow BLM to assess the situation and complete any additional NEPA or Section 7 consultation that may be required. Project Design Features would prohibit forest management activities within 1.0 mile of any active gray wolf dens or rendezvous sites, if discovered, from April 15th through August 31st (Final EA, p. 2-23). ODFW was contacted in June 2015 and there is no new information that would trigger the need to reassess the project or implement seasonal restrictions outlined above (personal communication with BLMs District Wildlife Biologist).

The only fish bearing stream in the Analysis Area is Fall Creek, which supports Redband trout in lower portions of its perennial reach. Redbands are not listed or proposed to be listed for protection under the Endangered Species Act. The Oregon Gulch Fire Salvage and Recovery Project, Alternative 2, is not anticipated to have any additional impact to fish habitat in Fall Creek beyond the effects of the fire itself. There is no hydrologic connectivity to streams due to gentle to flat terrain in the project area, required Project Design Features that would allow project activities only during dry weather conditions, no harvesting with Riparian Reserve, and no stream crossings by temporary road construction. There are no Threatened or Endangered fish species or their habitats in the Analysis Area or within the greater watersheds. Therefore, there is no designated critical or essential fish habitat (Final EA, p. 3-48) and no consultation with the National Oceanic and Atmospheric Administration or the USFWS is required under Section 7 of the ESA.

There would be no effects to the Pacific fishers, a Federally Proposed species under the ESA (Federal Register, Vol 79, no. 194, 10/7/14 pgs. 604190-60443). Fisher surveys have been conducted over large areas east of Ashland for the past 12 years. The most suitable habitat closest to the Project Area was surveyed in 2008 and 2011 and no fishers were detected. The nearest known location to the Project Area is approximately 10 miles to the northwest. There was a low likelihood that fisher utilized or dispersed through the area pre-fire because it is surrounded by extensively managed private timberlands (see Map 3-4) and to the south is the Klamath River canyon, which does not represent suitable habitat (Final EA p. 3-63). This species suitable habitat was consumed by the Oregon Gulch Wilfire (Final EA p. 3-74). Any fisher dispersing outside the fire perimeter would utilize other part of its home range during noise disturbing activities (Final EA, p. 3-74).

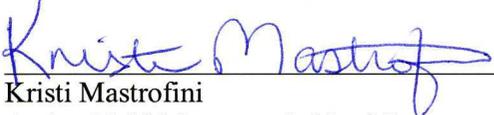
The Project Area is outside the range of any Federally-listed T&E plant species. Therefore, there would be no effect on these species as a result of implementing Alternative 2 of the Oregon Gulch Fire Salvage and Recovery Project (Final EA, p. 3-79).

10. Not violate a Federal, State, Local or Tribal law, regulation or policy imposed for the protection of the environment.

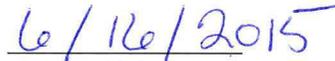
The Selected Alternative will not violate federal, State, or local environmental protection laws. Project Design Features, an integral part of this project, ensure project activities are consistent with the 1995 ROD/RMP, as well as comply with legal requirements applicable to this project (Final EA, p. 1-7 and 1-8).

Finding

I have determined that the Oregon Gulch Fire Salvage Recovery Project does not constitute a major federal action having significant effect on the human environment; therefore, an environmental impact statement (EIS) is not necessary and will not be prepared. This conclusion is based on my consideration of the CEQ's criteria for significance (40 CFR § 1508.27) with regard to the context and intensity of the effects described in the Final EA, and on my understanding of the project, review of the project analysis, and review of public comments. As previously noted the analysis of effects documented in the Final EA has been completed within the context of multiple spatial and temporal scales and within the context of the 1995 Medford District Resource Management Plan, the 1994 Northwest Forest Plan, and associated Environmental Impact Statements. The anticipated effects are within the scope, type, and magnitude of effects anticipated and analyzed in those plans.



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Medford District, Bureau of Land Management


Date