



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



DECISION RECORD

For the

PILOT JOE DEMONSTRATION PROJECT

(DOI-BLM-OR-M060-2011-0016-EA)

This document describes my decision, and reasons for my decision, regarding the selection of a course of action to be implemented for the Pilot Joe Demonstration Project. The Environmental Assessment (EA) for the Pilot Joe Demonstration Project documented the environmental analysis conducted to estimate the site-specific effects on the human environment that may result from the implementation of the Pilot Joe proposal. The Pilot Joe EA was issued for public review on June 27, 2011; the public review period ended on July 27, 2011.

BACKGROUND

The Secretary of Interior designated Pilot Demonstration Projects in BLM Districts in southwest Oregon to demonstrate the application of principles of restoration developed by Drs. Jerry F. Franklin and K. Norman Johnson (Applying Restoration Principles on the BLM O&C Forests in Southwest Oregon (2010)). Part of the intent of his designation of these projects was to help inform long-term planning of BLM O&C lands.

Franklin and Johnson define “restoration” broadly to encompass activities that are designed to restore forests and landscapes to conditions that are both more resistant and resilient to disturbances and that provide the diversity needed to restore and maintain native biodiversity and essential ecosystem functions. Restoration of ecosystems at the stand and landscape scale are a primary focus, rather than singular goals, such as fuel and wildfire abatement, timber production, or wildlife habitat.

As part of this broader effort, the Medford District BLM designed a project (Pilot Joe Demonstration Project) to treat 889 acres of Dry Forest vegetation using various forest management methods which include variable density thinning, density management, and understory reduction. The Pilot Joe project was designed to meet forest management objectives by implementing a series of forest prescriptions that define the size of material, the species and the conditions that guide selection of trees to be removed or retained. Each prescription was tailored to a specific forest type based on plant associations. The ecosystem restoration principles developed by Drs. Jerry Franklin and Norm Johnson guided the development of the forest prescriptions. The intent of these principles is to move the current conditions toward desired forest conditions that include the maintenance of older trees, restoration of characteristic structure and composition, and increased heterogeneity.

The proposed Pilot Joe project area is located on BLM-administered land located within the central portion of the Middle Applegate River Watershed, known as the Humbug Creek sub-watershed (includes Chapman and Keeler Creek drainages). The Public Land Survey System (PLSS) description for the Pilot Joe Demonstration Project is: T. 38 S., R. 3 W., Sections 29, 31, and 32; T. 38 S., R. 4 W., Sections 22, 25-27, 34, and 35; T. 39 S., R. 3 W., Sections 5-7; T. 39 S., R 4 W., Sections 1, 2, 11, and 12, Willamette Meridian, Jackson County, OR.

THE DECISION

As the Responsible Official, it is my decision to implement Alternative 2 as described in Chapter 2 of the Pilot Joe EA.

My decision authorizes the following actions:

- The implementation of Alternative 2 will result in the treatment of approximately 889 acres of vegetation using a variety of silvicultural prescription and harvest methods as described in the EA (EA, 2-1 to 2-10). Both commercial and non-commercial treatments will be used.
- Commercial thinning on 299 acres will be accomplished using utilizing tractor (about 83 acres) and cable (about 216 acres) yarding systems. Variable-density thinning prescriptions will be used for this project and will combine thinning with gaps (small openings) and skips (untreated patches) to replicate historical patterns commonly found in mixed species and mixed-age stands.
- Activity fuels will be treated in commercial units as described in the EA (EA, 2-2 and 2-5) to mitigate hazardous fuels generated from thinning (activity fuels).
- In addition, Non-commercial treatments will occur on 843 acres. Understory reduction within commercial units (253 acres) and density management (590 acres). Non-commercial refers to treatment stands where the material to be removed is smaller than eight inches DBH.
- Follow-up maintenance underburning will occur as described in the EA (p. 2-12 to 2-13).
- 0.4 miles of road will be decommissioned as described in the EA (EA, 2-12).
- An estimated 21.6 miles of existing roads, as described in the EA (Table 2.6 on p. 2-12) will be used as haul routes and improved as needed to meet BLM standards.
- All applicable Project Design Features (PDFs) will be incorporated as required conditions of this project. A complete listing of the PDFs can be found in Chapter 2 of the EA (p. 2-13 to 2-18).

DECISION RATIONALE

The purpose and need for the Pilot Joe Demonstration Project is simple: demonstrate the restoration principles of Drs. Jerry Franklin and Norm Johnson. The desire by the Secretary of Interior to involve the public in a collaborative approach further defined the process for developing this project. My criteria for selecting an alternative for this project stems primarily from the effectiveness of demonstrating the Franklin and Johnson restoration approach, the production of a commercially-viable timber sale, and the influences of the collaborative effort.

Having a tremendous community capacity in place in this region led to a substantially different path in informing, cooperating, and involving the community on a forest management project. The roots of the Pilot are inextricably linked to the Applegate Partnership and the Southern Oregon Small Diameter

Collaborative in helping to find collaborative approaches to local forest health issues. They were instrumental in helping with outreach, education and communication of this project between the stakeholders and the BLM. Our partners and community stakeholders, in consultation with Drs. Franklin and Johnson heavily influenced the design of the Pilot project.

I also drew on my long history with collaboration to strategize a successful start of the Pilot, and instructed my staff to design a small project as soon as practical. That desire is coming to fruition roughly 8 months after the project was initiated! When considering the complexity of environmental planning, surveying and assessing environmental conditions, and documenting and disclosing environmental impacts--all in the context of substantive collaboration--one must heap praise upon the BLM staff and agency partners for their efforts. In addition, countless hours of volunteer time was amassed by both our collaborative partners and interested community members during the planning and design for the project.

One of the more painful experiences every collaborative effort entails is getting beyond the “talk” stage and into implementation where the true success of collaboration lies. Conversely, the death knell of collaboration is starting with a project that is so large as to be controversial and complex and *never* gets implemented. Therefore, I took advantage of recent environmental survey and assessment work in the Pilot Joe area to create a small initial project to get us away from the “talk” stage, but also keep us from the “grandiose” stage. It seems even this small a project has generated a plethora of comments, opinions and ideas for adapting, monitoring and learning.

We must be cautious, however, not to over-interpret the process or the on-the-ground results, and keep our ideas, concerns and criticisms commensurate with the size (context) of the project. The Pilot Joe project does *not* make decisions on the future management of O&C lands in Western Oregon. The thinning activities on the proposed lands in the project are *not* substantial in size or scope to have any measurable effect on a landscape basis or an effect on any particular species, or have substantial impacts on the economies of the Rogue Valley, Southwest Oregon, or the state of Oregon (see the Finding of No Significant Impact document for the Pilot Joe Demonstration Project). We also need to separate that conversation that is pertinent to the project and that which is pertinent to the broader discussion of forest management and restoration approaches. I have carefully considered public comments on Pilot Joe with the aforementioned cautions.

I reached my decision to implement Alternative 2 for a number of reasons. Alternative 2 represents the culmination of substantial collaborative effort among our sister agencies, our collaborative partners and interested community stakeholders. I evaluated the comments to the Pilot Joe Demonstration EA and found many comments to be ideas or information about the project that was beyond the purpose and need for the project. None of the comments led me to believe that implementing Alternative 2 would result in effects not already disclosed in the EA. Alternative 2 demonstrates the Franklin and Johnson principles in a variety of vegetative conditions to the extent possible for an initial project to be implemented yet in 2011. Even though the acres of non-commercial treatment are double the restoration treatment with a timber sale, the alternative does yield timber volume that contributes to the overall goal for the Medford District. Therefore, Alternative 2 meets the objectives of the project and its purpose and need.

The Interdisciplinary Team did develop an alternative that involved road construction, but field reviews of the road locations during project development revealed conflicts that were resolved in favor of dropping the roads. Thus, the roads alternative became the same as the no-road alternative. There were no other action alternatives developed in detail. Neither the scoping nor the collaborative process suggested any other viable alternatives for consideration. The number of base acres from which to plan

this initial project was limited by lands already cleared environmentally. Thus, the potential number of alternatives was limited for that reason, as well.

Other alternatives, that would not have implemented the purpose and need, or were not consistent with the principles of Franklin and Johnson, were considered but dropped from detail study. These alternatives included: thinning by prescribed fire only (no timber harvest), using helicopters for logging systems (not economical currently), excluding commercial harvest (no timber harvest), imposing diameter limits (does not meet principles of the Franklin and Johnson approach), and treating remnant stands with mistletoe issues (Franklin and Johnson have not yet developed prescriptions for these type of past management remnants).

One must keep in mind the reason that the Pilots were created. The Secretary of Interior is trying to find solutions in managing O&C lands. The Pilot Joe project was designated simply as a demonstration of *one* way to restore forests while providing a sustainable supply of timber. Therefore, the Pilot Joe Demonstration Project is not a debate about the merits of the Franklin and Johnson approach. The Pilot Joe project *is* the Franklin and Johnson approach. Even though many comments were not directly applicable to the Pilot Joe project, valuable information was presented for future discussion. It is also important to understand how, or if, science and data related to stand development and fire history in the project area can be so differently interpreted. To that end, the BLM and our collaborative partners will cooperatively develop opportunities to provide for learning and information sharing related to knowledge and science in the context of the Pilot.

Finally, the prescribed treatments under the Alternative 2 allow flexibility in managing stands in the long-term. The retention of drought tolerant and fire resilient species of older age classes and the contribution of developing spatially heterogeneous stands, allows for more silvicultural options in the future, versus an even-age management approach in dry forests. Maintaining the longevity or health of these stands into the future is critically important in protecting social and ecological values (EA, 3-17).

The Pilot Demonstration effort does not simply end with this decision. The collaboration with interested stakeholders does not end. The unique approaches to communication and stakeholder involvement do not end. Our quest to learn about the ecological history and function of the area does not end. The Middle Applegate Watershed is the designated Pilot area, and assessment for restoration needs beyond the approximate 900 acres of the initial project is underway. Franklin and Johnson's approach to restoration is based on substantial treatments in a landscape of sufficient size, such as the entire Middle Applegate Watershed. The Pilot Joe project is only a beginning.

MONITORING

The effort is underway to create a multi-party monitoring plan. A collaborative group is organizing and structuring the plan. This monitoring consists primarily of implementation monitoring (*did we do what we said*). In addition, plots are being established within the units to begin some very basic effectiveness monitoring. Photo points will help to visually display the after effects of the restoration thinning activities. The BLM is contracting with a logging systems specialist (Dr. Loren Kellogg) to evaluate logging and thinning operations for consistency with restoration objectives and principles. There is also a study underway with Oregon State University to obtain stand development histories in the Middle Applegate Watershed. Crews have been gathering field data since June.

CONSULTATION AND COORDINATION

A Biological Assessment (BA), completed by the BLM, concluded that the potential effects from the Pilot Joe project *may affect, are likely to adversely affect (LAA)* the northern spotted owl. Pursuant to the Endangered Species Act (ESA), formal consultation was completed with the US Fish and Wildlife Service. The Service concurred with the BLM's determination and concluded in its Biological Opinion (13420-2011-F-0162) that the District's proposed action is *not likely to jeopardize* the continued existence of the spotted owl (p.51). Both documents are available for review at the Medford District BLM office and on Medford District's website (<http://www.blm.gov/or/districts/medford>).

A much more extensive project in this same planning area as the Pilot Joe project was developed and analyzed in 2004 & 2005 but never implemented. That project (China Keeler Landscape Project) was originally determined to be a "May Affect, Not Likely Adversely Affect (NLAA)" for listed SONC coho salmon, their Critical Habitat, and Essential Fish Habitat. Medford BLM received a Letter of Concurrence (LOC # 2004/00526) from NOAA Fisheries on August 27, 2004 for the China Keeler Project as described in the May, 2004 Environmental Assessment. Reinitiation of section 7 consultation would only be needed if the decision in the FONSI would have more effects on listed species and their habitat than was previously analyzed [see Federal Regulation 50CFR§402.16(b)]. The much reduced scale of the Pilot Project would therefore still be covered by the original determination of "May affect/Not Likely to Adversely Affect" SONC coho salmon, CCH, and EFH. This determination was made based on analysis to fish and aquatic habitat in the Biological Assessment prepared for the National Marine Fisheries Service (NMFS).

A Biological Assessment (BA), completed by the BLM, concluded that the potential effects from the Pilot Joe Project "*may affect, is not likely to adversely affect*" the endangered plant species, Gentner's fritillary (*Fritillaria gentneri*). Therefore, informal consultation with the US Fish and Wildlife Service (FWS) was completed. A letter of concurrence was received from the FWS confirming BLM's determination (TAILS# 13420-2011-I-0200).

Scoping notices were sent on April 8, 2011 to Federally Recognized Tribes, the Klamath Tribe, the Confederated Tribes of the Siletz, the Confederated Tribes of the Grand Ronde, the Cow Creek Band of the Umpqua Indians, Shasta Indian Nation, and the Quartz Valley Indian Reservation.

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

PUBLIC INVOLVEMENT

The BLM has and will continue to provide opportunities for direct participation by a broad array of interested members of the public, tribal interests, collaborative bodies such as the Applegate Partnership, Southern Oregon Small Diameter Collaborative, and other local partnership organizations. These opportunities involve both facilitated meetings and site visit/working sessions to help build community involvement, and provide for open community dialog on application of the ecosystem restoration principles of Drs. Franklin and Johnson. An important element in these pilots is to make the entire community of stakeholders aware that there are ecological and economical alternatives to the contrasting allocation-based alternatives of preservation and intensive even-aged management for wood production.

Extensive outreach was made to provide the public information about the project as well as to solicit criteria to be used to build a project proposal that addressed public sentiment concerning how best to create a project to demonstrate the Franklin and Johnson restoration principles.

While there are widely varying opinions and ideas on how to manage the forest land in the project area, the primary purpose of the Pilot Joe Demonstration Project is to demonstrate the application of ecosystem restoration principles developed by Drs. Jerry Franklin and Norm Johnson.

Public Meetings and Events Addressing the Development of the Pilot

- *Solutions for Forests: Active Management Perspectives for SW Oregon. (October 19- 21, 2010)*
- *Middle Applegate Pilot Informational Meetings (March 1 & 2, 2011)*
- *Collaborative Workshop to Create Forest Restoration Selection Criteria (March 8, 2011)*
- *Public Field Trip to Demonstration Sites (March 19, 2011)*
- *Public Field Trip to Review Stands/Trees Marked for Harvest (May 5, 2011)*
- *Public Workshop to Draft a Multi-Party Monitoring Plan (June 14, 2011)*

Middle Applegate Watershed Pilot Project Website

A website for the Middle Applegate Watershed Dry Forest Restoration Pilot was established in March, 2011 to inform the public about the Pilot project. The website provides background information and maps, lists upcoming events, and contains weekly updates.

To date, the BLM has posted all meeting notes and weekly information updates regarding the Middle Applegate Pilot on the Pilot's website. This includes notes from BLM's interdisciplinary team meetings, from public meetings and events, as well as any public comments received during the planning process. Information such as the applicable watershed assessment, the project initiation letter and the public scoping letter, and correspondence with Drs. Franklin and Johnson has also been posted to the website.

Scoping

A scoping letter was sent to adjacent landowners and interested individuals, groups, and organizations on April 6th, 2011. The BLM received 275 comments, of which 267 of the comments were identical form letter e-mails generated by a web site that required filling in a name and clicking a button. Comments were reviewed by BLM's Ashland Resource Area Field Manager, the project's interdisciplinary team, as well as by Drs. Johnson and Franklin. Scoping comments were posted on the BLM Pilot website.

EA Review

The Environmental Assessment (EA) was completed on June 27, 2011 and made available to the public for review. Notice of the availability of the EA was given in the Medford Mail Tribune. In addition, a notification letter was sent to all interested members of the public, agencies, and organizations who requested to be kept informed on the project. The EA was made available on the Medford District BLM's website. The comment period closed on July 27, 2011; 17 comment letters were received. Written comments received in response to the Pilot Joe Demonstration Project EA were reviewed by the interdisciplinary team and responsible official and substantive comments were addressed in Appendix D, Public Involvement Comment Analysis of the Pilot Joe Project Environmental Assessment.

PLAN CONFORMANCE

The proposed action was initiated under the *1995 Medford District Record of Decision and Resource Management Plan (RMP)*, which incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and*

the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan) (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, as modified by the 2011 Settlement Agreement.

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, this project was evaluated for consistency with the 2008 ROD and RMP. Based upon this review, we have determined that the selected alternative is consistent with the Medford District's 1995 RMP and the 2008 ROD/RMP. The proposed Pilot Joe Demonstration Project's commercial units are located on lands allocated by the 2008 Medford District RMP to Uneven Age Timber Management, Timber Management, and Riparian Management Area. The 2008 Medford District ROD/RMP specifically states: *"Utilize uneven-age management in managing forest stands. This will include use of a combination of harvesting methods including thinning, single tree selection harvest, and group selection harvest"* and *"manage timber to achieve continuous timber production that could be sustained through a balance of growth and harvest"* (2008 RMP, p.39-40). The proposed non-commercial treatments are consistent with management direction which states: *"Apply fuels treatment to stands of any age in order to reduce the fuel hazards. Fuels treatments will include such activities as tree cutting, and removal, brush cutting, pruning, reducing crown bulk density (except in the Deferred Timber Management Area), treating of activity fuels, biomass removal, and prescribed burning"* (2008 RMP, p.46). Although the selected alternative contains some design features not mentioned specifically in the 2008 ROD and RMP, these design features are consistent with the ROD and RMP. For example, the Pilot Joe project contains Project Design Features that apply Best Management Practices of the 1995 RMP (Appendix D); the application of these Best Management Practices is consistent with Best Management Practices contained in the 2008 RMP (Appendix C). Additionally, while the 2008 RMP does not require consideration of components of the 1995 RMP, because the project was initiated under the 1995 RMP the project was designed and analyzed for conformance with 1995 RMP guidance for Riparian Reserves, Late-Successional Reserves, and the Aquatic Conservation Strategy Objectives. Therefore, the Pilot Joe Demonstration Project complies with both the 2008 Medford District RMP as well as the 1995 Medford District RMP.

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.

AUTHORIZATION

It is my decision to implement the Pilot Joe Demonstration Project, as I have described in the section titled Decision, above.



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

8/11/11

Date

ADMINISTRATIVE REMEDIES

This decision is a Forest Management Decision. Administrative remedies are available to persons who believe that they will be adversely affected by this decision. A protest may be filed within 15 days of the publication of a Notice of Decision or Notice of Sale in Medford's *Mail Tribune* newspaper.

When timber is offered for sale, a Notice of Sale will be published in Medford's *Mail Tribune* newspaper. Publication of the first Notice of Sale establishes the effective date of the decision and the date initiating the protest period provided for in accordance with 43 CFR 5003.3. Any protests of the timber sale must be filed with the Authorized Officer (the Responsible Official signing this Decision) within 15 days of the publication of the Notice of Sale in Medford's *Mail Tribune* newspaper. The regulations do not authorize the acceptance of protests in any form other than a signed, written hard copy that is delivered to the physical address of the advertising BLM office. No e-mail or fax protests will be accepted. A statement of reasons for protesting the decision must also accompany the protest. It is anticipated that the Notice of Sale will be published in Medford's *Mail Tribune* newspaper in mid August of 2010. The BLM does not warrant publication on an exact date. All parties considering protest of this decision are encouraged to review the aforementioned newspaper to ensure accurate knowledge of the exact publication date of the Notice of Sale.

In accordance with the BLM Forest Management Regulations 43 CFR §5003.2 (a&c), the effective date of this decision, as it pertains to actions which are not part of an advertised timber sale, is the date of publication of a Notice of Decision in Medford's *Mail Tribune* newspaper. Any protest must be made within 15 days of the publication of Notice of Decision in the *Mail Tribune*. Any contest of this decision should state specifically which portion or element of the decision is being protested and cite the applicable regulations. The portions of this decision which are not components of a timber sale are all treatments listed as non-commercial treatments or listed as pre-commercial thinning or non-commercial young conifer stand thinning.