



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

RIO CLIMAX FOREST MANAGEMENT PROJECT

(DOI-BLM-OR-M060-2011-0010-EA)

INTRODUCTION

This document describes my decision, and reasons for my decision, regarding the selection of a course of action to be implemented for the Rio Climax Forest Management Project. The Environmental Assessment (EA) for the Rio Climax Forest Management Project documented the environmental analysis conducted to estimate the site-specific effects on the human environment that may result from the implementation of the Rio Climax proposal. The Rio Climax EA was issued for public review on June 22, 2011. The EA public review period ended on July 22, 2011.

BACKGROUND

The Rio Climax Forest Management Project EA documented the analysis of BLMs proposal to harvest trees on 948 acres of conifer forest stands on BLM-administered lands. The Rio Climax Forest Management Project is located primarily within the Antelope and Lake Creek Drainages of the South Fork Little Butte Creek Watershed. The Public Land Survey System description for the Rio Climax Project Area is : T 37 S, R 1 E, in sections 11, 13, 14, 17, 21, 22, 24, 25, 27, and 35; T. 37 S., R. 2 E. in sections 17, 19, 20, 29, 31, and 32; T. 38 S., R. 2 E., in sections 3, 6, 7, 8, and 9. Willamette Meridian, Jackson County, Oregon (Maps 1-9).

THE DECISION

As the Responsible Official, it is my decision to implement Alternative 2, with minor modification, as described below.

My decision authorizes the following actions:

- The implementation of timber harvest on approximately 857 acres (of the 948 acres analyzed in the EA) of conifer forest stands using a variety of silvicultural prescription and harvest methods as described in the Revised EA (p. 2-1 to 2-15 and 2-30 to 2-44). The reduction in acreage to be harvested is the result of not harvesting in Units 17-1, 17-3, and 17-7B due to reducing road construction (see below), and not harvesting helicopter

Units 9-3A-C due to economic constraints associated with helicopter yarding. Unit 3-1 is not included in the decision at this time as additional work is needed to determine consistency with Medford's 2008 Resource Management Plan.

- About 1.4 miles of new permanent road will be constructed, to provide access to units 17-2, 17-7A, 17-8, 25-1, 25-3, and 9-1B as well as to provide legal access to BLM-administered land in Section 17 (T. 37 S., R. 1 E.). This is reduced from the 2.75 miles of road analyzed for construction in the EA. Road construction was reduced primarily to avoid new road construction in Riparian Reserves. These roads will be closed immediately following the completion of harvest activities (construction and closure will occur the same season of use).
- Three temporary spur roads (<0.2 miles) will be constructed to improve access for Units 17-8, 13-6D, and 9-1A. A fourth existing spur 37-1E-11.5 will be cleared of vegetation and could be extended slightly (<25 feet). Temporary spurs will be constructed and decommissioned the same season of use (Revised EA p. 2-2 and 2-38).
- Timber harvesting will be implemented through a combination of commercial timber sales and stewardship contracting.
- Follow-up pre-commercial thinning/fuels reduction treatments will occur as described in Table 1 and the Revised EA (p. 2-2 to 2-4, 2-34, and 2-37) to mitigate hazardous fuels generated from timber harvest (activity fuels); 187 acres of fuels reduction only (fuels reduction outside of commercial timber harvest units) will occur as described in the EA (2-34).
- An estimated 65 miles of existing roads, as described in the Revised EA (p. 2-5 to 2-6) will be used as haul routes and maintained as described in the EA (p. 2-2) 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. 2-35 to 2-44).

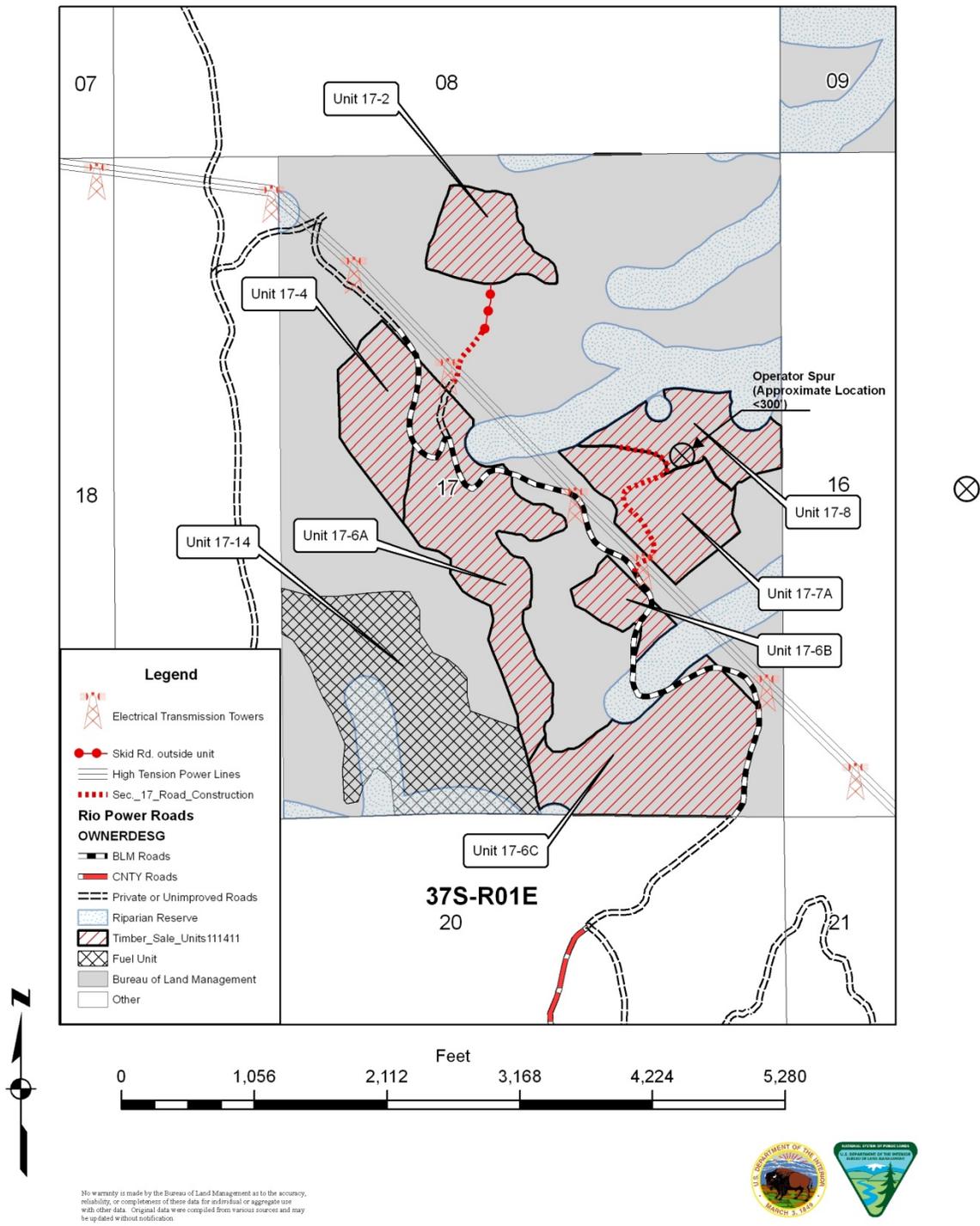
My decision also includes a road decommissioning component that was identified as an opportunity in the EA but not included as part of the proposed action or alternative. I have decided to make diligent efforts to complete some of the road decommissioning identified in the EA to offset the mileage of new road construction. BLM roads 11.1, 19.0, 19.1, 19.2, 19.3, and 19.4 (about 0.5 miles) will be decommissioned as soon as funding becomes available. Funding will be requested for FY 2013; if funding becomes available sooner, work could proceed sooner. Road decommissioning is also included under the Medford District 2009 Revised Environmental Assessment for Aquatic and Riparian Habitat Enhancement (EA #DOI-BLM-OR-M000-2009-0004-EA). A determination of NEPA adequacy will be conducted prior to implementation of decommissioning. The additional roads identified in the EA as opportunities for decommissioning may still be considered for decommissioning at a later date; however, additional analysis is needed to determine their need for future management.

Table 1. Rio Climax Forest Management Project, Units by Prescription and Harvest Method

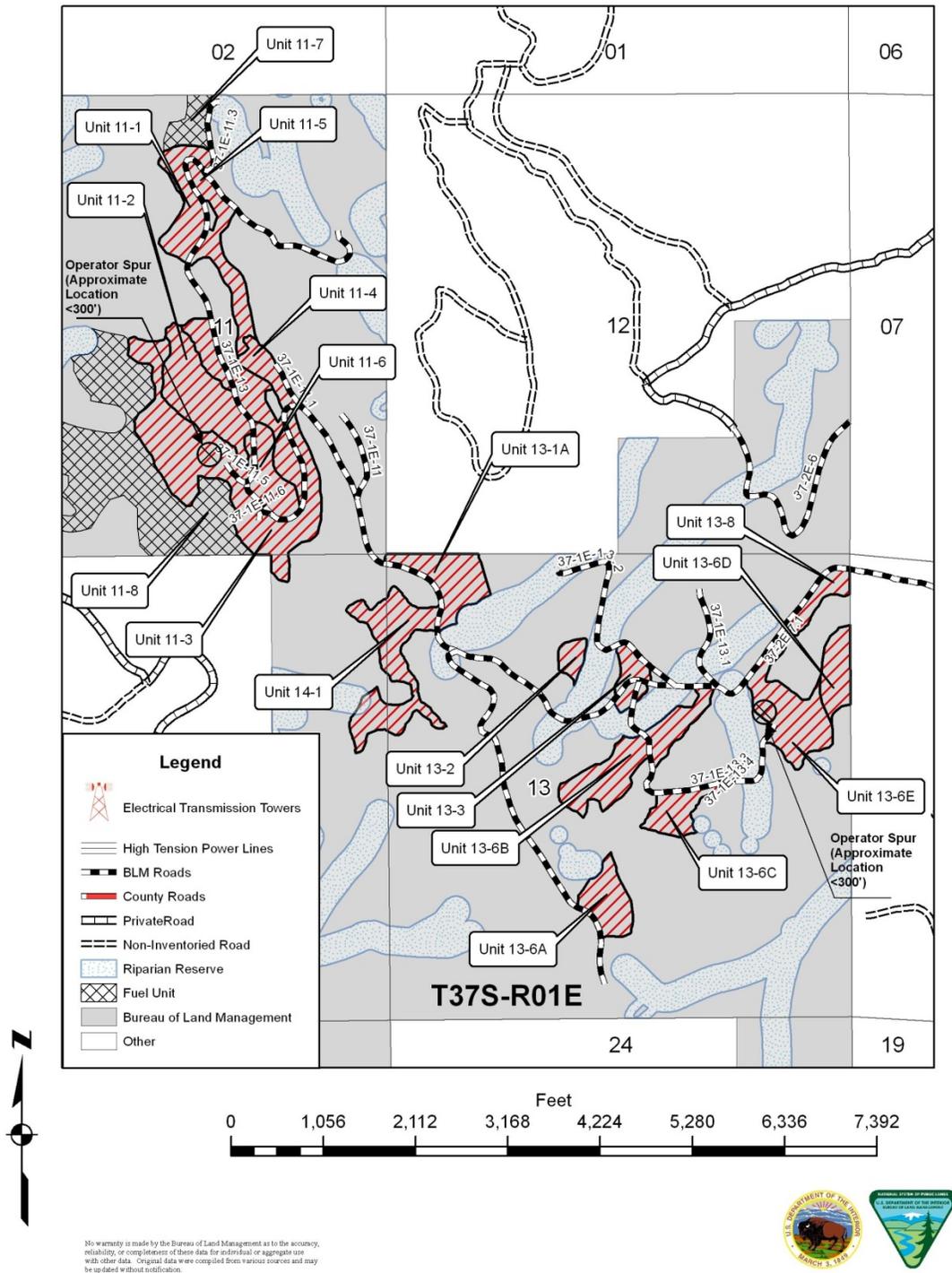
Unit No.	Acres	Silvicultural Prescription		Harvest Method	Associated Treatments (PCT, Fuels)
		Harvest Prescription	NSO Habitat Type		
6-1 (A&B)	14	ST/NRF	NRF	Tractor	Activity fuel
7-1	3	ST/NRF	NRF	Tractor	PCT, Activity fuel
7-2	11	ST/NRF	NRF	Tractor	Activity fuel
8-3	19	ST/NRF	NRF	Cable	Activity fuel
8-4	8	ST/NRF	NRF	Cable	Activity fuel
8-5	18	ST/NRF	NRF	Cable	Activity fuel
9-1A	30	ST/NRF	NRF	Cable	Activity fuel
9-1B	2	DM/Mixed Conifer	N/A	Tractor	Activity fuel
9-2	7	DM/Mixed Conifer	N/A	Tractor	Activity fuel
9-3D	9	ST/NRF	NRF	Cable	Activity fuel
9-4	2	ST/NRF	NRF	Tractor	Activity fuel
11-1	10	ST/NRF	NRF	Cable	Activity fuel
11-2	17	DM/Dry Douglas-fir	NRF	Tractor	Activity fuel
11-3	54	DM/Dry Douglas-fir	NRF	Cable	Activity fuel
11-4	5	ST/NRF	NRF	Tractor	Activity fuel
11-5	11	ST/NRF	NRF	Tractor	Activity fuel
11-6	8	DM/Dry Douglas-fir	NRF	Tractor	Activity fuel
13-1A	11	ST/NRF	NRF	Cable	PCT, Activity fuel
13-2	3	ST/NRF	NRF	Tractor	Activity fuel
13-3	5	ST/NRF	NRF	Tractor	PCT, Activity fuel
13-6A	8	DM/Dry Douglas-fir	NRF	Tractor	Activity fuel
13-6B	16	ST/NRF	NRF	Tractor	PCT, Activity fuel
13-6C	6	ST/NRF	NRF	Tractor	PCT, Activity fuel
13-6D	7	ST/NRF	NRF	Tractor	Activity fuel
13-6E	15	ST/NRF	NRF	Cable	Activity fuel
13-8	5	ST/DSP	Dispersal	Tractor	Activity fuel
14-1	19	DM/Dry Douglas-fir	NRF	Tractor	PCT, Activity fuel
17-2	12	DM/Pine Site	N/A	Tractor	Activity fuel

Unit No.	Acres	Silvicultural Prescription		Harvest Method	Associated Treatments (PCT, Fuels)
		Harvest Prescription	NSO Habitat Type		
17-4	15	DM/Dry Douglas-fir	N/A	Cable	Activity fuel
17-6A	35	DM/Pine Site	N/A	Tractor	Activity fuel
17-6B	7	DM/Pine Site	N/A	Tractor	Activity fuel
17-6C	33	ST/NRF	NRF	Tractor	Activity fuel
17-7A	19	DM/Dry Douglas-fir	N/A	Tractor	Activity fuel
17-8	15	DM/Dry Douglas-fir	N/A	Cable	Activity fuel
17-9	7	DM/Pine Site	N/A	Tractor	PCT, Activity fuel
17-10	16	DM/Pine Site	N/A	Tractor	PCT, Activity fuel
17-11	11	DM/Pine Site	N/A	Tractor	PCT, Activity fuel
19-1	10	DM/Pine Site	N/A	Tractor	PCT, Activity fuel
19-2	34	DM/Pine Site	N/A	Tractor	PCT, Activity fuel
19-4A	18	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
19-4D	6	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
20-1	13	ST/NRF	NRF	Tractor	PCT, Activity fuel
25-1	9	DM/Dry Douglas-fir	NRF	Cable	Activity fuel
25-2	6	DM/Dry Douglas-fir	NRF	Tractor	PCT, Activity fuel
25-3	3	ST/DSP	Dispersal	Tractor	Activity fuel
25-5	17	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
27-1A	13	ST/NRF	NRF	Tractor	PCT, Activity fuel
27-1C	2	ST/NRF	NRF	Tractor	Activity fuel
29-1	29	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-2	76	ST/DSP	Dispersal	Cable	PCT, Activity fuel
29-3	13	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-4	27	ST/DSP	Dispersal	Cable	PCT, Activity fuel
29-6A	10	STS/Disease Mgmt.	Dispersal	Tractor	PCT, Activity Fuel
29-6B	3	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-6C	9	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-6D	5	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-6E	4	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-8	19	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
29-9	2	ST/DSP	Dispersal	Cable	PCT, Activity fuel
32-1	6	ST/DSP	Dispersal	Cable	PCT, Activity fuel
35-2	17	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
35-7	7	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
35-8	6	ST/DSP	Dispersal	Tractor	PCT, Activity fuel
Total	868				
Abbreviations: NSO = Northern Spotted Owl NRF = Nesting, Roosting, Foraging DSP = Dispersal N/A = Outside of NSO Home Range ST = Selective Thinning DM = Density Management					

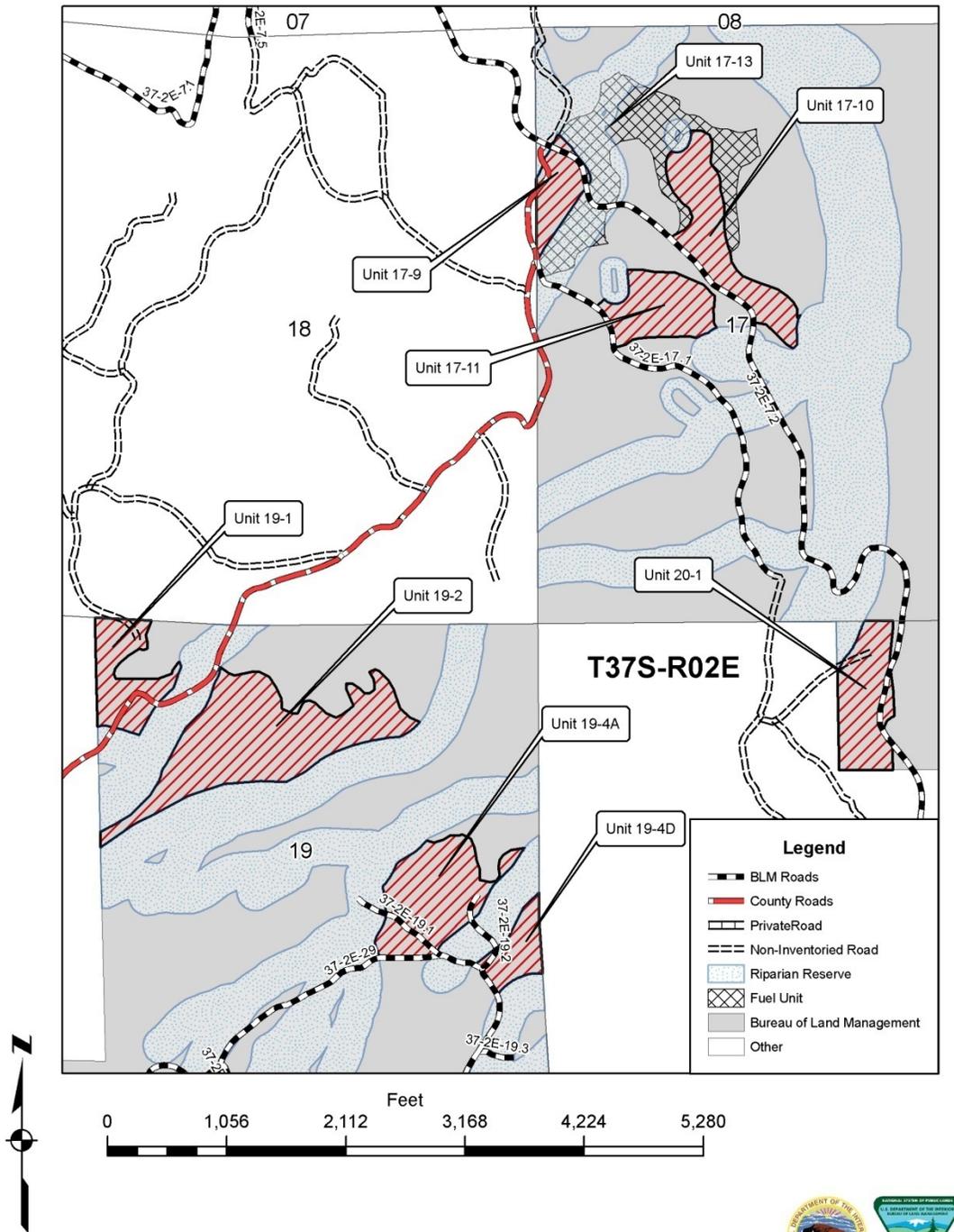
Map1. Rio Climax Forest Management Project



Map2. Rio Climax Forest Management Project



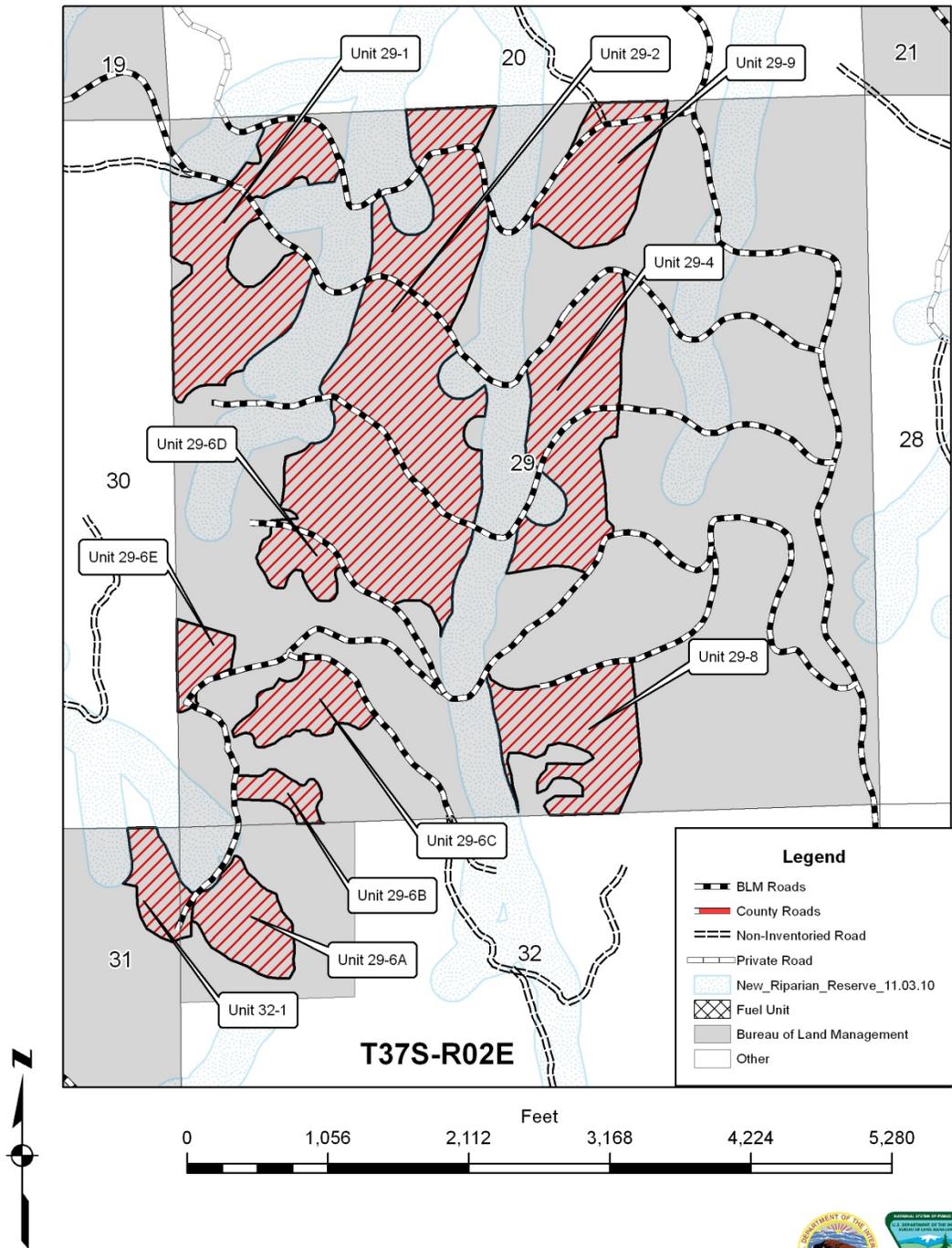
Map3. Rio Climax Forest Management Project



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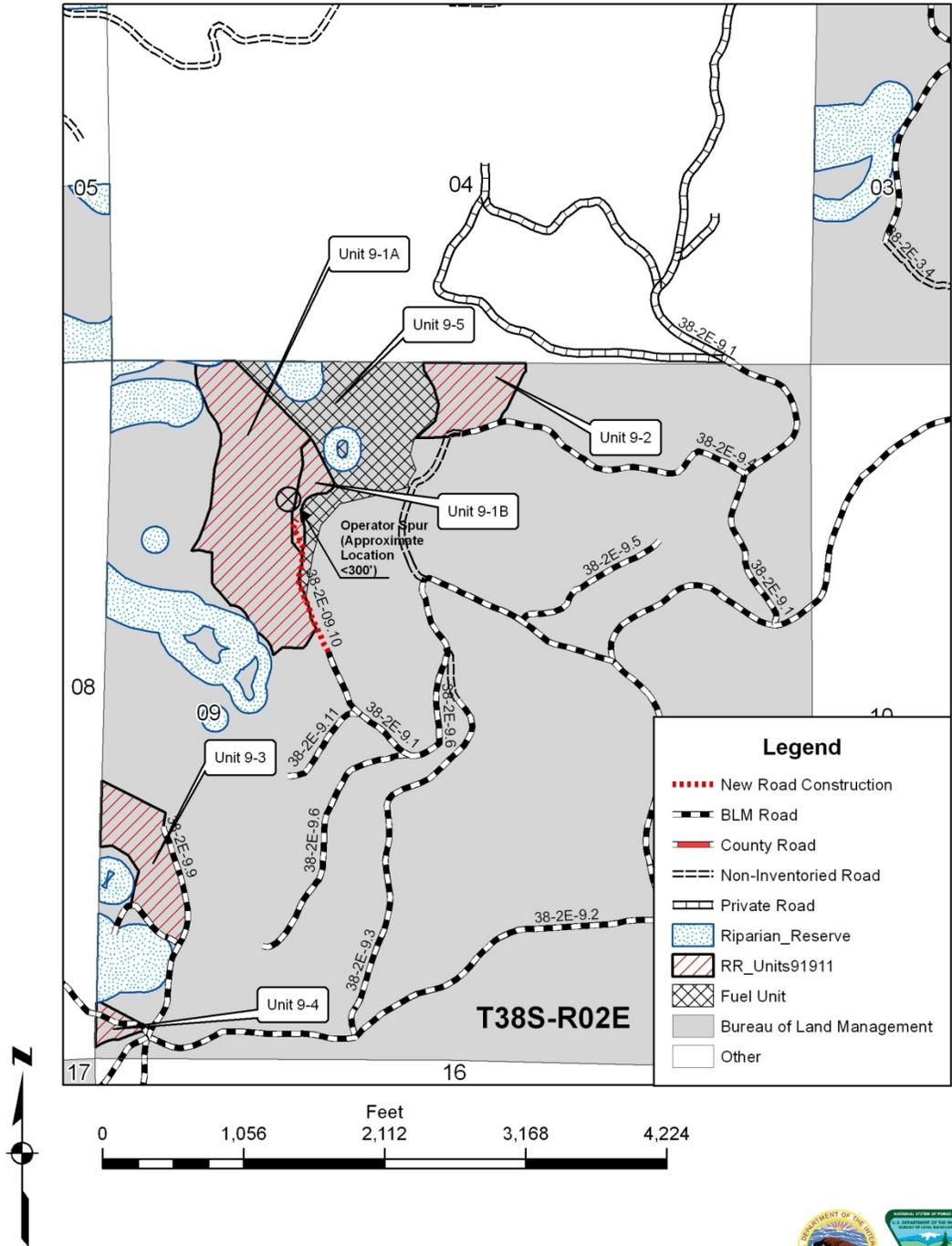
Map 4. Rio Climax Forest Management Project



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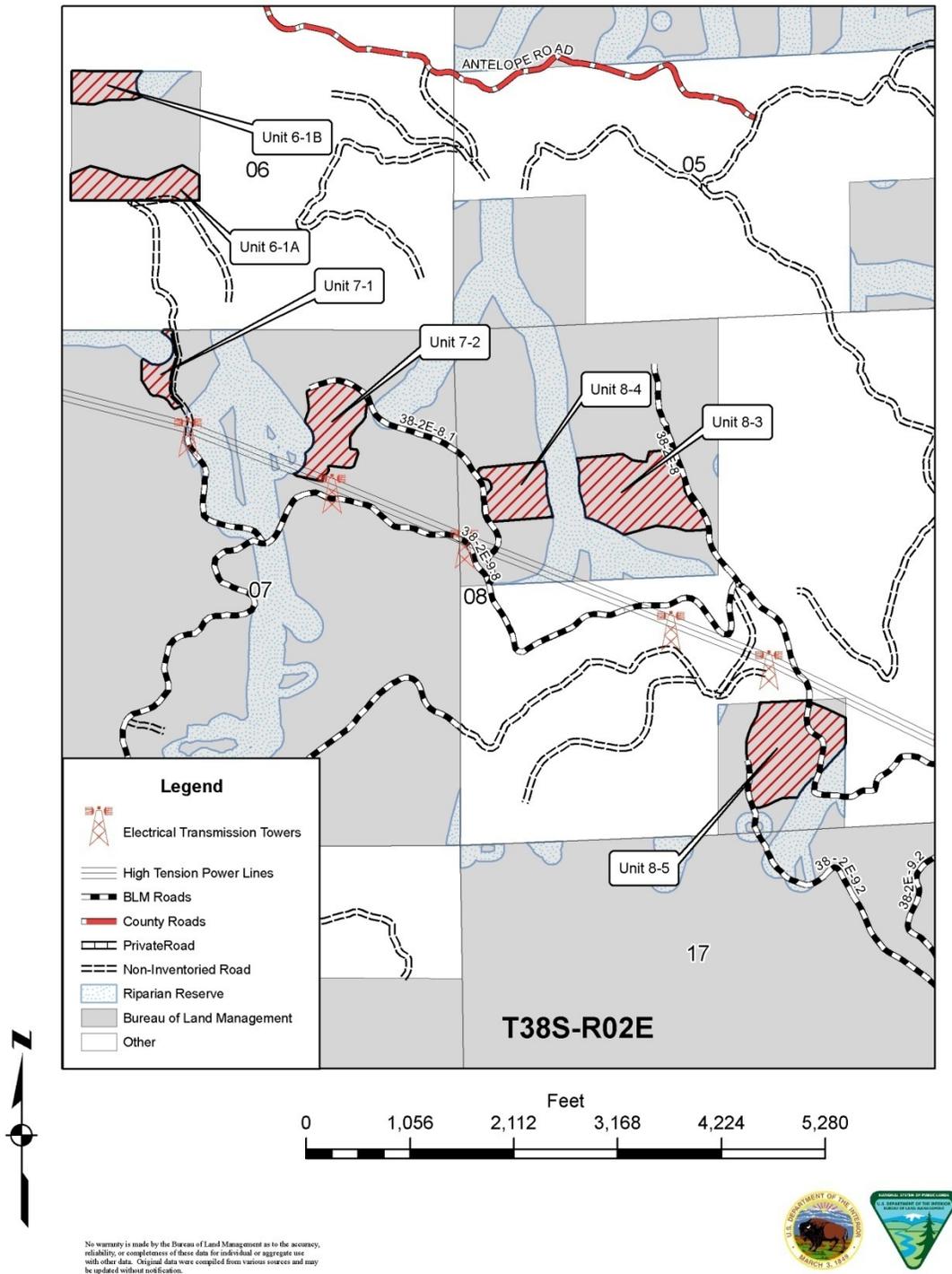
Map 5. Rio Climax Forest Management Project



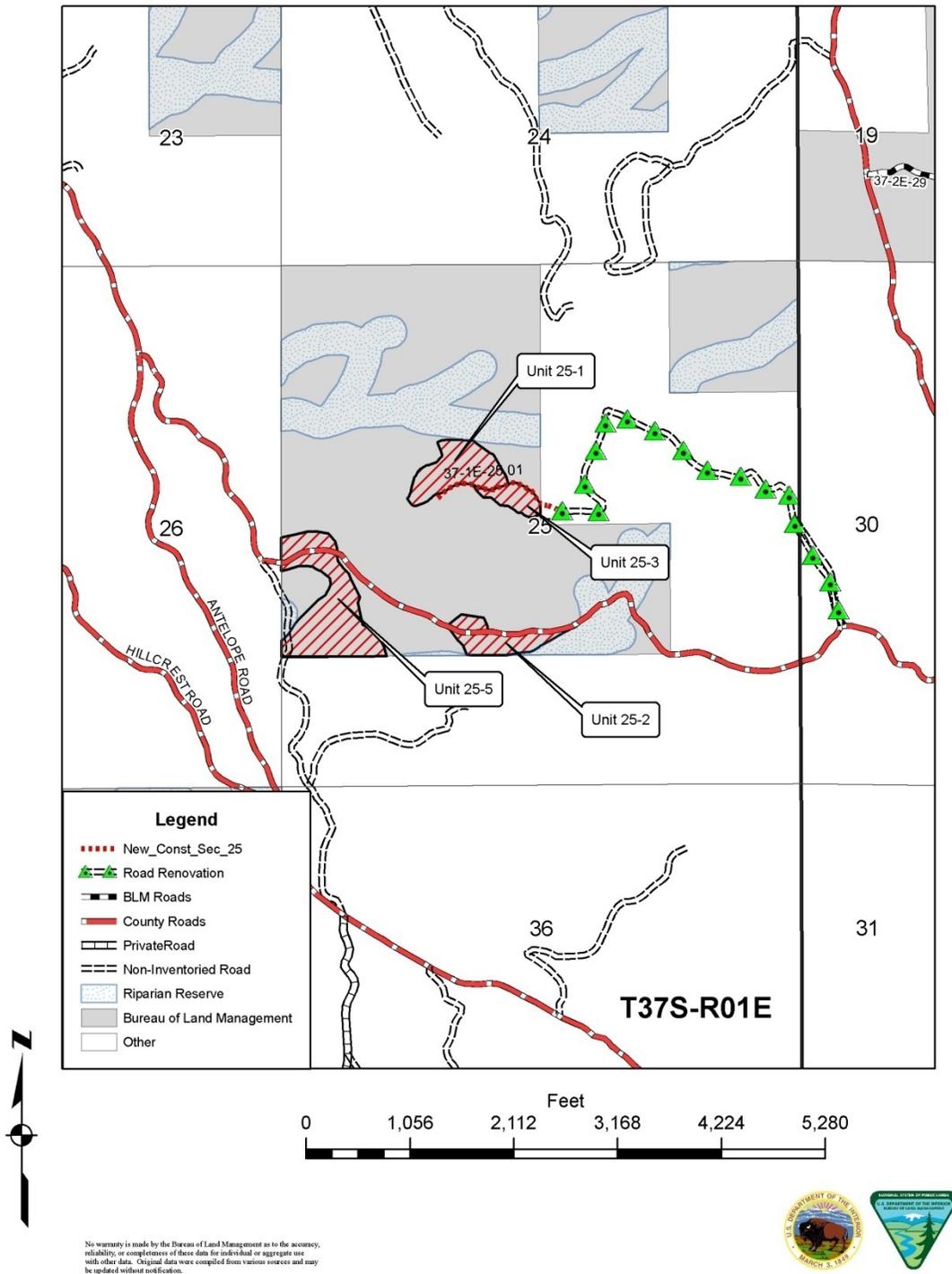
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Map 6. Rio Climax Forest Management Project

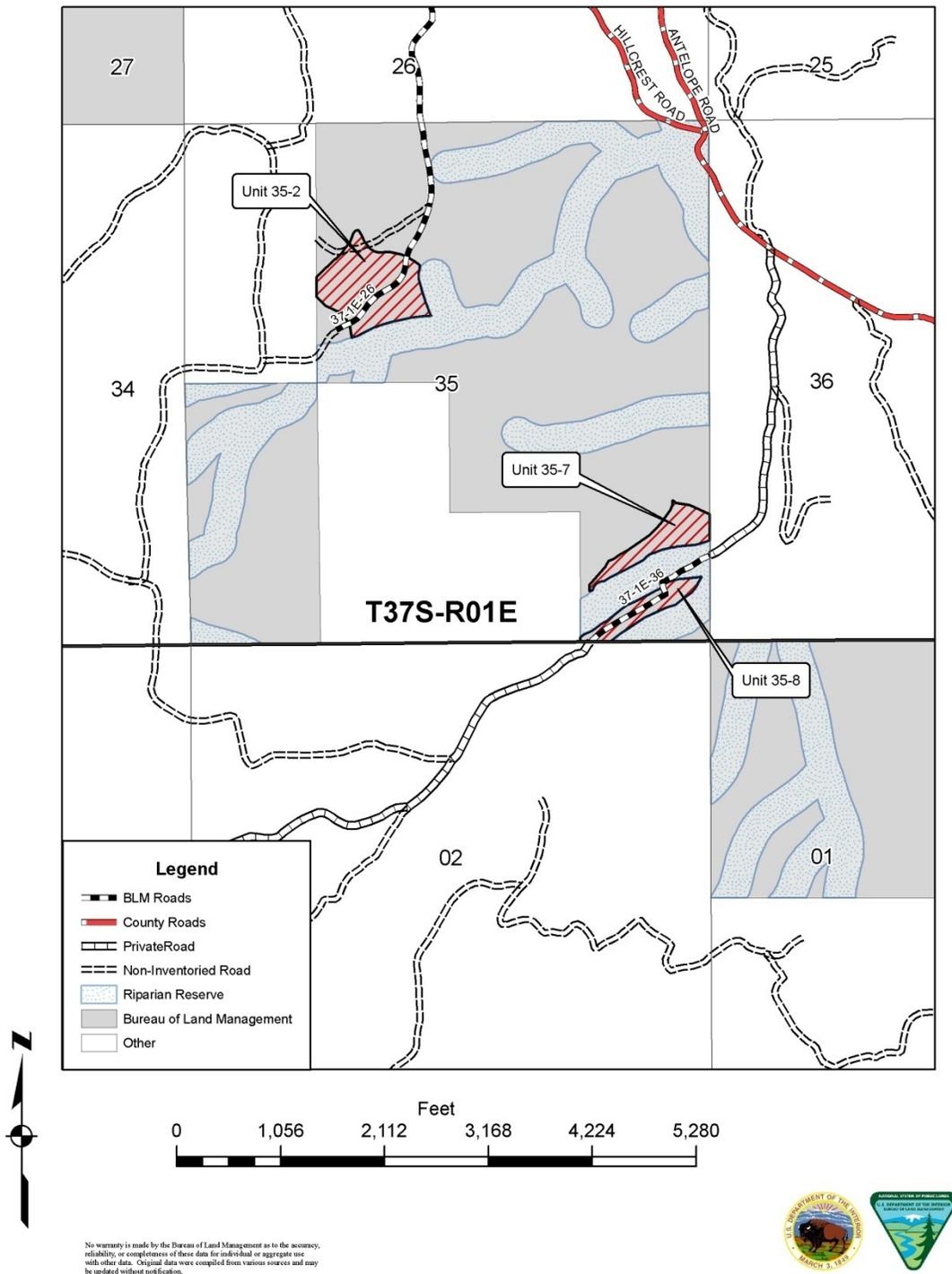


Map 7. Rio Climax Forest Management Project

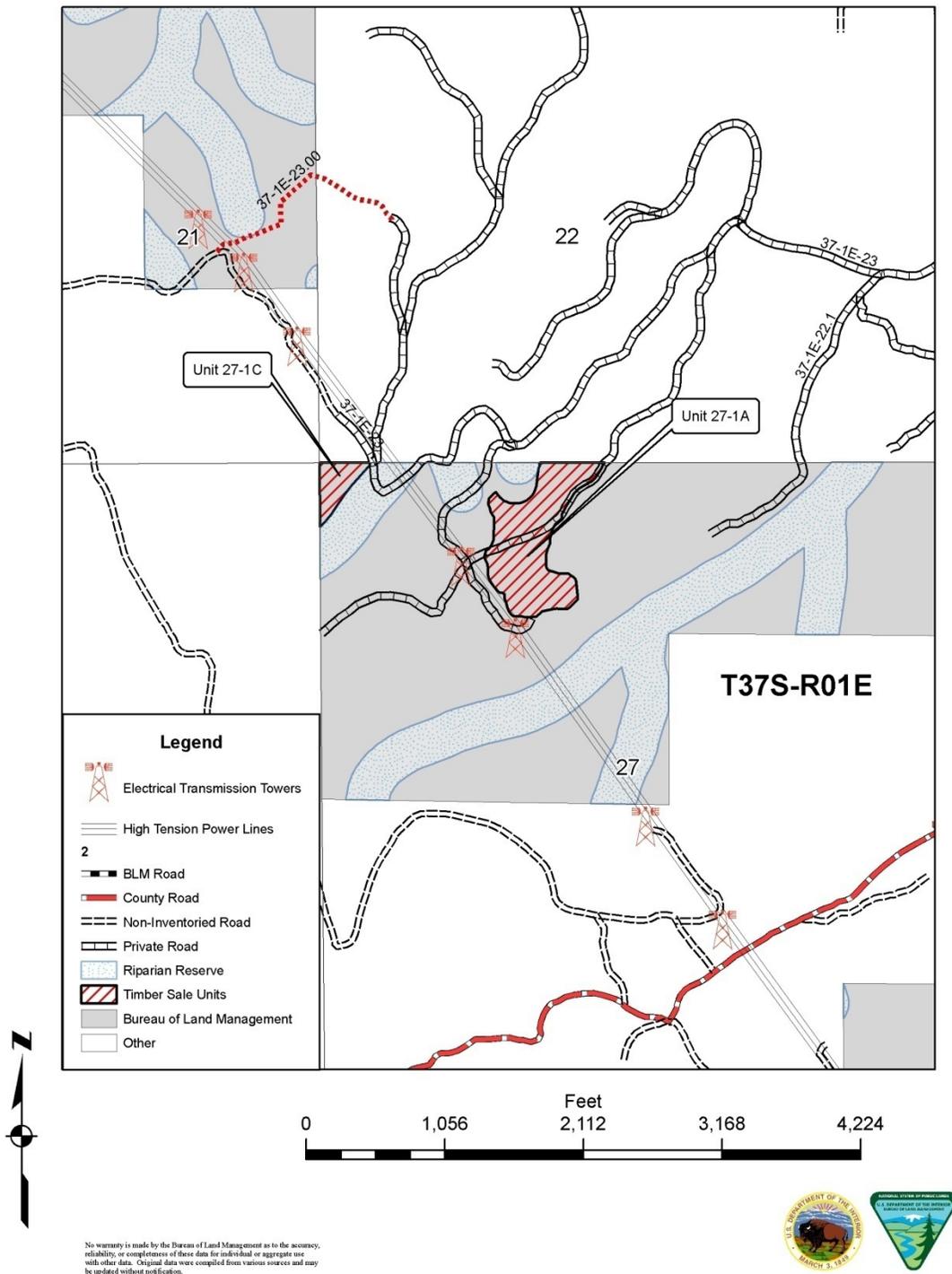


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Map 8. Rio Climax Forest Management Project



Map 9. Rio Climax Forest Management Project



DECISION RATIONALE

My decision to implement a subset of Alternative 2 is based on consideration of the relative merits and consequences of either implementing or not implementing the Rio Climax Forest Management Project, as documented in the Revised EA and Finding of No Significant Impact. I have also considered all public comments and concerns received. I have determined that my decision outlined above best meets the purpose and need for this project, as identified in Chapter 1 of the Rio Climax Forest Management EA, in summary:

Alternative 2 will implement silvicultural prescriptions that are designed to improve tree vigor and growth for long-term forest production and reduce the effects of forest disease on forest stands (Revised EA p. 2-30 to 2-33). The long term (>10 years) effects of forest thinning are anticipated to increase the health and vigor of the residual stands (Revised EA, Chapter 3, Section G, Silviculture). As designed, silvicultural treatments (forest thinning) will improve tree vigor and growth, maintain and create diversified stand structure, and decrease competition for more fire resilient pine, cedar, and oak species (Revised EA p. 3-76).

The Rio Climax Forest Management Project is located on BLM-administered lands allocated to produce a sustainable supply of timber. The implementation of the Rio Climax Project will contribute timber volume towards the District's Allowable Sale Quantity, thus, meeting Timber Resource Objectives of the 1995 and 2008 Medford District RMP, one of the primary purposes identified for this project (Revised EA p. 1-3).

The Rio Climax Forest Management Project will reduce hazardous fuels in the units treated, thus reducing the threat of wildfire damaging resources (Revised EA p. 3-92) while promoting fire resilient species (Revised EA p. 3-93).

The Rio Climax Project will maintain a transportation system in the project area that provides access for the management of resource program areas (2008 RMP, p. 49; 1995 RMP p. 85-86) including timber resources, while reducing their effects on water, soils, fish, and wildlife through the application of Best Management Practices (Revised EA p. 2-35 to 2-44). Road improvements could include such items as spot rocking, cleaning road drainage ditches and culvert basins, repairing and installing water dips, and grading and shaping road surfaces (Revised EA p. 1-4, 2-2).

The Rio Climax Forest Management Project avoids downgrading northern spotted owl nesting, roosting, foraging (NRF) habitat within a 0.5 mile (core area) of historic northern spotted owl sites (Revised EA p. 3-55 and 3-56). Furthermore, forest thinning will only occur on ten percent of the existing northern spotted owl nesting, roosting, and foraging (NRF) habitat within the analysis area, leaving 90 percent of NRF untreated. (Revised EA p. 3-54).

I have personally read the comment letters sent in response to the EA public review period, and I have considered them fully. The BLM has identified substantive comments/issues submitted during the EA public review period and prepared a response to these comments. Responses are intended to be explanatory in nature and where applicable to guide the reader towards analysis or information contained in the Environmental Assessment (Revised EA). BLM's response to substantive comments is documented in Appendix A, Response to Comments Received for the

Rio Climax Forest Management Project EA. In response to public comments, minor revisions and corrections were also made to the EA. The Revised Rio Climax Forest Management Project EA will be posted to BLM's Medford District Website.

The BLM also visited portions of the Rio Climax Project with the Conservation Director of Klamath-Siskiyou Wildlands Center in an effort to resolve their organization's concerns with the Rio Climax Project. Another objective for the field trip was to review recent road/OHV closures implemented by the BLM in partnership with the Cascade Ranch. The BLM recently implemented about 16 miles of road and OHV trail closures in the Rio Climax analysis area (Revised EA p. 3-23) to reduce road densities and their effects on terrestrial and aquatic habitats and water quality. These road and OHV closures are consistent with recommendations of the Little Butte Watershed Analysis, the Lower Little Butte Water Quality Restoration Plan, and BLM's 2008 and 1995 Resource Management Plans.

Of primary concern to Klamath-Siskiyou Wildlands Center are the effects of new road construction in a watershed with high road densities, the potential for the Rio Climax project to exacerbate off-road vehicle activity, timber harvest in mature stands with large tree structure, and the downgrading of 148 acres of northern spotted owl habitat. The Center requested adjustments to the project to ease their concerns regarding implementation of this project. The requests were:

"Blacking out all large overstory conifers 30" and greater that are currently marked for removal in the harvest units;

-A tangible and meaningful commitment to implementing the contemplated BLM system road decommissioning in the planning area that was discussed in the field;

-A tangible and meaningful commitment to avoiding, preventing and monitoring ORV use of timber sale created openings, skids, temp roads and yarding corridors;

-Retention of the unentered old-growth stand in and around unit 11-6 (described during the field trip as about 2 to 3 acres);

-Retention of the NRF unit that would be logged using the currently blocked road at the Grizzly Peak trailhead."

While the BLM was not able to accommodate all of the organization's requests (i.e. setting a 30 inch diameter limit, removing Unit 8-5 near Grizzly Peak Trailhead from the project, and removing 2 to 3 acres of mature forest stand from unit 11-6) the BLM did agree to include road decommissioning as part of the decision and to demark certain large trees (about 4-6 trees) discussed during the field trip. The reasons for demarking some trees include retention of wildlife trees and large tree structure. The BLM also remains committed to monitoring OHV use and recent closures in the Lake Creek Area to ensure closures are maintained and that the Rio Climax project does not increase occurrences of off road use in or adjacent to the project area. Project design features required as part of this project include: closing and camouflaging main skid trails (with slash and CWM) that intersect roads, and closing temporary spurs the same season of use, and camouflaging the route with slash and CWM.

The area described above by Klamath-Siskiyou Wildlands Center as un-entered old-growth in and around Unit 11-6 is classified in BLMs Forest Operations Inventory as mature (110 to 130

years old with inclusion of some older larger trees); field data confirms this classification. BLM's wildlife biologists completed an inventory of stands in the Rio Climax Project Area to determine whether or not they met the criteria for structurally complex multi-layered conifer forests described under Recovery Action 32 (RA 32) of the 2008 Recovery Plan for the Northern Spotted Owl. Recovery Action 32 recommends maintaining "substantially all of the older and more structurally complex multi-layered conifer forests on Federal lands outside of Managed Owl Conservation Areas. The purpose of Recovery Action 32 is to provide refugia for northern spotted owls as they adapt to competitive pressures from an increasing population of barred owls. Those stands meeting RA 32 criteria were removed from the Rio Climax Forest Management Project. The mature forest in and around Unit 11-6 did not possess a defined second layer and was therefore not identified as RA-32.

The prescription for Unit 8-5 is to treat and maintain NRF. Access to this unit does pass by the Grizzly Peak trailhead. The design of the project has taken into consideration the safety and quality of the recreation experience for trail users. Project Design Features would be required to reduce impacts on recreation users, they include: no hauling would be permitted on holidays or weekends; the trail parking area would be clearly designated to separate trail parking from through traffic; speeds would be restricted to 10 mph or less near the trailhead; and signing would be posted at the intersection of Grizzly Peak and Shale City Road and near the trail head to warn travelers of log truck traffic and to warn log truck drivers of pedestrians near the trailhead.

In conclusion, the Rio Climax Project as described in the Decision above best meets the purpose and need described for this project, while minimizing the potential for adverse effects on the environment. The required implementation of Project Design Features will provide for the protection of resources consistent with existing laws, policy, and the direction of the 2008 Medford District Resource Management Plan (RMP) and the 1995 RMP (see Plan Consistency below and the Finding of No Significant Impact document for the Rio Climax Project).

MONITORING

Implementation monitoring is accomplished through BLM's contract administration process. Project design features included in the project description are carried forward into contracts as required contract specifications. BLM contract administrators and inspectors monitor the daily operations of contractors to ensure that contract specifications are implemented as designed. If work is not being implemented according to contract specifications, contractors are ordered to correct any deficiencies. Timber sale contract work could be shut down if infractions of the contract are severe. The contract violations would need to be corrected before the contractor would be able to continue work. If contract violations are blatant, restitution could be required.

CONSULTATION AND COORDINATION

Pursuant to the Endangered Species Act (ESA), formal consultation was completed with the US Fish and Wildlife Service. The Service concluded in its Biological Opinion (#13420-2011-F-0206) that the District's proposed action is likely to adversely affect spotted owls (BO 3420-2011-F-0206, p. 45; Revised EA p. 3-55); however, the Rio Climax proposed action would not Jeopardize the continued existence of the northern spotted owl (BO 3420-2011-F-0206, p. 45; Revised EA, p. 3-56). The project is not located within northern spotted owl critical habitat (Revised EA, p. 3-50).

Pursuant to the ESA, informal consultation was completed with the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS). In their June 14, 2011 Letter of Concurrence (LOC), the National Marine Fisheries Service concurred (LOC, p. 1-2) with the BLM's determination that the actions proposed in the Rio Climax Forest Management Project EA are "not likely to adversely affect" (NLAA) Southern Oregon Northern California Coastal coho, their Critical Habitat, or Essential Fish Habitat (Revised EA p. 3-33).

A no effect determination was made by BLM regarding federally listed plant species. All proposed actions analyzed under the Rio Climax EA are located outside of the ranges of plant species *Fritillaria gentneri*, *Limnanthes floccosa* ssp. *grandiflora*, *Lomatium cookii*, and *Arabis macdonaldiana*, species listed under the Endangered Species Act with Ranges on the Medford District BLM. Any sites of listed, proposed, or candidate species detected outside their range would have been reported and none were detected (Revised EA p. 3-96 to 3-97).

The project will not adversely impact any sites of cultural or historical significance. The State Historic Preservation Office (SHPO) was informed of the BLM's finding in accordance with 36 CFR 800.5(b).

Scoping notices were sent on February 16, 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 were also notified of this project during the scoping period.

PUBLIC INVOLVEMENT

A letter briefly describing the Proposed Action and inviting comments was mailed to adjacent landowners, interested individuals, organizations, and other agencies on February 16, 2011. Comment letters received were reviewed by the interdisciplinary team of specialists and by the Responsible Official, the Ashland Resource Area Field Manager. Issues identified to be relevant to the analysis of the proposed action were incorporated into the list of relevant issues in Section G, 1, Relevant Issues.

The Rio Climax EA was completed on June 22, 2011 and made available for public review. The EA was sent to those who responded to the scoping letter or requested to be kept informed about the project. The EA was posted on BLM's Medford District Website on June 23, 2011. The EA public review period ended on July 22, 2011. Written comments received in response to the Rio Climax EA were reviewed by the interdisciplinary team and responsible official and substantive comments were addressed in EA Appendix A, Response to Comments Received for the Rio Climax Forest Management Project Environmental Assessment. Minor revisions and corrections were made to the EA in part as a result of the public comments. The revised EA will be posted to the Medford District BLM website (<http://www.blm.gov/or/districts/medford/plans/index.php>).

PLAN CONFORMANCE

The BLM initiated planning and design for this project to conform and be consistent with the Medford District's 1995 Record of Decision (ROD) 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).

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 the 2008 ROD and RMP. The proposed Rio Climax Forest Management Project is located on lands allocated by the 2008 Medford District RMP to Uneven Age Timber Management Area, Timber Management Area, and Riparian Management Area. The 2008 Medford District ROD/RMP specifically states: "Manage forests to achieve continuous timber production that could be sustained through a balance of growth and harvest" (USDI 2008, p. 38).

The Rio Climax Forest Management Project contains Project Design Features that apply Best Management Practices of the 1995 RMP (Appendix D), which are also consistent with Best Management Practices contained in the 2008 RMP (Appendix C). While this EA contains discussions of land allocations and components of the 1995 RMP (e.g., Riparian Reserves, Aquatic Conservation Strategy Objectives, etc.), which are not components of the 2008 ROD and RMP, the 2008 ROD and RMP do not preclude the application or discussion of these components. As designed, this project complies with Management Direction, Objectives, and Best Management Practices of the 2008 ROD and RMP, as well as the 1995 Medford District RMP.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010 and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement. The Rio Climax Project is consistent with 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* (2001 ROD), as modified by the 2011 Settlement Agreement.

This decision 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.

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 the Medford Mail Tribune. Publication of the first notice of sale establishes the effective date of the decision for those portions of this Decision Record to be implemented through a timber sale. The protest of the timber sale must be made within 15 days of the publication 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 The Medford Mail Tribune. 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.

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.

If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the Notice of Decision or Notice of Sale, the 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 Ashland Resource Area will issue a protest decision.



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

11/22/11

Date