



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

MEDFORD DISTRICT OFFICE



**FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

**For the**

**RIO CLIMAX FOREST MANAGEMENT PROJECT**

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

**INTRODUCTION**

The Environmental Assessment (EA) for the Rio Climax Forest Management Project (DOI-BLM-OR-M060-2011-0010-EA) 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. In response to public comments received during the EA review period, minor corrections and revisions were made to the EA primarily for the purposes of clarification. The Revised EA will be posted to the Medford District BLM website (<http://www.blm.gov/or/districts/medford/plans/index.php>).

The Rio Climax Forest Management Project EA documented the analysis of BLMs proposal to harvest trees on BLM-administered lands 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.

Based on the context and intensity of the impacts analyzed in the Revised EA (Chapter 3), I have determined that my decision to implement the proposal, as described in Decision Record for the Rio Climax Forest Project, is not a major Federal action that would significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. I considered the following criteria, suggested by CEQ (40 CFR 1508.27), for evaluating intensity or severity of the impact of the Rio Climax Project.

The Rio Climax Forest Management Project will:

***1. Not result in significant beneficial or adverse effects.***

- Soil productivity would be protected by requiring designated skid trails and using existing skid trails to the extent practical, limiting compaction from current harvest activities to 12 percent of the harvested area (Revised EA p. 3-10 to 3-11). Mechanized harvesting would only be allowed when soil moistures are 20 percent by weight at 3 inch depth, or over snow with a minimum snow depth of 18 inches (Revised EA p. 2-36). This is consistent with 2008 Medford District RMP guidance (RMP Appendix C, p. 23). This is also consistent with the 1995 RMP under which the proposal was developed (PRMP/EIS p. 4-13; Revised EA p. 3-11).

- Soil erosion from tractor and cable yarding, permanent road construction, temporary road construction, and road maintenance would be minimized through the application of Best Management Practices to be implemented through required project design features (Revised EA p. 2-35 to 2-39).
  - Although erosion rates would increase in the harvested units, most soil particles would not reach local waterways under normal rainfall conditions, this is because in most operations, a major portion of the harvest area (about 70 percent or greater) would remain essentially undisturbed. Since surface erosion depends primarily on extent and continuity of bare areas, soil loss would be negligible (Revised EA p. 3-10). Erosion rates would return to near normal rates within 5 years as vegetative cover is re-established (Revised EA p. 3-10).
  - Roads would be located in stable areas and constructed using Best Management Practices (Revised EA p. 2-35 to 2-39) to reduce road related erosion (Revised EA p. 3-9).
- Water quality and aquatic habitat would be maintained:
  - Stream temperatures would not be affected because there would be no timber harvest within Riparian Reserves and no removal of shade producing vegetation from timber harvesting (Revised EA p. 3-21 and 3-37). Even though road construction through short-term intermittent stream channels located high in the drainage would not have impacted stream temperatures (Revised EA p. 3-21); new road construction through Riparian Reserves was eliminated in BLM's decision concerning the Rio Climax Forest Management Project.
  - With the implementation of Best Management Practices, sediment increases from road maintenance and log haul are expected to be minor, such that any sediment transported from road maintenance and haul activities is expected to be an immeasurable fraction of the total sediment load and would not be detectable at downstream locations (Revised EA p. 3-21, 3-24). Maintenance activities would help to reduce road related sediment and erosion by maintaining adequate road drainage.
  - Sediment from road construction and renovation would also be minor in extent and short term (Revised EA p. 3-21, 3-23). Best management practices applied through required project design features include road construction/renovation would only occur during the dry season; disturbed soil would be stabilized using approved erosion control measures prior to the onset of fall rains; all new road construction would be out-sloped to eliminate connectivity to the stream channels (Revised EA p. 3-23); roads would be closed following use and monitored to ensure closures are maintained (Revised EA p. 2-2). Additionally, BLM's decision to eliminate new road construction in Riparian Reserves further reduces risk for road related sedimentation by eliminating new stream channel crossings all together.
- The frequency and magnitude of peak flow would not be altered. Vegetation management treatments would maintain canopy cover above the 30 percent threshold, and there would be no appreciable increase in compacted area (indicators used to assess the risk of increasing frequency and magnitude of peak flow), there would be no risk for increasing the frequency and magnitude of peak flow as a result of implementing the Rio Climax Forest Management Project (Revised EA p. 3-22).

- While fuel levels would increase immediately following forest management activities (Revised EA p. 3-91), this increase in fuel loading would not create a significant increase in the risk of large-scale wildfires for the short-term, this is because:
  - Flame lengths in a slash model would be about 4 feet, which would still allow for direct attack.
  - slash piling is required soon after yarding is completed (within 8 weeks and often sooner) on a unit by unit basis, which breaks up the continuity of the fuel bed and its ability to carry fire;
  - slash is green when first cut and gradually becomes more susceptible to burning;
  - green fuels can dampen fire behavior and handpiles usually need to cure for 4-6 months before they will burn;
  - The BLM would administer contracts to complete post-harvest fuels treatments within 6 months to 2 years following completion of harvest activities (Revised EA p. 2-2). As a general rule, harvest slash generated prior to around August 1<sup>st</sup> of a given year is burned the following fall and winter months eliminating slash piles prior to the next fire season (less than one year). Slash generated after this time would need to cure the following dry season and would be burned within 14 to 16 months of timber harvest.
  - Also considering the small number of acres (about 3 percent of the analysis area) and the scattered nature across the analysis area, there would not be a measurable increase in fire hazard at the landscape scale even with short-term increases at the site scale.
  - Following treatment of activity fuels, fire hazard would be lower than pre-harvest conditions due to the reduction in ladder and canopy fuels (Revised EA p. 3-92 to 3-95).
- Surveys were completed for great grey owls. Three reproductive sites located in the vicinity of the project area would be protected, each with a 1/4 mile radius no harvest buffer (or equivalent area polygon) (Revised EA pp. 2-41, 3-51, 3-60).
- Special Status and/or Survey and Manage mollusk species would be protected by no treatment buffers (Revised EA p. 2-41, 3-62 to 3-63).
- While no active golden eagle nest sites have been detected since the 1990s (Revised EA p. 3-52), large tree structure important for nesting would be retained in the project area (Revised EA p. 3-61). Preferred foraging areas, open areas with shrubs and grasslands would remain functional as foraging areas for the golden eagle (Revised EA p. 3-52, 3-61).
- A minimum of 3 snags per acres greater 17 inches diameter and larger would be maintained (Revised EA p. 2-40) and down coarse woody material would not be targeted for removal to maintain habitat for cavity nesting wildlife species (Revised EA p. 2-32, 2-36, 2-40, 3-56, 3-57, 3-60, 3-61, 3-62, 3-64, 3-66, and 3-89).
- There would be no effect on sites of special status or survey and manage botanical species as all sites will be protected as recommended by project design including seasonal restrictions or no treatment buffers, or a combination of both (Revised EA p. 3-101).
- The implementation of project design features will minimize the potential for the introduction and spread of noxious weeds (Revised EA p. 2-41 and 3-107).
- The total carbon dioxide emitted during the 20 year analysis periods is considered negligible in the context of total U.S. carbon dioxide emissions of 6 billion metric tons (Revised EA 3-116).

The carbon emission level for the 20 year analysis period would be offset by carbon storage in tree growth within 4 to 17 years of harvesting depending on the prescription type (Revised EA p. 3-116).

See criteria number nine below for discussion of species listed under Endangered Species Act and candidate species.

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

No aspects of the Rio Climax Forest Management Project have been identified as having the potential to significantly and adversely impact public health or safety.

The following Project Design Features would be required to ensure public safety in the vicinity of Grizzly Peak Trailhead: signs would be placed at the intersection of Shale City and Grizzly Peak Roads to warn trail users of possible encounters with logging trucks, signs would be placed near the trail head to restrict speeds to 10 miles per hour and to warn truck drivers of pedestrians at or near the trailhead; hauling will not be permitted on holidays or weekends to reduce recreation user impacts on the trail and at the trail head (Revised EA p. 2-44).

Prescribed burning operations will follow all requirements of the Oregon Smoke Management Plan and the Department of Environmental Quality Air Quality and Visibility Protection Program, ensuring that smoke related impacts to public health and safety are mitigated (Revised EA p. 123). By implementing actions to minimize smoke effects and by complying with DEQ regulations, smoke associated with the proposed action will not reduce air quality of the Medford/Ashland area.

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

No wilderness areas, wilderness study areas, prime farmlands, 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 in the Rio Climax Forest Management Project Area.

**4. *Not have highly controversial environmental effects.***

“Highly controversial”, in the context of 40 CFR 1508.27(b) (4), refers to substantial disagreement within the scientific community about the environmental effects of a proposed action. It does not refer to expressions of opposition or expressions of preference among alternatives or differences of opinion concerning how public lands should be managed.

The Rio Climax Forest Management project is similar in nature to many other forest management projects that have been implemented within the scope of the Medford District Resource Management Plan across the Medford District. The anticipated effects of harvesting timber, post-harvest fuels reduction, and new road construction, documented in the EA, are well known and no highly controversial effects have been identified.

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

The analysis does not show that this action will involve any unique or unknown risks. The silvicultural prescriptions and harvesting methods are the same methods used on a regular basis for managing forest stands on BLM-administered lands. The anticipated effects of implementing the Rio Climax Forest Management Project are well supported with referenced literature throughout the EA, and are similar in

nature to the effects estimated and observed for other timber sales implemented on the Medford BLM district.

**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 Rio Climax Forest Management Project will not set any precedents for future actions with significant effects. The Rio Climax Forest Management Project will implement actions approved for forest management under the 2008 Medford District Resource Management Plan and analyzed under the Final Environmental Impact Statement for the Revision of the Resource Management Plans of the Western Oregon Bureau of Land Management. It is therefore consistent with the types of projects envisioned in the 2008 BLM Resource Management Plan. The Rio Climax Forest Management Project was also designed to be consistent with the 1995 Medford District Resource Management Plan (Revised EA p. 1-5) and is consistent with actions implemented under the 1995 RMP for over a decade. This project is not precedent setting.

**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 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 (Revised EA Chapter 3, Affected Environment & Environmental Consequences). No significant cumulative impacts were identified.

Also refer to criteria number one above for determination of presence of significant adverse or beneficial effects that could contribute to significant cumulative effects. None were identified.

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

In accordance with the protocol for managing cultural resources on lands administered by the Bureau of Land Management (BLM) and the National Historic Preservation Act of 1966 (specifically section 106), as amended, a literature review and archaeological reconnaissance was conducted for the Rio Climax Project Area. Cultural resources recorded during the survey will be buffered and protected from project activities.

The project would not result in restricting access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites. No sites have been identified in the Project Area. Executive Order 13007 (Indian Sacred Sites) (Revised EA p. 3-123).

This project would have no effect on Indian Trust Resources as none exist in the Project Area (Revised EA p. 3-123).

**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.***

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 while the Rio Climax project is anticipated to result in the incidental take of northern spotted owls

associated with three historic owl sites due to the downgrade of 148 acres of nesting roosting and foraging habitat (Biological Opinion #13420-2011-F-0206, p. 52), the district's proposed action is not likely to jeopardize the continued existence of the spotted owl (Biological Opinion #13420-2011-F-0206, p. 51; Revised EA p. 3-56).

The Pacific fisher (*Martes pennanti*) was petitioned for listing as endangered or threatened under the Endangered Species Act on December 12, 2000. In 2003 the USFWS released their notice of 90-day petition finding and initiation of status review (68 Federal Register, No. 132, 41169-41174) and in 2004 published their Notice of 12-month petition finding, concluding that listing fishers as threatened was warranted, but was precluded by higher priority listing actions (Federal Register Vol. 69, No. 68, April 8, 2004, 18769-18792). The species remains a USFWS candidate species (USDI, USFWS 2004, 71 Fed. Reg. 53777, Sept. 12, 2006).

Alternative 2 would not contribute to the need to Federally list the fisher as threatened or endangered because habitat features, such as large snags and coarse wood, would be retained throughout the project area, which would provide habitat for denning and resting. More than 90 percent of suitable habitat located within the analysis area would remain untreated (Revised EA p. 3-60).

The Rio Climax project units are all located outside of the ranges of *Fritillaria gentneri*, *Arabis macdonaldiana*, *Limnanthes floccosa* ssp. *grandiflora*, and *Lomatium cookii* species listed under the Endangered Species Act with ranges on the Medford District. Any sites of listed, proposed, or candidate plants detected outside their defined range during surveys would have been reported; none were found (Revised EA p. 3-96 to 3-97). Therefore, there would be no effects to botanical species listed under the Endangered Species Act.

Pursuant to the Endangered Species Act, consultation was completed with the NOAA Fisheries Service. In their June 14, 2011 Letter of Concurrence (LOC), the Service concurred with the BLM's determination that the actions proposed in the Rio Climax Forest Management Project EA are "May affect, not likely to adversely affect" (NLAA) Southern Oregon/Northern California Coasts (SONCC) coho salmon, coho Critical Habitat, and Essential Fish Habitat (June 14, 2011 LOC p. 1-2). Effects to aquatic habitat were determined to be of insufficient magnitude and of a nature to not meaningfully impact aquatic habitats in fish bearing channels (Revised EA p. 3-33).

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

Through analysis documented in the Revised EA, the BLM has determined that with implementation of required Project Design Features, the proposed action would not threaten a violation of any federal, state, or local environmental protection laws.

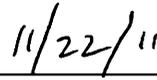
This project was reviewed for the potential for disproportionately high or adverse effects on minority or low income populations; no adverse impacts to minority or low income populations will occur (Revised EA p. 3-123).

**FINDING**

I have determined the Rio Climax Forest Management project does not constitute a major Federal action having a significant effect on the human environment; an environmental impact statement is not necessary and will not be prepared. This conclusion is based on my consideration of the Council on Environmental Quality's criteria for significance (40 CFR § 1508.27), with regard to context and intensity of the impacts described in the Revised EA, my understanding of the project, review of project analysis, and review of public comments. The analysis of effects documented in the Revised EA has been completed within the context of multiple spatial and temporal scales and within the context of the 1995 and 2008 Medford District Resource Management Plans and the 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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Date