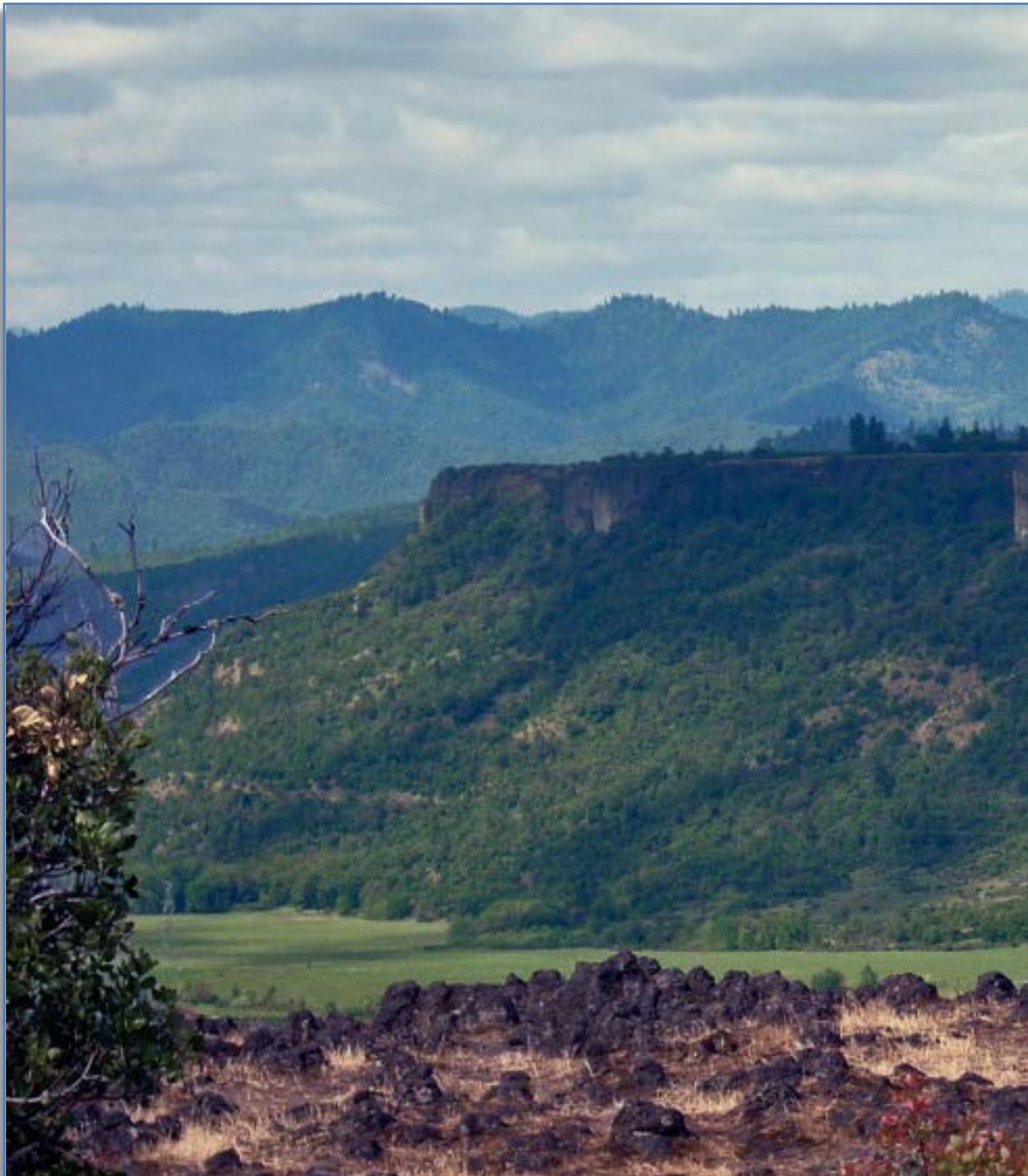


Table Rocks (ACEC) Area of Critical Environmental Concern Land Donation Environmental Assessment

DOI-BLM-OR-M050-2014-0009-EA



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1.0 Purpose and Need

This section describes why the Bureau of Land Management (BLM) is proposing an action. It also identifies the factors that will be used for making a decision and lists the legal requirements the BLM must consider.

1.1 Introduction

This Environmental Assessment (EA) will analyze the impacts of whether to accept a land donation from The Nature Conservancy (TNC) adjacent to BLM-administered land at Lower Table Rock, and then manage as an ACEC (Area of Critical Environmental Concern) until it is officially designated as part of the Table Rocks ACEC by amending the 1995 Medford Resource Management Plan or by incorporating it into a new resource management plan. These parcels are located in Township 36 South, Range 2 West, Sections 4 and 9 in Jackson County, Oregon.

The EA will provide the decision-maker, the Butte Falls Field Manager, with current information to aid in the decision-making process. It will also determine if there are significant impacts not already analyzed in the Environmental Impact Statement for the Medford District's Resource Management Plan (RMP) and whether a supplement to that Environmental Impact Statement is needed or if a Finding of No Significant Impact is appropriate.

Section 1 provides a context for what will be analyzed in this EA, it describes the action the BLM is considering, defines the project area, describes what the proposed action would accomplish, and identifies the criteria used for choosing the appropriate alternative for the action.

In February 2013, TNC approached the Bureau of Land Management, Medford District Office with a proposal to donate five contiguous parcels (220.6 acres) of TNC land to the BLM.

The Table Rock ACEC was designated in the Medford District's 1995 Resource Management Plan (RMP) to protect special status plants and animal species such as dwarf wooly meadow foam, southern Oregon buttercup, and vernal pool fairy shrimp; unique geologic and scenic values; and environmental education opportunities. The five TNC parcels proposed for donation will connect two BLM parcels and provide the BLM with contiguous ownership of the Lower Table Rock trail. The existing hiking trail provides public access to the top of the Lower Table Rock mesa through an easement from TNC. The donation would create 500.6 acres of contiguous BLM-administered lands benefitting unique plant and animal species, special habitats, and a variety of plant communities identified as ecological priorities.

In 2013 the BLM, TNC, and The Confederated Tribes of Grand Ronde, and Cow Creek Band of Umpqua Tribe of Indians developed the Table Rocks Management Area Management Plan (Management Plan) to create a long-term plan to protect and enhance the unique historical, cultural, and natural features encompassed on and around the Table Rocks. The Management Area is a checkerboard of BLM, TNC, private, and state ownership that depicts a geographic area of interest with potentially similar characteristics or recreational links. The Management Plan allows for acquiring parcels within the Management Area that would add important habitat to the BLM's ACEC and TNC's Preserve, provide increased protection of sensitive resources, and allow consistent management of the Table Rocks.

1.2 Purpose and Need of the Proposed Action

The purpose of this EA is to evaluate the suitability of accepting the land donation adjacent to the Table Rocks ACEC.

The Proposed Action for this project is to accept this property donation. The property would be managed to the same standards as the rest of the lands of the Table Rocks ACEC (RMP, p. 56-62). There are currently no plans to develop or otherwise modify the donated parcel.

Acceptance of the land donation meets the objectives of the Medford District Record of Decision and Resource Management Plan:

- The five parcels are located between the BLM lands classified as “Land Tenure Adjustment Zone 2” in the RMP, and allows the BLM to “block up areas in Zone 2 with significant resource values” (p.81).
- “Provide new special areas where needed to maintain or protect important values” (p.56).

Acceptance of the land donation will provide the BLM with consistency in recreation management and protection for sensitive resources for which the Table Rocks ACEC was designated. Presently, the Lower Table Rock area provides outstanding opportunities for environmental education and recreation with over 20,000 visitors each year.

1.3 Issues

Scoping

Public scoping was completed through the Summer 2014 edition of the *Medford Messenger*. This quarterly publication, provides a brief description of the proposed project, a legal description, and general vicinity map. This publication facilitates the opportunity for the public to provide their comments on the proposed project.

Issues Considered in Detail

No unresolved resource issues were identified internally during the interdisciplinary process or externally during scoping for this project.

1.4 Legal Requirements

The Acceptance of Offer is authorized under Section 307 of the FLPMA (Federal Land Policy and Management Act) of October 21, 1976 (P.L. 94-579). The offer is in the public interest because the land would provide connectivity between adjacent BLM lands in the Table Rock ACEC.

The acquisition by donation is in conformance with the 1995 *Medford District Record of Decision and Resource Management Plan* (ROD/RMP) (page 81 – Land Tenure Adjustment Zones). The parcels are located between BLM lands classified as “Land Tenure Adjustment Zone 2.” The RMP states that the BLM would “block up areas in Zone 2 with significant

resource values.” The acquisition of these parcels will allow the BLM to “block up” lands with significant resource values.

The land donated land is in conformance with the objectives, land use allocations, and management direction in the 1995 ROD/RMP and any plan amendments in effect at the time this document is published.

This action also conforms to the following:

- Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (Northwest Forest Plan) Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001 Survey and Manage), and Annual Species Reviews (2001, 2002, and 2003) make it possible for the Agencies to more efficiently provide the level of species protection intended in the Northwest Forest Plan while retaining the major elements of Survey and Manage.
- Medford District Integrated Weed Management Plan, June 1998

1.5 Decisions

Decision Factors

The Butte Falls Resource Area Field Manager will use the following criteria and objectives in selecting the alternative to be implemented. The field manager will select the alternative that best meets these criteria. The selected action would:

- Comply with the *Medford District Record of Decision and Resource Management Plan*, 1995 (RMP) and related documents which direct and provide the legal framework for management of BLM lands within the Medford District (Section 1.4).
- Not have significant impact on the affected elements of the environment beyond those already anticipated and addressed in the RMP EIS.

Decisions to be Made

The following decisions will be made through this analysis:

- Whether preparation of an EIS is needed if effects would result in significant impacts to the human environment not already analyzed in the EIS prepared for the Medford District ROD/RMP and its amendments. If there are any such additional impacts that are significant, we will determine whether the project proposals could be modified to mitigate the impacts so an EIS would not be necessary. If we determine there is no need to prepare an EIS, we will document this determination in a Finding of No Significant Impacts.
- Whether to accept TNC donated parcels or to decline the offer.

2.0 Alternatives

2.1 Introduction

The BLM analyzed two alternatives in detail: 1) accepting the proposed land donation (Proposed Action) and 2) not accepting the offered donated land which would result in the continuation of the existing private ownership (No Action Alternative).

2.2 Alternative 1 (No Action)

Under the No Action alternative, the property donation would not be accepted and TNC would continue to manage the parcels in accordance with the Management plan.

2.3 Alternative 2 (Proposed Action)

The Proposed Action is to accept the donated five parcels (220.6 acres) and bring the land under federal management as public domain lands. The BLM would manage the acquired parcels as ACEC until they could be officially designated as part of the Table Rocks ACEC through the planning process.

2.4 Alternatives Considered but Eliminated

No other alternatives were considered for this proposal.

3.0 Affected Environment and Environmental Consequences

3.1 Affected Environment

Introduction

This section provides the environmental analyses of the biological, physical, social, and economic elements relative to the proposed project. For each resource topic, the setting (affected environment) is presented first, followed by the impact analysis (environmental consequences). The setting describes the existing environmental conditions that serve as the baseline for determining project impacts.

The BLM determined several resources were not relevant to the Proposed Action or the No Action alternatives and therefore, these resources are not analyzed in this document, including: Air Quality and Climate Change, Prime and Unique Farmland, Environmental Justice, and Wilderness. These resource and land uses are either not present in or adjacent to the project area or were determined to not be relevant to the Proposed Action or No Action Alternative.

General Setting

The proposed donation property is located approximately 10 miles north of Medford in central Jackson County, Oregon in the Gold Hill-Rogue River fifth-field watershed.

Hydrology, Soil, and Geology

The Table Rocks area receives approximately 20 inches of precipitation per year. The Table Rocks consist of two distinct rock types: the Payne Cliff Formation and a hard andesite cap rock. The Payne Cliff comprises the lower 700 feet and forms the sloped, softer sedimentary rocks. The upper 100 to 200 feet of Table Rocks are made up of an andesite lava cap (USDI 2013).

Rocky, clayey soils with a shallow depth to bedrock create low infiltration rates on top of the Table Rocks, which allows for the formation of vernal pools. However, through verification of the BLM's Geographic Information System (GIS), it was determined there are no vernal pools in the 220.6 acres proposed for donation to the BLM. A few small creeks, fed by underground springs and runoff, are located in the central valleys, or bowls of both rocks (USDI 2013).

Vegetation

Vegetation in the proposed donated parcels includes plant communities native to the valleys and foothills of the Rogue Valley. They include grasslands, chaparral shrublands, oak woodlands, and mixed hardwood conifer woodlands. The parcels also includes approximately one acre of mounded prairie habitat on the top of Lower Table Rock's distinctive flat-topped andesite lava caps.

Rare plants discovered during surveys of portions of the donation parcels include the Sensitive species Oregon fairy poppy (*Meconella oregana*) and long-stemmed androsace (*Androsace elongata* ssp. *acuta*).

Rare plants in the parcels associated with the mounded prairie habitat on the top of Lower Table Rock include three Sensitive species, Greene's popcornflower (*Plagiobothrys greenei*), Austin's popcornflower (*Plagiobothrys austiniae*), and winged water starwort (*Callitriche marginata*). The donation would afford the opportunity to identify additional rare plants. The parcels contain suitable habitat for the federal endangered plant Gentner's fritillary (*Fritillaria gentneri*), but no sites have been detected.

Noxious weed species known to occur in the donated parcel include yellow star-thistle (*Centaurea solstitialis*), Himalayan blackberry (*Rubus armeniacus*), and medusahead (*Tainiatherum caput-medusae*). Currently, the BLM and TNC collaborate on weed treatments of the Table Rocks.

Wildlife

Wildlife habitat resources on the Table Rocks are diverse and plentiful. The variety of plant communities and the intersection of several ecoregions at the Table Rocks contribute to wildlife diversity. Rare or uncommon birds in the management area include Lewis's woodpecker, western meadowlark, grasshopper sparrow, blue-gray gnatcatcher, and peregrine falcon. The Table Rocks are the northernmost range of the blue-gray gnatcatcher, the common and California

mountain kingsnakes, and California kangaroo rats. On the Lower Table Rocks there are vernal pools with federally listed fairy shrimp (*Branchinecta lynchi*); however, there are no vernal pools in the 220.6 acres proposed for donation to the BLM. A resident elk herd roams throughout the Table Rocks Management Area.

Fisheries

Fisheries of the Rogue River Basin in the vicinity of the Table Rocks include steelhead trout and resident rainbow trout (*Oncorhynchus mykiss*), cutthroat trout, (*O. clarkia*), Chinook Salmon (*O. tshawytscha*) and Coho Salmon (*O. kisutch*). Coho Salmon in the Rogue River Basin belong to the Southern Oregon/Northern California Coast (SONCC) Coho Evolutionary Significant Unit (ESU), and were listed under the Federal Register by National Oceanic and Atmospheric Administration's (NOAA's) as threatened in 1999 and reaffirmed as threatened in 2005. The Rogue River runs along the south edge of the proposed Table Rocks Management Area boundary.

Cultural

The Table Rocks Management Area has played a significant role in prehistoric and historic events. The Takelma Indians occupied the area and obtained a variety of resources for food and other necessities from the land. The Table Rocks landform played a significant role in their spiritual, cultural, and geographical worldview. Conflicts with Euro-American immigrants and the military resulted in the 1853 Treaty of the Table Rock and restriction of the tribes to the 100 square miles Table Rock Reservation. The treaty was short-lived and in 1856 a band of Takelma were removed from the reservation and relocated to the Grand Ronde reservation west of Salem. Other bands were removed to the Siletz Reservation in Northwest Oregon, while others took refuge and stayed hidden in the Umpqua headwaters. Descendants of the Upland Takelma are members of the Confederated Tribes of Grand Ronde, Confederated Tribes of Siletz Indians, and Cow Creek Band of Umpqua Tribe of Indians. These tribes maintain deep ties to their ancestry, culture, history, and natural resources of the Table Rocks. In 2011 and 2012, the BLM and TNC signed memorandums of understanding and formed partnerships with both the Confederated Tribes of Grande Ronde and the Cow Creek Band of Umpqua Tribe of Indians to manage the Table Rocks.

Recreation

Recreation in the Table Rocks Management Area has been focused on the trails leading to the tops of both mesas, although some hunting and geocaching off the main trails also occurs. Visitor numbers have increased faster than population growth of the surrounding area. Estimated visitor numbers of the Table Rocks Management Area in 1984 were 10,800; in 2010 they were 45,000. The majority of visitors hike the trails in the spring months (March to May) to observe wildflowers and wildlife and to see the views of the valley from the tops. The BLM Table Rocks Environmental Education Program leads school groups during the spring months to educate children about the natural and cultural uniqueness of the Table Rocks. The BLM and TNC offer a weekend hike series for the public led by a variety of specialists. Use has increased from just weekends in the spring to daily and year-round visits to the Table Rocks. The trails are used for hiking, physical fitness, photography, bird watching, wildflower observing, and geocaching.

Some visitors also have hunted turkey, deer, or elk with archery gear or firearms on BLM-administered lands.

To protect resources on existing and newly acquired public lands, temporary restrictions were implemented in 2014 that prohibits domestic animals, off-road vehicles, mountain bikes, discharge of firearms, and use of metal detectors on public lands within the Management Area.

The existing trail on the parcels provides access from the BLM land at the trailhead, across an easement on TNC land, and back to BLM land on the top of the Lower Table Rock mesa. This trail receives approximately 20,000 visitors annually.

Mineral Resources

The potential for salable minerals (e.g., sand and gravel) is low for the proposed donated parcels and no potential for leasable (e.g., oil, gas, and coal) and locatable (e.g., gold) minerals. Whole or parts of the area has mineral potential with no foreseeable development potential. There is no indication that mineral development may take place in the foreseeable future.

Hazardous Materials

The pre-acquisition liability survey and environmental site assessment completed in May 2013 did not reveal any evidence of hazardous substances, petroleum products, or environmental conditions on the five private parcels to be donated. A final liability survey and environmental site assessment will be completed 180 days prior to the acceptance of title from TNC to ensure conditions on the ground have not changed.

The environmental site assessment identified powerline towers, powerlines, well and well house with an underground holding tank used for drinking water, and a trailer house pad. These site conditions are not expected to result in any detrimental effects to human health or environmental quality and would not prohibit the proposed land donation. There are no other hazardous materials known to exist on-site.

Lands and Realty

Acceptance of land by donation requires compliance with the Department of Justice Title Standards. The lands proposed for acquisition are reviewed for encumbrances¹ on the title. The U.S. Department of the Interior, Regional Solicitor, Pacific Northwest Region, identifies which encumbrances would need to be removed and those that are determined acceptable to the United States. The encumbrances identified on the preliminary Title Report for which the Regional Solicitor will determine acceptability includes utility easements for power transmission, water facilities easements and deed restrictions placed by Jackson County. The encumbrances in the name of the United States that would be merged with the acceptance of the donated land and would not hinder acceptance of title include the easement for parking, roadway, walking trail,

¹ A claim against, limitation on or liability against real estate is an encumbrance. Encumbrances include liens, deed restrictions, easements, encroachments and licenses. An encumbrance can restrict the owner's ability to transfer title to the property or lessen its value. It represents some right or claim of another to a portion of the property or to the use of the property (<http://realestate.about.com/od/df/g/defencumb.htm>, 9/22/14).

and access. An encumbrance that would be removed from the title include a dedicated roadway that provides legal access for an adjacent landowner. The Dedicated Way for Cornerstone Lane is proposed to be vacated with a portion of the road reverting to an adjacent landowner and another portion to revert to the United States. Title clearance would include the exchanging of exclusive and non-exclusive easements by the BLM and the adjacent owner of Tax Lot 402 so that access will be maintained after the vacation of Cornerstone Lane. These actions would occur as part of the title clearance process associated with the closing on the land donation.

3.2 Environmental Consequences

Direct, Indirect, and Cumulative Effects – All Resources

Alternative 1 – No Action

Under the No Action alternative, the BLM would decline the property donation from TNC and the five private parcels would continue to be owned and managed by TNC. The TNC trail easement would likely continue to allow public to access the Lower Table Rock trail. Noxious weed treatments would continue on BLM and TNC parcels through collaboration between the two agencies.

By not accepting the donated parcels, the BLM would lose the opportunity to increase protection of sensitive resources within the existing Table Rocks ACEC and the 220.6 acres offered for donation.

There is one foreseeable proposed federal project in the 220.6 acres proposed for donation to the BLM, the Table Rocks Fuel Reduction and Vegetation Restoration Project. This project consists of non-commercial hazardous fuel reduction and oakland and savannah vegetation restoration treatments. Approximately 57 acres of the fuels and restoration treatments overlap the proposed donated parcels. Treatments would create a more open understory and reduce encroachment of young conifers in historically oak and savannah dominant communities by thinning out small diameter trees and decadent brush. The proposed burn treatments would stimulate native species dependent on fire for reproduction and also create a mosaic effect to help restore the area to conditions closer to the natural fire regime. Such treatments generally create new browse and increase forage production for 5-10 years. For present and future actions, the BLM will continue to monitor vegetative response and conduct maintenance treatments as needed. Future projects would apply the Table Rock Management Area Management Plan recommendations.

Alternative 2 – Proposed Action

The Proposed Action would accept the property donation from TNC, and the BLM would apply the same management direction to the donated parcels as the adjacent lands until it is officially designated as part of the Table Rocks ACEC. Since these parcels would be managed to maintain, protect, and restore the relevant and important values of the Table Rocks ACEC, there are no negative resource effects expected from this property donation.

The risk rating for the establishment of noxious weeds through this action is none since this action is an administrative action and does not involve any on site manipulation. If any noxious weeds are located on the parcel after BLM acquires ownership, the sites would be evaluated and

treated as needed. Noxious weed treatments on the parcels would continue through BLM management. Acquisition of the donated TNC parcels would allow for a consolidated approach to weed treatments on Lower Table Rock, especially along the existing trail.

It is expected the conversion of the property ownership to BLM would not result in additional impacts from recreational site use.

For recreation, the property donation would provide the public continued legal access to the Lower Table Rock trail and the BLM would continue to maintain the trail. Managing these parcels as an ACEC would provide consistent management and increased protection of the relevant and important sensitive resources while continuing to provide recreation and environmental and cultural education opportunities.

There are no listed or eligible National Register of Historic Places on the 220.6 acres proposed for donation. Ground-disturbing activities that could potentially affect undetected cultural resources would require compliance with Section 106 of the National Historic Preservation Act as well as BLM regulations and policies. No surface disturbing activities are anticipated as a part of the Proposed Action. Transferring the parcels to the BLM is not expected to change impacts to cultural resources since the public already crosses this land to access the Lower Table Rock trail and incorporating these lands into BLM management would help to manage any potential cultural resources.

The Medford District BLM Realty Staff conducted an environmental review of the property. The parcels were deemed appropriate for addition to public ownership.

4.0 Contacts and Consultation

This section describes any public participation and interagency coordination that occurred during the preparation of this EA.

Agencies, Organizations, and Persons Consulted

U.S. Fish and Wildlife Service

There is no Revised 2012 Critical Habitat for the northern spotted owl present in the project area. There is dispersal spotted owl habitat in the 220 acres; however, acquiring the proposed land donation would have no effect on the species since there is no vegetation removal proposed. Therefore, consultation with the U.S. Fish and Wildlife Service is not needed. No other T&E listed wildlife species is on the proposed parcels.

The five parcels are within the range of three federally Endangered plants – Gentner’s fritillary (*Fritillaria gentneri*), large-flowered meadowfoam (*Limnanthes floccosa* ssp. *grandiflora*), and Cook’s lomatium (*Lomatium cookii*). Large-flowered meadowfoam and Cook’s lomatium occur only in the vernal pool habitat of the Agate Desert plains. No populations occur on the tops of Lower or Upper Table Rocks. The parcels contain suitable habitat for Gentner’s fritillary, but no populations have been discovered. Acquiring the proposed land donation would have no effect to

threatened and endangered plants because no action would be taken that would affect these species if present.

National Oceanic and Atmosphere Administration

The Proposed Action is located within the Rogue River Basin and within the range of the federally threatened SONCC Coho Salmon and would have no effect on Coho Salmon or its critical habitat.

Consultation for the Endangered Species Act with NOAA is not required as the Proposed Action would not affect listed species or their habitat because Coho Salmon or its CCH are not present within the project area. No consultation is needed under the Magnuson-Stevens Fishery Conservation and Management Act as there is no adverse effect to Essential Fish Habitat (EFH) for Coho and Chinook Salmon within the Rogue River Basin because EFH is not present within the project area.

State Historical Preservation Office

No ground-disturbing work or development is proposed for the donated parcels; therefore, consultation with State Historic Preservation Office (SHPO) is not needed for acquisition of this land donation. Any future proposals for ground-disturbance in this area would be analyzed under a separate environmental analysis and evaluated for consultation needs with SHPO.

Native American Tribal Consultation

In 2011, the BLM, TNC, The Confederated Tribes of Grand Ronde, and the Cow Creek Band of Umpqua Tribe of Indians signed memorandums of understanding (MOUs) to form formal partnerships in the management of the Table Rocks. The purpose of the MOUs is to coordinate resources and opportunities among the partners and other stakeholders in protecting the values of the Table Rocks for present and future generations. The tribal consultation for this land donation is encapsulated within the consultation and collaboration done for the Table Rocks Area Management Plan (2013).

30-Day Public Comment Period

The EA will be made available for public review and a 30 day comment period. It is available on the Medford District BLM Web site at <http://www.blm.gov/or/districts/medford/plans/index.php>. Additional notification will include: publication of a legal notice in the Medford Mail Tribune, newspaper of Medford, Oregon; and a notification letter to adjacent land owners and to individuals, organizations, and agencies interested in the environmental planning and decision making processes for activities addressed in this EA.

Comments received by the Butte Falls Resource Area of the Medford District Office, 3040 Biddle Road, Medford, Oregon 97504, on or before the close of the comment period will be considered in making the final decision on this proposal.

5.0 List of Preparers

This section lists the BLM staff who prepared the EA, their job title, and their area of responsibility.

BLM staff	Job Title	Responsibility
Jeanne Klein	Acting Butte Falls Resource Area Field Manager	Authorized Officer/Management Direction
Michelle Calvert	Environmental Coordinator	NEPA Compliance, Document Layout/Writing Editing
Mary Johnson	Realty/Right-of-Way Specialist	Realty and Right-of-Way Actions
Rik Ardnt	Realty/Right-of-Way Specialist	Realty and Right-of-Way Actions
Kirby Bean	Geologist	Minerals and Geology
Dave Roelofs	Wildlife Biologist	Northern Spotted Owl/Wildlife
Shawn Simpson	Hydrologist	Sediment from Roads/ACS Compliance/Water Resources
Amy Meredith	Soil Scientist	Fragile Soil/Soil
Jon Raybourn	Acting District Fish Biologist	Fisheries
Marcia Wineteer	Botanist	Botany/Noxious Weeds
Trish Lindaman	Outdoor Recreation Planner	Recreation/Visual Resources/Lands with Wilderness Characteristics
Cheryl Foster-Curley	Archaeologist	Cultural Resources
Alan Mason	Fire/Fuels Specialist	Fire and Fuels

References

USDA/USDI 2001. U.S. Forest Service and Bureau of Land Management. Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines Final Environmental Impact Statement.

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