



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
3040 Biddle Road
Medford, Oregon 97504
email address: or110mb@or.blm.gov

IN REPLY REFER TO:

1792(OR115)
OR-115-05-04

JUL 20 2005

Dear Sir or Madam:

Attached is the Environmental Assessment (EA) for the Jackass Creek and Beaver Dam Creek Livestock Exclosure Project, EA #OR-115-05-04. This EA evaluates the Butte Falls Resource Area, Medford District Bureau of Land Management (BLM) proposals to restrict livestock access by constructing two fence exclosures, totaling approximately one mile, on Jackass Creek, five cages along Beaver Dam Creek, and two cages along a tributary to Beaver Dam Creek. The project is located in Jackson County, Oregon in Township 34 South, Range 3 East, Sections 3, 9, 29, and 33, Willamette Meridian.

These documents are available for public review and comment for a period of 15 days. The effective date for the beginning of the comment period will be the date of publication of the notice of EA availability in the *Medford Mail Tribune*. Notice will also appear in the *Upper Rogue Independent*. However, the date of publication in the *Medford Mail Tribune* will prevail as the effective date for this decision.

Administrative remedies are available to persons who believe they will be adversely affected by this decision. According to 43 Code of Federal Regulations Section 5003 – Administrative Remedies, protests may be made within 15 days of the publication of a notice of decision in a newspaper of general circulation, in this case the *Medford Mail Tribune*. Protests must be filed with the BLM authorized officer and must contain a written statement of reasons for protesting the decision. Protests received after the 15-day period will not be considered.

If you have questions or comments concerning this project, please contact Gene Shull (541) 618-2248. Comments may also be mailed to Bureau of Land Management, 3040 Biddle Road, Medford, OR 97504, or e-mailed to or110mb@or.blm.gov (be sure to include "Attention: Gene Shull").

Any comments received, including names and addresses of respondents, will be available for public review at the Medford District Office; 3040 Biddle Road; Medford, Oregon during regular business hours (8:00 am to 4:30 pm), Monday through Friday. If you wish to withhold your name and address or both from public review or from disclosure under the Freedom of Information Act, you must state this at the beginning of your written comment. Your request will be honored to the extent allowed by law. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public inspection in their entirety.

Sincerely,



for Karen Gillespie
Acting Field Manager
Butte Falls Resource Area

Attachment -- EA (12pp)

U. S. DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 MEDFORD DISTRICT
 BUTTE FALLS RESOURCE AREA

EA COVER SHEET

RESOURCE AREA: Butte Falls

EA Number: OR 115-05-04

ACTION/TITLE: Jackass Creek and Beaver Dam Creek Livestock Enclosures

LOCATION: T34S R3E Section 3, 9, 29, and 33, Willamette Meridian. Jackson County.

FOR FURTHER INFORMATION CONTACT: Jim Keeton
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INTERDISCIPLINARY PREPARERS	TITLE	RESOURCE VALUES ASSIGNED	INITIAL & DATE
Linda Hale	Wildlife Biologist	Wildlife	ZH 3/7/05
Marcia Wineteer	Botanist	T&E Plants, Riparian	MW 3/3/05
Gene Shull	Fisheries Biologist	Fisheries	GS 3/7/05
Diane Parry	Cultural Specialist	Cultural Resources	DP 3/7/05
Teague Mercer	Hydrology Tech	Hydrology/Water Quality	TM 3/7/05
Bob Budesa	Range Specialist	Range/Noxious Weeds	RB 3/7/05
Robyn Wicks	Env. Specialist	NEPA Compliance	RW 3/30/05

UNITED STATES DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT

ENVIRONMENTAL ASSESSMENT

for

Jackass Creek and Beaver Dam Creek Livestock Enclosures

EA Number OR 115-05-04

Proposed Action Title/Type

Jackass Creek Fence Enclosure and Beaver Dam Creek Enclosure Cages

Location of Proposed Action

T34S, R3E, Section 3, 9, 29, and 33, Willamette Meridian. Jackson County (See map 1).

BLM Office

Medford District Office, Butte Falls Resource Area.

Tiering

The purpose of this Environmental Assessment (EA) is to assist in the decision-making process by assessing the environmental and human effects resulting from implementing the proposed project and/or alternatives. The EA would also assist in determining if an Environmental Impact Statement (EIS) needs to be prepared or if a Finding of No Significant Impact (FONSI) is appropriate.

This EA tiers to: (1) the *Medford District Record of Decision (ROD) and Resource Management Plan* dated June, 1995; (2) the *Final Supplemental EIS on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* dated February, 1994; and (3) 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 its Attachment A, entitled 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* dated April 13, 1994.

INTRODUCTION

The Butte Falls Resource Area has identified areas along Jackass Creek, Beaver Dam Creek, and a tributary to Beaver Dam Creek as areas with intense livestock use. Juvenile coho currently use the lower half mile of Jackass Creek for rearing. This stream was designated as coho salmon critical habitat (CCH) by National Oceanographic and Atmospheric Administration Fisheries Division (NOAA Fisheries) in 1999 (50CFR226.210). Jackass Creek is a high priority stream for protection because it is designated as CCH. Beaver Dam Creek and its tributary stream are above the Lost Creek Dam and not designated as CCH; however, resident cutthroat trout use these streams and the habitat features they rely upon are being impaired by grazing.

PURPOSE OF AND NEED FOR ACTION

Livestock congregate along Jackass Creek, Beaver Dam Creek, and a tributary to Beaver Dam Creek during late summer and early fall seeking lush vegetation, water, and cooler air temperatures. Livestock browse heavily on sedges, shrubs, and young hardwood trees that provide shade, bank stability, and habitat for macroinvertebrates. Grazing along these streams is reducing streamside vegetation and bank stability, and increasing sediment levels along Beaver Dam Creek and tributary. Jackass Creek has consistently had high summer stream temperatures that exceed State of Oregon water temperature standards. Beaver Dam Creek has had limited temperature monitoring but the data available indicates this stream also has high temperatures.

These streams are important fish streams and the riparian vegetation and streambanks (along Beaver Dam Creek and a tributary) are not functioning as they should; therefore, there is a need to improve conditions. The purpose of the exclosures is to increase densities of riparian vegetation along all streams and to increase bank stability along Beaver Dam Creek and a tributary stream. Livestock exclusion would allow vegetation and streambank conditions to improve. Habitat conditions for fish species in both streams, including coho salmon in Jackass Creek, would improve and ultimately fish productivity would increase.

ALTERNATIVES INCLUDING THE PROPOSED ACTION

Alternatives Considered But Eliminated

The following alternatives were eliminated due high cost and/or infeasibility.

1. Directional falling or placing large trees along Jackass Creek, Beaver Dam Creek, and the tributary to Beaver Dam Creek. The logs would act like a fence to prevent livestock from accessing these streams in the target areas.

This alternative was eliminated because of high cost and lack of feasibility. In order to meet the project objectives, about 275 large logs would be placed around the entire target areas. The cost would be very high and the needed logs are not easily available. Also, logs could not be placed on the southwest side by heavy equipment because there are no roads to access the sites, thus requiring helicopters. Because of these reasons, this alternative was eliminated.

2. Modify the grazing season and eliminate grazing along Jackass Creek and Beaver Dam Creek during the fall.

This alternative was eliminated because it would be infeasible to keep cows out of these areas without fences. The permittees would need to actively herd their cows out of the riparian areas along Jackass Creek and Beaver Dam Creek. Without fences, it is unlikely livestock would stay out of the target areas to the extent needed to improve conditions along the target streams.

Alternatives Considered In Detail

Alternative 1: Proposed Action

Two fence enclosures, totaling approximately one mile, would be constructed on two sections of Jackass Creek (See map 2). The fences would consist of steel posts, placed approximately 16.5 feet apart, and 4 strands of barbed wire. Wooden posts and braces would be installed for added stability. On the northeast side of the stream, the fence would run adjacent to 33-03-29 road and an old decommissioned road. On the southwest side, the fence would run along the transition from the hillslope and floodplain. Hanging crossings would be constructed across the stream to prevent livestock from entering the enclosures from the channel while allowing for instream wood to move downstream. The hanging crossings consist of steel pipe strung on wire cable with PVC pipe hanging as a barrier. Wooden posts or trees would anchor the cables. Hanging crossings would be installed by BLM personnel after the fence construction is complete. Brush, limbs, and small trees less than 4" in diameter would be cleared where necessary to facilitate fence installation. Wherever possible, fence wire would be attached to existing trees, instead of fence posts, by nailing protective two by fours to the tree trunk and attaching the wire to these boards.

Five cages would be constructed along Beaver Dam Creek and two along the tributary to Beaver Dam Creek (See map 3). The cages would be 16 to 32 feet wide and 48 feet long and would be constructed with heavy wire cattle panels with steel posts placed every 16 feet. Areas targeted for cage sites are open areas void of shrubs and trees. The cages would be left for a period of five years then moved either immediately upstream or downstream and left for the same period of time.

Alternative 2: No Action

No fence enclosures or cages would be built under this alternative.

PROJECT DESIGN FEATURES

1. Follow existing fence lines or designated flagging lines to the extent possible.
2. Clear out brush and/or trees that have fallen across the fence line only to the extent needed to complete the fencing project.
3. Utilize existing fencing materials (i.e., T-posts, barbed wire) to the maximum extent possible. Do not reuse old or rotten wood for posts or tree savers.
4. Minimize ground disturbance and damage to adjacent trees.
5. Should any cultural and/or historic resource values be discovered during fence installation, all activities in the vicinity shall cease until the resource values are evaluated, and permission to resume operations is given by the Authorized Officer.
6. Observe all fire precautions as specified in contract and ensure proper fire prevention equipment is on site.
7. Fences would be constructed so as not to force livestock onto roads or highways, or to be placed in hazardous situations.
8. Activities that cause disturbance (including people working) within ¼ mile of any eagle nest would be seasonally restricted from January 1-August 31, or until the young have fledged and are no longer at the nest site.

ENVIRONMENTAL EFFECTS

Introduction

Only substantive site-specific environmental changes that would result from implementing the proposed action or alternatives are discussed here. If an ecological component is not discussed, it should be assumed that the resource specialists have considered effects to the component and found the proposed action or alternatives would have minimal or no effects. Similarly, unless addressed specifically, the following were found not to be affected by the proposed action or alternatives: air quality; areas of critical environmental concern (ACEC); cultural or historical resources; Native American religious sites; prime or unique farmlands; floodplains; endangered, threatened or sensitive plant and animal species; water quality; wetlands/riparian zones; wild and scenic rivers; and wilderness areas. In addition, hazardous waste or material is not directly involved in the proposed action or alternatives.

General or “typical” effects from projects similar in nature to the proposed action or alternatives are also described in the EIS and plans this EA is tiered to.

Alternative 1

Fisheries/Aquatic Habitat/Riparian

The proposed action would have a minimal negative effect upon riparian vegetation by removing only brush, small trees, and tree limbs that would impede the fence construction. No large trees that provide shade or potential large woody material to the stream would be removed. There would be at least 1 square feet of ground disturbance around each steel and wood fence post. Where possible, fence wire would be attached to existing trees protected by two by fours attached to the tree trunk. This would reduce ground disturbance at these areas. The hanging crossings would be anchored to wooden fence posts or trees located outside the active channel and placed so they would have no effect on bank stability. Some disturbance to the fish could occur while moving materials back and forth across the stream to construct the fence and install the hanging crossings. An estimated one cup of sediment may enter Jackass Creek from carrying materials across the stream and constructing the hanging crossings. No sediment is expected to reach the stream from fence construction.

By excluding livestock from Jackass Creek, shrub and hardwood density would increase providing improved bank stability, hiding cover, and increase habitat for macroinvertebrates. Shade levels would increase as shrubs and hardwood trees are allowed to reach maturity in previously grazed areas. Sediment levels would decrease because livestock would no longer trample stream banks in these areas. Critical habitat conditions for coho salmon would improve which would ultimately improve survival and production.

Constructing cages along Beaver Dam Creek and the tributary to Beaver Dam Creek would reestablish vegetation along stream banks and increase vegetation density. The increase in sedges and shrub-type vegetation would provide greater stability for the fine-grained stream banks. Willows would have a better opportunity to grow and provide hiding cover for cutthroat trout as well as increase macroinvertebrate habitat overhanging the streams. These improvements would increase fish survival and ultimately improve production.

Botany

Surveys for Special Status plants have not been conducted for the proposed fencing project along Jackass and Beaver Dam Creeks, but would be completed in spring 2005 for both vascular and nonvascular species. The proposed project is outside the ranges and does not contain suitable habitat for the three Threatened and Endangered (T&E) plants with ranges in the Butte Falls Resource Area – *Fritillaria gentneri*, *Lomatium cookii*, *Limnanthes floccosa* spp. *grandiflora*. The project would have “no effect” on these three T&E plants.

Several Special Status plants have been discovered, however, in the Jackass and Beaver Dam Creek drainages during past surveys and could be present in the project area (See Table 1).

Species	Lifeform	Status	# of Sites in Project Vicinity	# of Sites in Medford District
<i>Carex interior</i>	Vascular plant	Tracking	2	7
<i>Carex leptalea</i> ssp <i>leptalea</i>	Vascular plant	Tracking	1	1
<i>Tayloria serrata</i>	Bryophyte	Assessment	7	9
<i>Ribes inerme</i> var <i>klamathense</i>	Vascular plant	Tracking	1	21

If fence posts are placed where Special Status plants occur, they would be damaged. Special Status lichens or bryophytes would be lost if they are growing on the shrubs or branches that would be removed during the fence construction. However, if Special Status plant sites are discovered during the surveys, the fence line would be moved to avoid impacting the plants. Where possible, the sites would be included within the enclosures.

In order to finish fence installation before livestock are turned out in the allotment in June 2005, the fences would be constructed in May 2005. Plant surveys would need to be conducted prior to this, which may be too early to accurately identify some Special Status vascular plants. However, the risk of a fence post being placed where a Special Status plant occurs is small. It is more likely that Special Status plants would be protected from grazing inside the fence than that they would be impacted during fence construction.

Overall, the benefits from excluding livestock from the sensitive riparian zones identified in this project outweigh the potential risk of impacting Special Status plants. Native riparian vegetation and Special Status plants that might occur along the streams would be protected within the enclosures from overgrazing.

Because no noxious weeds have been documented in the project area and the amount of ground disturbance during installation of the fences would be restricted to approximately one square foot per post hole, the potential for increased noxious weeds which could impact Special Status vascular plants is small.

Pre-project surveys for Special Status fungi are not required per BLM Information Bulletin No. OR-2004-121 (USDA and USDI 2004, p 3). The project area contains open grassy meadows which are not suitable habitat for the 10 Sensitive fungi on the Medford District list. Because the likelihood of occurrence of Special Status fungi in the project area is very low and ground disturbance would be limited to the fence post areas, the fencing project would not contribute to a need to list any Special Status fungi.

This fencing project is not expected to contribute negative cumulative effects to Special Status vascular or nonvascular plants or fungi or to result in listing of any Special Status plants or fungi.

Wildlife

An active bald eagle nest is present in the vicinity of the proposed project in Section 3. Eagles are sensitive to human disturbance during the breeding season. This nest has produced young for the past three years. The proposed project would not cause the loss of a nest or roost tree. There would be some disturbance if work occurred near the nest while the eagles are nesting. A seasonal restriction on work along the creek in Section 3 would protect the site while eagles are at the nest. The seasonal restriction would be waived if the eagles are not nesting. Installation of the panels after the eagles move away from the nest would have no effect on bald eagles.

A review of the Butte Falls Resource Area special status species list was done. No other threatened or sensitive status species would be affected by the proposed action.

Elk use the meadows along Beaver Dam and Parsnip Creeks in the spring before the cattle are released onto the allotment. Elk and deer migrate through the area on the annual migrations to and from their wintering areas. There would be no adverse impacts to deer and elk as a result of the proposed action.

Hydrology

Stream temperatures within the project area in Jackass Creek exceed the seven-day maximum temperature of 64 degrees allowed by the Oregon Department of Environmental Quality. This puts Jackass Creek on the 303(d) list of water quality limited streams. Fencing the riparian areas of these streams would help increase the density of riparian vegetation which would shade and help lower stream temperature.

Fencing the riparian areas on these streams would also help stabilize stream banks and reduce sediments entering the stream channel within the exclosures. Sediment loading and bank erosion can cause the water in the stream channel to jump its banks and establish new channels in the floodplain. By preventing cattle grazing on these streams, the fencing project would help stabilize stream banks and channels and minimize sediment input.

Stream channel degradation and sediment input would increase in areas adjacent to exclosure because cattle use is expected to increase as the cattle attempt to graze on vegetation within the exclosure. These access points may be used by other wild ungulates, such as elk, to access the stream. Monitoring the effects of the exclosures and the grazing habits of cattle will continue to assess the impacts of the project to water quality and hydrology of the streams. Fencing these streams would not produce a discernable effect on stream flows.

Cultural

Surveys for prehistoric and historic artifacts have been completed in the area. No sites were found. It is expected that this project would have no adverse impacts on cultural resources.

Range

Habitual livestock grazing patterns would be altered as a result of this project. Livestock would, upon encountering fences, migrate along the outside of the newly-installed exclosures, and shallow trails would be created. In areas where livestock do have access to streams and

creeks for water, impacts to adjacent vegetation may increase.

Alternative 2

Fisheries/Aquatic Habitat/Riparian

The No Action Alternative would maintain the current condition of the streams during the grazing season. Cattle would continue to access the streams, degrading the banks and grazing on riparian vegetation. Fine sediment would continue to enter streams in these areas, resulting in poor spawning conditions. Impacts upon riparian vegetation would include reduced amounts of available sedge cover, and inhibition of alder, willow, and cottonwood regeneration which would otherwise provide shade and bank stability.

Botany

It is unknown at this time if Special Status plants are present in the areas proposed for fencing. Under the No Action Alternative, livestock would continue to congregate and heavily graze the vegetation along Jackass and Beaver Dam Creeks. If Special Status plants are present and being impacted from grazing or trampling, it is likely that this would continue under the No Action Alternative. There would be no direct or indirect effects to Special Status plant species under Alternative 2 if no sites occur along the stretches of stream that would be fenced.

Wildlife

There would no impacts from the “no action” alternative.

Hydrology

Under the No Action Alternative, water quality and hydrologic conditions would continue as they are. The effects of cattle grazing would be spread over a wider area, making any impacts to water quality and hydrology as a result from cattle difficult to accurately document. This would diminish the increased impact of grazing around the outside of the exclosures as the cattle would not attempt to reach vegetation within the exclosure.

There is no evidence that cattle adversely affect stream flows. Flows in these streams would remain the same in Alternative 2.

Cultural

There would be no impacts from the “no action” alternative.

Range

Livestock would continue to have access to the entire stream. Impacts from grazing would be distributed over a wider area, minimizing the effects of grazing in any one particular area.

MITIGATION MEASURES AND RESIDUAL EFFECTS

The proposed action and alternatives have been assessed by resource specialists and determined to have no long-term adverse effects. Ground disturbance would be limited to the area where the fence posts are installed. No sediment is expected to reach the stream as a result of this project. Some brush may be cleared and limbs removed from encroaching trees, however trees

that provide shade and potential large wood to the stream would not be cut or removed. No additional measures have been identified as necessary to mitigate impacts.

CONSULTATION AND BUREAU SENSITIVE SPECIES

This proposal has been determined to be “Not Likely to Adversely Affect” (NLAA) SONC coho salmon and their critical habitat. The action is within the scope of the category of Aquatic and Riparian Habitat Projects, described as “construction and maintenance of riparian fences,” and in the Programmatic Biological Opinion dated August 8, 2001 from National Marine Fisheries Service for ESA Section 7 consultation purposes. Essential Fish Habitat is identical to coho critical habitat in the project areas, and is therefore included in the evaluation of effects upon critical habitat.

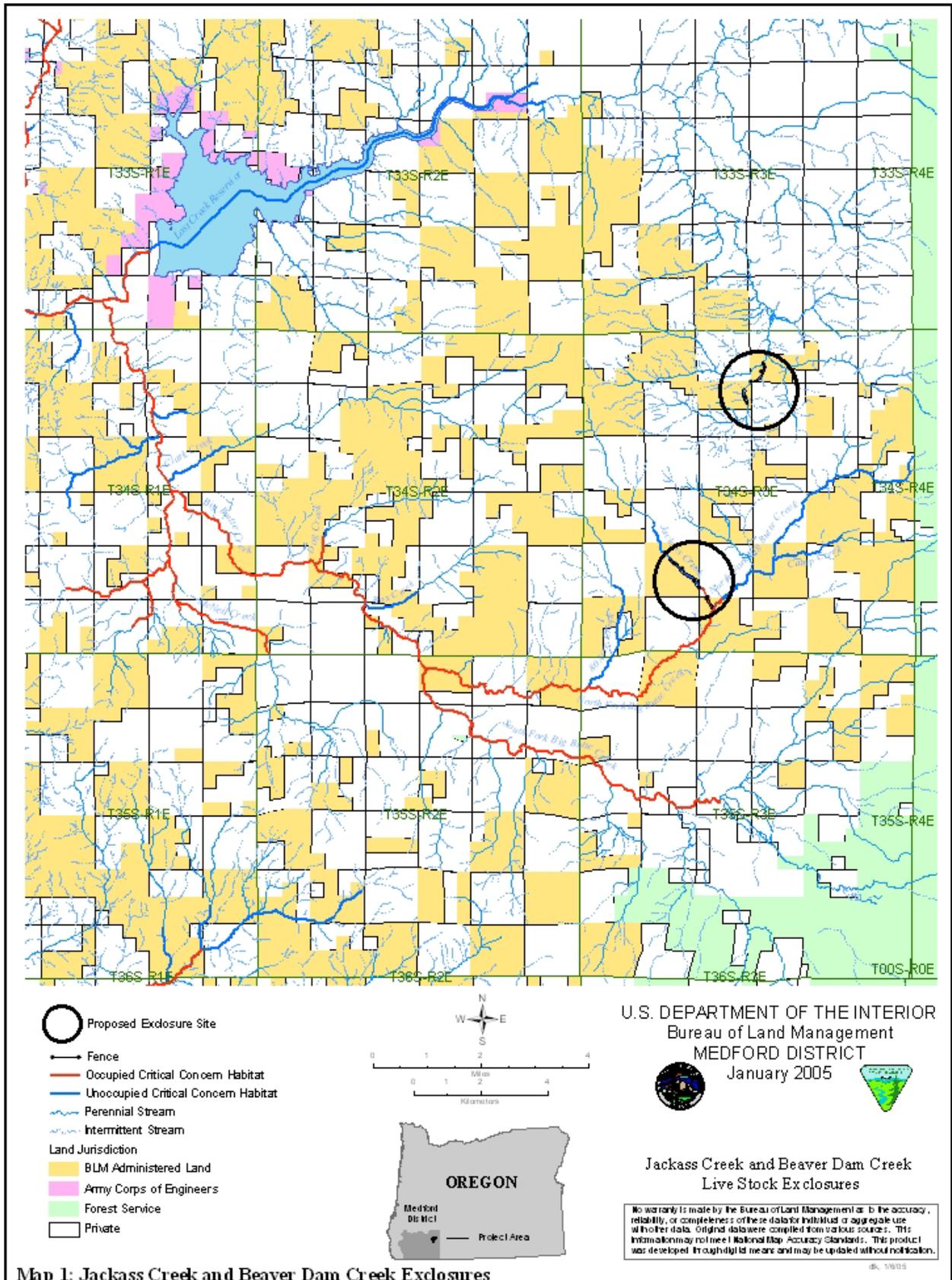
The project area is outside the ranges of the three T&E plants that occur in the Butte Falls Resource Area – *Fritillaria gentneri*, *Limnanthes floccosa* ssp *grandiflora*, and *Lomatium cookii*. The fencing project would have “**no effect**” on these three T&E plants.

PERSONS OR AGENCIES CONSULTED

No scoping occurred in the preparation of this environmental assessment.

REFERENCES

USDA Forest Service and USDI Bureau of Land Management. May 4, 2004. BLM-Information Bulletin No. OR-2004-121. 5 pp. On file at Oregon State Office-Bureau of Land Management, Portland, Oregon.



Map 1: Jackass Creek and Beaver Dam Creek Exlosures

