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RUM CREEK LANDSCAPE MANAGEMENT PROJECT DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT

I. INTRODUCTION

The BLM's interdisciplinary planning team has designed the Rum Creek Landscape Management Project (LMP) based on current resource conditions in the project area and to meet the objectives and direction of the Medford District Resource Management Plan (RMP) and the Northwest Forest Plan (NFP). The proposals presented and evaluated in the Rum Creek LMP Environmental Assessment (EA) reflect what the planning team believes to be the best balance of resource conditions, resource potential and competing management objectives.

II. BACKGROUND

Planning for this project began in October, 2004. From the beginning, the scope of the project was intended to address the full range of conditions and opportunities that were found and to design a multi-faceted project that addresses the range of resources. The project area is in the Fish Hook/Galice Late-Successional Reserve (LSR). The purpose of the Rum Creek project is to accelerate the development of late-successional forest conditions within previously managed stands, while protecting, maintaining, and enhancing current late-successional stands in the Rum Creek drainage. A secondary purpose of this project is to provide forest products as agreed to in the O&C Act settlement agreement.

In LSRs, the RMP limits silvicultural practices to those that are beneficial to the creation of late successional forest conditions. To ensure plan consistency and to meet the objectives of enhancing conditions of late-successional and old growth forest ecosystems, the proposed actions are based on the management strategies and recommendations outlined in the Southwest Oregon Late-Successional Reserve Assessment (SOLSRA) for the Fish Hook/Galice Late-Successional Reserve (LSR). The project includes wildlife habitat restoration, forest stand enhancement, riparian habitat restoration, and fuel hazard reduction activities.

The Rum Creek LMP EA was available for public review June 28 – July 28, 2006. The EA incorporated analysis of the proposed actions and addressed issues raised in public comments. During the EA comment period, only two comments were received. Each expressed support of restoring and enhancing late-successional forest habitat. Specific comments and responses to those comments are included in Appendix A.

III. DECISION

Based on recommendations from the planning team, public comments, and careful consideration of the objectives of the laws, regulations, and planning documents and NEPA analysis governing these lands, It is my decision to implement Alternative 3 as presented in the Rum Creek LMP Environmental Assessment (EA #OR117-06-01), June 2006 with the following exception. Fuels treatment on 177 acres and 34 acres of young stand management are deferred from decision until additional inventory data regarding resource conditions can be collected.

All project design features are integral to the selected alternative and will be implemented (EA pp. 16-21). The following section provides details of my decision.

The projects described in Alternative 3 include:

- **Incremental Canopy Thinning with Gap Formation**
148 acres
- **Variable Canopy Thinning with Gap Formation**
142 acres
- **Tree and Shrub Planting**
As needed
- **Young Stand Thinning**
192 acres
- **Snag and Coarse Wood Development**
T34S, R8W, Sections 9, 10 (OI 900) Previous Progeny Site
- **Temporary Spur Roads**
Approximately 0.61 miles of existing temporary spur road will be re-opened, renovated, and subsequently obliterated after all activities have been completed
- **Hazardous Fuels Reduction**
701 acres
- **Pump Chance Restoration**
One site - T34S, R8W, Section 10, near road 34-8-10.1
- **Vegetation Treatments within Riparian Reserves**
237 acres
- **Road Renovation, maintenance, and Improvements**
2.7 miles
- **Full Road Decommissioning**
Approximately 2.6 miles
- **Forest Product Contribution**
The decision is to proceed with harvest in the incremental and variable canopy thinning units identified in the Rum Creek EA. The Rum Creek commercial timber sale will include variable and Incremental canopy thinning on 41 acres of the 290 acres analyzed for this treatment type in Alternative 3. Forty-one acres represents less than 2% of the project area. The prescription and marking guideline favors the retention of trees greater than 20" DBH (as noted in NWFP) and will promote horizontal and vertical structural diversity in stands. Units not included in the Rum Creek commercial timber sale may be treated under different contract opportunities such as a stewardship contract, small sale harvest, pole sales, special forest products, or biomass.

IV. RATIONALE

Alternative 1, the No Action Alternative, is rejected because it will not meet the purpose and need of this project which is to accelerate the development of late-successional forest conditions within younger previously managed stands, while protecting, maintaining, and enhancing current late-successional stands in the Rum Creek drainage. Under the no action alternative, young stands will continue to lack complex structure and will be susceptible to significant habitat loss due to natural disturbance such as fire. Additionally, without active riparian management, time for young stands to develop into late-successional habitat and forest structure will increase. Without the proposed road work, there will be an increased risk of road and culvert failure, which will deliver more sediment to Rum Creek and the Rogue River.

Alternative 2 and Alternative 3 are similar except Alternative 3 includes an additional 44 acres of treatment in the adjacent watershed (Big Hog), also within the Fish Hook/ Galice LSR. Both alternatives meet the purpose and need by protecting and enhancing existing late successional habitat as well as meeting the objectives of the O&C Settlement Agreement. Alternative 3 is selected because the additional acres in Alternative 3 will make a potential timber sale more economically feasible, while increasing the acres of stand improvement.

Habitat Enhancement

- Implementation of Alternative 3 will expand the large, intact block of late-successional habitat that lies in the interior of the project area. Treatments will speed the development of previously managed stands towards late-successional habitat including large tree structure, future snags, and coarse wood development. Alternative 3 will meet the LSR objectives outlined in the NFP: "Late-Successional Reserves are to be managed to protect and enhance conditions of late-successional and old-growth forest ecosystems." (NFP Standards & Guidelines p. C-11) Treatments will also improve elk forage habitat within the drainage and the RMP designated Elk Management Area.
- Alternative 3 will meet the BLM's Strategic Plan for FY2003-2008: *Resource Protection-Goals 1 & 3: Protect Cultural and Natural Heritage Resources; Improve Health of Watersheds and Landscapes (Restore Fire Adapted Ecosystems)*.

Hazardous Fuels Reduction

- This decision will protect current late-successional forest habitat areas by reducing fuel loads in adjacent previously-managed stands. Fuel hazard reduction treatments will decrease the risk of large scale habitat loss from wildfire and reduce natural fuels, activity generated fuels, and stand densities.
- Fire behavior and suppression difficulties experienced in recent fires in southwest Oregon (i.e., the 500,000 acre Biscuit fire) clearly demonstrate that fuel hazard needs to be addressed in order to reduce threats to public health, safety and property. Treatment of fuels in strategically located areas will provide potential defensible areas during wildfire suppression activities.
- Alternative 3 will meet the BLM's Strategic Plan for FY2003-2008: *Serving*

Communities-Goal 1: Protect Lives, Resources, and Property.

Riparian Restoration

- Riparian areas in younger stands will be treated to expedite the development of late-successional characteristics. In the Rum Creek project area, the primary goal in riparian reserves is the maintenance and long term restoration of aquatic ecosystems as identified in the NFP Aquatic Conservation Strategy (ACS) objectives. These treatments will expedite large tree development for wildlife habitat, future instream large wood recruitment, and increase the life span of individual trees and; therefore, this project will meet ACS objectives.
- The proposed road work will improve road drainage and decrease the potential for sediment delivery to the streams. Road densities will be reduced in the project area.

Forest Contribution

- In the O&C Settlement Agreement BLM agreed to conduct thinning projects on O&C lands in Late-Successional Reserves consistent with ecological objectives of the NWFP. Understory thinning, young stand treatments, fuels reduction, and commercial thinning will promote development of late-successional forest characteristics as well as provide a commodity by-product.
- Incorporating special forest product harvest and biomass utilization into forest stand treatments will provide forest products while meeting stand objectives. Opportunities exist to promote new methods to utilize woody material, typically left on site or burned, for energy production or other uses. An estimated 5 to 15 tons per acre of biomass will be available for removal.
- Alternative 3 will meet the BLM's Strategic Plan for FY2003-2008: *Resource Use-Goal 4: Manage or Influence Resources to Enhance Public Benefit, Promote Responsible Use, and Ensure Optimal Value.*
- Implementation of the Rum Creek timber sale under alternative 3 will contribute approximately 360 to 390 thousand board feet (mbf) of timber to local and regional economies. An additional 150 mbf or more could also be contributed through future stewardship contracts as identified in alternative 3.

V. CONSULTATION AND COORDINATION

Pursuant to the Endangered Species Act, consultation was completed with the US Fish and Wildlife Service. The U.S. Fish and Wildlife Service (USFWS) requested BLM reinitiate consultation on the critical habitat portion of the remaining 04-08 sale plan to better evaluate critical habitat concerns, as a result of the Gifford Pinchot Task Force et al v. USFWS. BLM agreed to stop any further sales in northern spotted owl critical habitat until reconsultation on those actions occurred. In 2006, BLM prepared a BA (jointly with the Forest Service) to evaluate impacts to northern spotted owl critical habitat and to reinitiate consultation on all acres unsold in the Fiscal Year 2006-2008 timber sale plan. In August 2006, the USFWS gave BLM a biological opinion (log# 1-15-06-F-0162) and LOC (Log# 1-15--6-I--165) finding these projects, including Rum Creek, will not jeopardize or adversely modify critical habitat. The BLM is

implementing all applicable PDCs in accordance with the mandatory terms and conditions as specified in the new Biological Opinion. The Service stated that the proposed action will not jeopardize the continued existence of ESA listed species. In addition to the 2006-2008 Biological Opinion, the 2004-2008 Biological Opinion (log # 1-15-03-F-511) is still valid for listed plant and animal T&E species other than the spotted owl. This decision regarding the Rum Creek LMP is consistent with all of the mandatory terms and conditions identified in these biological opinions. It also incorporates and meets all of the identified recommended conservation measures.

The Rum Creek Landscape Management Plan will result in no effect to Southern Oregon/Northern California (SO/NC) coho salmon (*Oncorhynchus kisutch*) and coho critical habitat (CCH) under the Endangered Species Act and no adverse effect to Essential Fish Habitat (EFH) under the Magnuson-Stevens Act. A minimum of 50 ft no treatment buffer will maintain water temperatures and prevent sediment from reaching streams. Riparian treatments outside the no treatment buffer will expedite development of large trees, increasing future LWD recruitment potential. Sediment delivery to streams will decrease due to road maintenance and decommissioning. With a no effect determination to coho, CCH, and EFH, informal or formal consultation with National Marine Fisheries Service is not necessary.

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

The Confederated Tribes of the Siletz and the Grande Ronde were notified of this project during scoping and the EA's public comment period. Josephine County Commissioners and the Josephine County forestry department were also contacted. No responses were received.

VI. PUBLIC INVOLVEMENT

Public scoping for the Rum Creek LMP was initiated in February 2005 when the BLM announced that an Environmental Assessment would be prepared for the project. BLM mailed out approximately 46 letters to adjacent landowners and others. In response, four comment letters were received. Most of the comments were specific to following the Northwest Forest Plan Standards and Guidelines for Late Successional Reserves. Comments were in support of managing previously managed stands and enhancing late-successional forest habitat within the project area.

The public comment period for review of the Rum Creek LMP EA was initiated on June 28, 2006 for a 30 day comment period. Public comments and associated BLM responses are summarized in Appendix A.

VII. CONCLUSION AND FINDING OF NO SIGNIFICANT IMPACT (FONSI)

A. Plan Consistency

Based on the information in the Rum Creek Landscape Management Project's EA and record, and from the letters and comments received from the public about the project, I conclude that this

decision is consistent with the *Medford District RMP (1995); Evaluation of the Medford RMP Relative to the Four Northern Spotted Owl Reports (August 24, 2005); ROD for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and its Attachment A Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (1994); ROD and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001); ROD Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests Within the Range of the Northern Spotted Owl: Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy (2004); ROD and Resource Plan Amendment for Management of Port-Orford-Cedar in Southwest Oregon, Coos Bay, Medford, and Roseburg Districts (2003). Medford District Noxious Weed Environmental Assessment (1998); Settlement Agreement: American Forest Resources Council et al. v. Clarke (O&C Settlement Agreement) (2003); and the REO Exemption Memo: Criteria to Exempt Specific Silvicultural Activities in Late-Successional Reserves and Managed Late-Successional Areas from Regional Office Review (1996)*. This decision is also consistent with the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

This decision will not have any adverse impacts to energy development, production, supply and/or distribution (per Executive Order 13212).

B. Finding of No Significant Impact

Based on information in the EA and comments received from the public, it is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of effects addressed by the Medford District RMP and the Northwest Forest Plan. Therefore, the Rum Creek LMP does not constitute a major federal action, and an EIS is not necessary and will not be prepared.

This conclusion is based on my consideration of the CEQ's criteria for significance (40 CFR §1508.27), regarding context and intensity of the impacts described in the EA and on my understanding of the project. As noted above, the analysis of effects has been completed within the context of the Medford District RMP and it is consistent with that plan and the scope of effects anticipated from that plan. The analysis of effects has also occurred in the context of multiple spatial and temporal scales as appropriate for different types of impacts.

I have considered the intensity of the impacts anticipated from this Rum Creek LMP decision relative to each of the ten areas suggested by the CEQ, including:

1) Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects. The assessment has considered both beneficial and adverse impacts. None of the individual or cumulative effects have been identified as being significant.

There will be no effect to the Rogue River Outstanding and Remarkable Values (ORV) including fisheries, recreation, and scenic values.

2) *The degree of the impact on public health or safety.* The project has not been identified as having the potential to significantly and adversely impact public health or safety.

3) *Unique characteristics of the geographic area.* The analysis does not show that this action will involve any unique or unknown risks outside of those addressed and anticipated in the RMP and NFP. A portion of the project area falls within the designated Rogue Wild and Scenic River corridor, but no treatments will occur in this area.

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial effects.* The Interdisciplinary Team did not identify any effects that are likely to be highly controversial that have not been identified in the RMP and NFP.

5) *The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks.* The analysis does not show that this action will involve any unique or unknown risks.

6) *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The action and the decision will not set any precedents for future actions with significant effects. It is one of many similar projects designed to implement the RMP and NFP.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* No significant cumulative impacts have been identified. The project is consistent with the actions and impacts anticipated in the RMP.

8) *The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources.* The project area does not contain sites that are listed or eligible for listing on the National Register of Historic Places. Sites that are located in the project area will be protected from project activities through project design features.

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* Project design features will eliminate or reduce potential adverse impacts on ESA listed species. ESA consultation with USFWS has been completed with the determination that the project is not likely to adversely affect T&E terrestrial species. This project will not remove spotted owl Nesting, Roosting, Foraging (NRF) habitat. The proposed actions will result in no effect to species under the Endangered Species Act, and no adverse effect to Essential Fish Habitat (EFH) under the Magnuson-Stevens Act.

10) *Whether the action threatens a violation of environmental protection law or requirements.* There is no indication that this decision will result in actions that will threaten a violation.

VIII. Errata

The EA (p. 38) stated “The project area is within the range for the federally listed species *Fritillaria gentneri* and *Lomatium cookii*”. This statement is incorrect. The project is well outside of the range of *Lomatium cookii* and is just outside of the range of *Fritillaria gentneri*. The statement should read “The project area is not within the range of the federally listed species *Fritillaria gentneri* and *Lomatium cookii*”.

The EA incorrectly indicated that vascular plant surveys have been completed on a 6 acre unit identified for variable thinning. This unit was surveyed in August 2006 and no Bureau Sensitive, Bureau Assessment and State Threatened vascular plant species were found. Because none of these species were found during surveys of the Rum Creek Project area the likelihood of finding these species in the six acres is very low.

However, a follow-up survey will occur in the spring of 2006 to document any early blooming species. Any Bureau Sensitive, Bureau Assessment, or State Threatened species found during this survey will be managed according to the PDFs for the Rum Creek Landscape Management Project EA.

IX. ADMINISTRATIVE REMEDIES

This decision is a forest management decision. Administrative remedies are available to those who believe that they will be adversely affected by this Decision. Administrative recourse is available in accordance with BLM regulations and must follow the procedures and requirements described in 43 CFR § 5003 - Administrative Remedies.

In accordance with the BLM Forest Management Regulations 43 CFR § 5003.2(a&b), the effective date of this decision, as it relates to an advertised timber sale, will be when the first notice of sale appears in the Grants Pass Daily Courier. The effective date of this decision establishes the date initiating the protest period provided for in accordance with 43 CFR § 5003.3.

In accordance with the BLM Forest Management Regulation 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, will be the date of publication of the notice of decision in the Grants Pass Daily Courier. Publication of this notice establishes the date initiating the protest period provided for in accordance with 43 CFR § 5003.3. While similar notices may be published in other newspapers, the Grants Pass Daily Courier publication date will prevail as the effective date of this decision.

Any contest of this decision should state specifically which part of the decision is being protested and cite the applicable CFR regulations.

Abbie Jossie

Abbie Jossie
Field Manager, Grants Pass Resource Area
Medford District, Bureau of Land Management

8/28/06
Date

APPENDIX A. PUBLIC COMMENT SUMMARY AND RESPONSE

Comment and Response Summary

1. *Comment:* The public expressed concern regarding the necessity to remove larger trees in one area to add large woody material to a plantation.

Response: The commenters misunderstood the EA and the map and stated that unit OI 900 proposed for treatment is an important core habitat area. Unit OI 900 is a previous progeny site that was cut in 1976. In order to create a progeny site, all other species are removed as well as down wood. Therefore, this unit needs coarse woody material to promote late successional forest habitat development. Other older clearcuts of similar age have some coarse woody material as unwanted cull trees were left onsite. Trees along the edge of the adjacent older seral stands will be directionally felled into OI 900 (EA p. 6, 7).

2. *Comment:* The public expressed their preference that old temporary roads remain closed.

Response: Instead of constructing new roads, effects to resources will be minimized by utilizing existing roads, and obliterating operator spurs after use (EA p. 7). Temporary spur road renovation is located outside of riparian reserves.

3. *Comment:* The public expressed their interest in decommissioning more roads and reducing the road density to 1 mile of road per square mile of land.

Response: The interdisciplinary team reviewed Road Transportation Management Objectives for long term management needs. Roads identified through this process that do not have future needs will be decommissioned (2.6 miles). The average road density in the Wild Rogue watershed will be reduced to 2.91 miles per square mile as a result of this project (EA p. 66).

4. *Comment:* The public expressed their concern for planting in the project area (increase stand density, planting in areas that will not support conifer forests, using non-native species, and using fertilizer packets with native species).

Response: Increased stand density is not expected as a result of the proposed planting. Underplanting will occur to add structural diversity where conifer regeneration is not occurring. Only existing developing conifer stands will receive planting. Native species will be used in this project. As stated in the EA, planting would include a mix of conifer, hardwood, and shrub species occurring in the dominant plant series. The EA does not say that fertilizer packets will be used in every situation, but will be assessed on a site by site basis based on soil productivity (EA p. 5, 6).

5. *Comment:* The public expressed their concern with the difficulty controlling the brush response when cutting species that are known to “sprout” after the stems have been cut.

Response: Follow up thinning of tanoak and madrone leaving one stem per stump and periodic

prescribed underburns will help to control excessive re-sprout. EA page 9.

6. *Comment:* The public expressed their concern for treatments in the riparian areas (not leaving enough coarse woody debris, lower canopy cover retention, and captured mortality shouldn't reduce recruitment of large wood to streams of any size).

Response: Treatments in the riparian reserves are designed to promote the development of large trees for future recruitment in young to mid seral stands (as stated in the EA, leave trees will be the largest in the stand having the highest crown ratio); therefore, levels of coarse woody debris and recruitment of large wood to streams will improve over the long term. A no treatment buffer width of 75 feet adjacent to the stream banks would apply to thinning and density management activities to protect current stream shade and large wood recruitment. The Northwest Forest Plan Temperature TMDL Implementation Strategies (USDA, USDI 2005) recommends 50% or greater canopy closure within the secondary shade zone for treatments designed to benefit future shade. Therefore, thinning down to 50% canopy closure will be employed where necessary to obtain desired conditions. Fuels treatments within thinning and biomass units would adhere to the 50' buffer (EA pg. 11).

7. *Comment:* The public expressed their interest in knowing impacts to species other than Survey and Manage (S&M). The public was also unclear as to what S&M surveys were conducted in the project area.

Response: The EA addresses S&M species and surveys in both the wildlife (EA p. 52, 53) and botany (EA p. 38) sections. Additional information can be found in Attached 1 — S&M compliance form. The EA also addressed impacts to rare, threatened, and special status species in both the wildlife (EA p. 49-62) and botany (EA p. 38-42) sections.

8. *Comment:* The project description is unclear and the EA lacks a clear breakdown of the project acres and map until the Appendices. There is confusion about the actual acres of commercial logging identified in the EA.

Response: The EA (p. 15) provides a summary of the alternatives with further details in Appendix B. Appendix B is referenced throughout the EA when referring to the specific units. The EA (p. 3) referenced map location. This is standard procedure to have the larger unit tables and maps in the Appendices. Under Alternative 3, only 137 acres were identified in the EA for commercial harvest (EA p 15). As stated in the EA, the same treatment types are proposed on an additional 1,257 acres. However, the contracting and methods of extraction in these units will be different than the commercial harvest proposed in the Rum Creek timber sale. See EA pages 12 – 13.

9. *Comment:* Please make an effort to identify and retain all trees and shrubs with bird or animal nests of any sort.

Response:

As mentioned in the EA (pg. 4, 5), a minimum of ¼- to ½-acre no-treatment areas (10% or more

of the entire stand) will be untreated to further facilitate diversity. Buffers, hardwood areas, chinquapin patches, rocky out crops, wet areas, and areas with large woodrat nests will contribute to or serve as these leave areas. Woodrat nests are specifically targeted for leave areas because they are an important prey species for spotted owls. Other species' nest may not be identified in the field, but will also be protected in these no treatment areas.

10. *Comment:* "Skips" should cover approximately 10-20% of each unit and "gaps" should cover approximately 10% of each unit. Retain 1-4 trees in the center of each "gap."

Response: As stated in the EA (pg. 4), a minimum of 10% of each unit will remain untreated to promote diversity. Page 5 of the EA also states that 3 - 10% of the stand will be in openings, in the form of ¼ to ½ acre gaps distributed throughout the unit. Additionally, these treatments follow the recommendations in the *REO Exemption Memo: Criteria to Exempt Specific Silvicultural Activities in Late-Successional Reserves and Managed Late-Successional Areas from Regional Office Review (1996)*.

11. *Comment:* Take extra precaution to avoid the spread of weeds.

Response: Several Project Design Features are included in the EA to reduce the risk of noxious weed spread (EA pgs. 17, 18, and 41).

12. *Comment:* Please be careful in fuels treatments prescribed in the NW corner of section 9 ("roadless area") so the treatment will be unnoticeable to the casual observer (after a brief recovery period).

Response: The commenter incorrectly referred this area as a "roadless area." BLM does not have any designated roadless areas with special protection. These fuels treatments are in previously managed stands, and the additional treatments will not be noticeable by the casual observer. Additionally, the level of change to the characteristic landscape will be low and should not attract attention of the casual observer (EA p. 68).

13. *Comment:* There are concerns related to the prescribed heavier thinning near roads (promote the growth of more hazardous fuels in the future, and inconsistent with big game's need for screening from hunters).

Response: The concern for effects to elk from the heavier treatments along the road is not an issue because the entire project area is closed to motorized uses in the Federal Register (EA, pg 60). Additionally, these heavier thinning treatments along the road are only a very small percentage of the total treatment along roads. The heavier thinning near the road will facilitate fuel reduction treatments and we expect larger diameter trees to result from the thinning. All activity fuels will be treated by hand piling and burning and maintained by underburning (EA page 9).

14. *Comment:* Consider the science (Odion et al. 2004) indicating the long absence of disturbance may be associated with low fire severity, which brings into question the assumption

that fire suppression causes increased fire hazard.

Response: There is nothing in the Odion et al (2004) paper to indicate that thinning and fuel hazard reduction treatments in Rum Creek will increase fire hazard. Thinning treatments reduce overall fuel loading and maintain or improve multi-aged stand structure. Fuel hazard reduction is specifically designed to reduce the risk of crown fire by reducing overall fuels and increasing the canopy base height. Although there may be reduced canopy cover in the short term in some areas, increased tree growth and vigor following thinning will result in relatively rapid recovery of pretreatment canopy closure. Furthermore, density induced mortality will decrease, thus reducing the dead fuel component. All activity fuels will be treated.

Fire history and length of time since an area last burned is not a criterion we use for whether or not an area needs to be treated to reduce fire hazard; criteria used include stand density, presence of ladder fuels, and fuel accumulation.

15. *Comment:* Since this project is within a designated LSR and CHU, take extra precautions to avoid unnecessary impacts to owl prey species, by retaining hardwoods, dead trees, and down wood.

Response: All vegetation treatments would leave hardwoods, dead trees, and down wood. See EA pages 4-8 for more details. Snag and coarse wood management is described in the Proposed Action on page 6 and 7, as well as in the Project Design Features on page 16. Fuels treatments would leave hardwoods as described on pages 7 and 8.

16. *Comment:* The O&C settlement agreement is not an appropriate catalyst for this project.

Response: While the settlement agreement in and of itself was not the catalyst for the action, the allocation of funds to pursue LSR thinning in accordance with the objectives of the LSR followed the agreement. Projects like the Rum Creek project and other LSR restoration projects (Peavine Thin) were possible prior to the settlement agreement. BLM agreed under the O&C settlement agreement to request funding for thinning projects within LSRs. Other concerns the public may have with the O&C settlement agreement are outside the scope of the Rum Creek project.