



United States Department of the Interior

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SCATTERED APPLES FOREST MANAGEMENT PROJECT DECISION RECORD / RATIONALE / FONSI #1

I. INTRODUCTION

The BLM's interdisciplinary planning team has designed the Scattered Apples Forest Management Project based on: (a) current resource conditions in the project area and (b) to meet the objectives and direction of the Medford District Resource Management Plan (RMP) and the Northwest Forest Plan. The proposals presented and evaluated in the Scattered Apples Forest Management Project's Environmental Assessment (EA) reflect what the planning team determined to be the best balance and integration of resource conditions, resource potential, competing management objectives and expressed interests of the various communities that have a stake in the project.

This Decision Record addresses only a portion of the project area and proposals presented and analyzed in the EA. After considering a recent ruling of the Ninth Circuit Court (Hugh Kern et al. v. BLM) regarding NEPA cumulative effects analysis of potential impacts of forest management activities on Port-Orford Cedar and *Phytophthora lateralis*, it was decided that it would be prudent to defer making a decision regarding the Scattered Apples proposals in those portions of the project area where Port-Orford cedar is known to occur. Thus, this Decision Record only addresses those proposals located within the project area shown on the attached Map (Map #DR-1). Decisions regarding the proposed treatments in the remainder of the project area (T39S,R5W, Sections 14, 15, 23 and 25) will be made in the future and documented in a separate Decision Record(s).

II. BACKGROUND

Planning for the Scattered Apples project began in 1996-7. From the onset, the scope of the project was intended to include a comprehensive evaluation of conditions on BLM lands in the project area, to address the full range of conditions and opportunities that were found, and to design a multi-faceted

project that addressed the range of resources. The result is a project that includes a broad suite of recreation work, stream restoration work, road work that corrects problems and provides for a range of resource management needs, wildlife habitat restoration, forest stand restoration, and resource and property protection work through fuel reductions. It provides commercial and non-commercial outputs as directed by the Bureau's strategic plan and the Medford District's Resource Management Plan.

The public involvement in the planning of this project has been extensive. It has involved a variety of approaches including letters, community meetings, public tours of sites within the project area, and extensive conversations and discussions with groups and individual residents of the Williams Valley. From this involvement it is abundantly clear that the range of views and preferences about resource management on BLM lands in the project area and the Williams Valley is very broad. There does, however, appear to be broad consensus in several areas: a) there is widespread recognition that the potential for severe wildfires is high and that the consequences to the community of such fires could be enormous; b) there is a widespread desire that the wild fire potential be addressed and reduced in a substantive way; c) there is a widespread desire to frame BLM's public land management activities in a way that will promote forest ecosystem restoration, although there is a great diversity of views about what this means, what it might include or what is permissible within the concept of "restoration"; and d) there is a widespread desire that public land management activities provide local valley residents opportunities for making a livelihood from the public land and the management activities that occur on it.

The BLM's interdisciplinary planning team has designed the Scattered Apples project in a manner that strives to be sensitive to the range of views and values, to the resource management mandates that are set forth in the various pertinent laws and resource plans, and to the current resource conditions in the project area. In designing and presenting an integrated and multi-faceted project plan, the planning team has created what it believes to be the best balance of these factors and objectives.

Much has occurred since the distribution of the Scattered Apples EA in March 1999. Most notable has been the completion of the Supplemental Environmental Impact Statement (SEIS) to the Northwest Forest Plan and the resultant changes to the Survey and Manage species program. Additional surveys were conducted on the Scattered Apples project area to meet the new requirements. The new information identified since the preparation of the EA is summarized in the attached table (Table DR-1). The new information is not such that new or additional analyses are needed; the environmental consequences are still within the range of the alternatives addressed in the EA.

III. DECISION

It is my decision to implement the actions proposed in the Scattered Apples Forest Management Project Environmental Assessment (EA #99-07, March 1999) as outlined below. To facilitate presenting and understanding the different elements of this decision, I have addressed the proposed actions, alternatives and proposed mitigating measures sequentially in an order paralleling the EA.

1. Recreation Development Projects (EA - Page 6)

- Implement all of the Scattered Apples Interpretive Trail in T38S-R5W-Sec. 33 as proposed.

- Implement the Chinaman's Ditch Trail on the east side of the watershed as proposed (EA page 6-7 and EA Map 2). As noted in the EA, the segment between Point A and B will be developed first *except* that the southern terminus at Point A will be moved north to where the trail enters Section 14 adjacent to Road 39-5-2 (NW1/4 Section 13). Implementation will start by first completing two (2) separate 1/4 mile segments of the trail. When these are completed, an opportunity for public review and comment on the work will be held to determine if some adjustment of the specific trail side vegetation treatment requirements would be appropriate. Where the ditch passes through the Great Grey Owl habitat protection zones (see below) the trail will be brushed very narrowly but the trail related vegetation treatments proposed in Table E-2 will not be done. The trail related vegetation treatments will be completed as proposed at all other locations.

Where the trail passes through units where commercial thinning will be done (see vegetation treatment decision below), the prescribed thinning will be applied to all parts of the stand including directly adjacent to the trail/ditch (*i.e.*, a "no treatment buffer" will not be implemented adjacent to the trail).

2. Unique Vegetation/Habitat Restoration/Enhancement Treatments (Page 7-9)

- Except as noted, implement all three elements of the proposed action: (a) thinning Douglas-fir on pine sites as proposed, b) conifer and oak slashing on oak/grasslands, and (c) prescribed burning of shrub fields and meadows).

The Great Grey Owl (GGO) habitat enhancement work proposed in 38-4-19 (see pages 8 and 20) will not be implemented as it has been determined that GGOs are not utilizing this stand for nesting. A 100-125 acre GGO habitat protection zone will be implemented at each of the four identified GGO sites (Bamboo Gulch, Beginner's Luck, Panther Gulch and Williams). A no harvest / harvest deferral buffer for 1/4 mile around the nest site (125 acres) will be established per the direction of the SEIS (p. 39, SEIS-ROD-S&G). These protection zones total approximately 413 acres.

The proposed meadow restoration work within these GGO habitat protection zones will be implemented as proposed. This proposal reflects the best information and professional judgement of the project biologists to improve GGO foraging conditions and is consistent with the standards and guidelines for a S&M species that does not yet have approved Management Recommendations (SEIS-ROD-S&G, p. 21). Future management of these zones will be based on the management recommendations that will be prepared in the future, per the direction of the SEIS.

3. Fire and Fuel Treatments (Page 9-10)

- Implement both elements of the fuel reduction proposal: (a) prescribed fire for habitat enhancement, fire hazard reduction and pre-suppression planning, and (b) fuel hazard reduction in areas of the Scattered Apples project where vegetation treatment takes place.

- Implement all of the proposed treatments as described and as identified in Table E-2 and as shown on Maps 4-6.

- **Qualifier:** All units that receive any type of vegetation treatment (*e.g.*, precommercial thinning, brushing, commercial thinning, harvesting, slashing, etc.) will be evaluated using the BLM's Fuel Hazard/Risk Assessment and Treatment Recommendations analysis process after treatment and prior to implementing fuel reduction treatments (see EA, p. 28). This review is to insure that the appropriate fuel reduction treatments are applied to meet the fuel loadings and fire hazard reduction goals and other resource and safety goals. Based on this review and analysis, the proposed fuel reduction treatments may be modified, adjusted or dropped so as to better accomplish silvicultural objectives, resource protection objectives within the implementation considerations and opportunities. Substantial changes to the proposed treatments are not anticipated. Those that are made will be consistent with the descriptions, overall extent and impacts addressed in the EA and its range of fuel treatments alternatives. In some instances, for example, hand piling of slash and pile burning will be utilized when prescribed under burning is not feasible or where high surface fuel loadings exist and/or it is operationally impractical to implement because of significant risk to ecological processes, resource values, and private property and rural residences. Any changes that do occur will be within the scope of overall effects anticipated in the EA's analysis and it is not anticipated that any additional NEPA analysis / documentation will be necessary or undertaken as a part of these changes.

- Where the Chinaman's Ditch trail passes through a Great Grey habitat protection zone, the proposed fuels treatment will be deferred.

4. Special Forest Products Program (EA, Page 10)

- Pursue development and implementation of the proposed new land treatment contracting approach with the goal of having the proposed innovative contracts and the requisite procurement authorities available by January 1, 2004. To insure that priority stand treatments are accomplished in a timely manner, established contracting authorities and approaches will be used in the interim. Assistance Agreements authorities will also be used where appropriate.

- Provide special forest product harvesting / gathering opportunities as described. Special forest product opportunities will be provided only to the extent they are consistent with and promote the Scattered Apples project's silvicultural treatment objectives and prescriptions.

5. Road/Transportation Projects (EA, Pages 11-16)

- Implement all of the proposed road treatments within the area of this Decision Record except:

a. Road 39-5-2(B) (See EA Table 2-1) will not be renovated as proposed. The washed out culvert the renovation proposed has been repaired. The road will receive maintenance as needed to support the implementation of this Scattered Apples decision. Upon completion of the Scattered Apples stand treatments accessed by this road, the road will be decommissioned as proposed.

b. The Upper Powell Creek Road (#38-5-15) will not be used for timber hauling. Several Port-Orford cedar trees currently uninfected with *Phytophthora lateralis* grow beside the road. In its stead, a helicopter landing will be located in Section 21 and timber hauling of logs from harvest units in Section 15 and 22 will be hauled down roads 38-5-29 and 33 (the China Basin system). These roads do not pass through areas where Port-Orford cedar is known to grow. The seasonal operating restrictions outlined in the EA will apply to the use of these roads and landing site. Administrative access to the units in Section 15 will be by foot from the Upper Powell Creek Road (access point is downstream from the located Port-Orford cedar).

6. Silvicultural /Vegetation Treatments (EA, Pages 16-21)

a. Noxious Weed Control

Implement the noxious weed control actions as proposed. Roads proposed for decommissioning but which are associated with the weed control proposals will not be decommissioned until weed control work is completed.

b. Riparian Reserve Treatments

- Class 1, 2 and 3 streams (EA, p. 17)

Implement the treatments in the riparian reserves of Class 1, 2 and 3 streams as proposed.

- Class 4 streams (EA, p. 17-19)

Implement the four elements listed at the top of page 19 where appropriate, based on small scale site specific stand conditions.

Implement the precommercial understory thinning and brushing as proposed, as described on page 19 and as listed in Table E-1.

Do not implement the Class 4 stream riparian reserve commercial thinning proposals. Not implementing the commercial thinning proposal is an integral part of the decision to implement Upland

Vegetation Treatment Alternative V-3 outlined below.

- Class 5 streams (EA, p. 20)

Implement, as proposed, the modification (*i.e.*, higher average residual canopy closure) of the commercial thinning along Class 5 streams, ***except*** as proposed for the great grey owl area in 38-4-19. Additional surveys since the EA was drafted have indicated that the owls do not favor this area as initially thought and the deferral of commercial thinning there is not longer relevant.

7. Upland Vegetation Treatments (EA, Page 21-24)

Implement Upland Vegetation Treatment Alternative V-3 (EA, p. 23). Except as noted below, this includes implementation of the proposed treatments indicated in Table E-2 as being a part of all of the proposed action alternatives (EA p. 106 - 111) and the proposed treatments noted in Table E-2 as unique to Vegetation Treatment Alternative V-3 (EA, p. 116 - 119). The proposed treatments are to be modified as follows:

→ The proposed fuel and slash treatments will be modified / updated based on the post vegetation treatment evaluations previously discussed in the fire and fuels treatments section of this decision.

Changes to “common to all alternatives” units:

→ 38-5-35 (portion of 002): This unit was not included in the initial Scattered Apples project area. However, approximately 100 acres of this unit will be incorporated in the Great Grey owl habitat protection zone deferral.

Changes to “Alternative 3” units:

→ 38-5-25 (001): On 53 acres, implement a Timber Productivity Capability Classification (TPCC) change from fragile moisture restricted (FMR) / reforestation moisture restricted (RMR) to fragile gradient non-suitable woodland (FGNW). Change the proposed “CT/GS and GS” treatment to “no treatment”.

→ 38-5-35 (001): Incorporate approximately 28 acres of this unit into a GGO habitat protection zone in conjunction with 38-5-35 (002) above.

→ 38-5-25 (004 and 20 acres of 001 and 36 acres of 005): Incorporate these acres into a 125 acre Great Grey owl habitat protection zone. Defer the proposed vegetation treatments. Although 004 is not in the identified project area, it will become part of the core.

- 38-5-3 (005): Do not implement any vegetation treatments within the 30 acres threatened species core. Retain an average canopy closure of 50% within ½ mile of the cores activity center.
- 39-5-1 (portions of 003, 004, 005, 006 and 007): Incorporate into a GGO habitat protection zone.
- 38-5-35 (005): On approximately 42 acres of this unit change the proposed treatment from “deferred” to an “enhance pine / oak” prescription including associated fuel and prescribed burning treatments. This change stems from updating the TPCC from reforestation temperature restricted (RTR) to low-site withdrawn (LSW) of this acres. On 13 acres in the SE corner of this unit, implement a commercial thin prescription in place of the treatment deferral proposal. Implement the associated fuel reduction treatments. The TPCC on this portion remains unchanged.
- 38-5-35 (004): Implement the “oak woodland” prescription in place of the proposed “commercial thin”. This stems from an update of the TPCC from RTR to LSW for this entire unit.
- 39-5-1 (13 acres of 003 and 9 acres of 006): Implement the oak woodland prescription in place of “commercial thin / group select” prescription. This change stems from an update of the TPCC from RTR to LSW for these acres and from the recent Douglas-fir mortality on these sites. Salvage of the dead trees may occur after snag goals are met.
- 38-5-22 (001): Implement the “commercial thin” treatment prescription instead of the proposed “deferral”. The reason for this is that the valley floor to ridgetop connectivity objective of the alternative would be met by the GGO habitat areas thereby allowing the forest health thinning objective for this stand to be emphasized.
- 38-4-19 (018, 020): Implement a commercial thin treatment in place of the proposed “deferral of commercial harvesting”. The initial treatment deferral was based on the potential for great gray owl nesting activity/habitat. The area was subsequently shown not to be used. (see EA, p. 8 and decision regarding this above).
- 39-5-1 (005): Implement the “commercial thin” treatment prescription on approximately 7 acres in the eastern end of OI, instead of the proposed “deferral”. The reason for this is that the valley floor to ridgetop connectivity objective of the alternative would be met by the GGO habitat areas thereby allowing the forest health thinning objective for this stand to be emphasized.
- 39-5-1 (007): Implement the “commercial thin” prescription on approximately 10 acres in

the southwest part of the OI instead of the proposed treatment “deferral”. The reason for this is that the valley floor to ridgetop connectivity objective of the alternative would be met by the GGO habitat areas thereby allowing the forest health thinning objective for this stand to be emphasized.

→ 39-5-12 (002): Implement the “pine/oak enhancement” treatment prescription on the entire 40 acres of the unit in place of the proposed “commercial thin”.

→ 39-5-6 (001) will be a commercial thin in both Alternative 2 and 3, not a pole thinning as indicated for alternative 3. This change stemmed from a review of the spatial distribution of the different stand types, including deferred treatment units, in this part of the watershed. A heavier thinning of this stand to promote growth and stand health was determined to be warranted.

The specific TPCC changes noted above stem from additional comprehensive site reviews completed since the EA was prepared. These changes result in 208 acres shifting from being in the timber base to a withdrawn classification. The EA included approximately 100 acres of similar change that is accepted as stated above.

8. Other

a. Project Design Features (EA, p. 25)

The project design features described in the EA are considered to be integral parts of the proposed action and are to be implemented, *except*: where the species and protection measures for special status and S&M plant and animal species outlined in the EA (p. 31) are different from the species and protection measures set forth in the January 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, the latter document shall in all cases take precedence.

b. Survey & Manage Sites and Habitat Buffers

Survey and manage species sites found within the Scattered Apples Forest Management Project will receive treatment buffers described in the Management Guidelines for each species in effect on the date of this Decision Record and per the January 2001 SEIS. In many instances, the buffers of multiple species will overlap. Where this occurs they will be appropriately combined to match the landscape habitat patterns for the involved special status species and to limit the overall impact on available timber base land. Where species’ buffers are closely associated (juxtaposed) with riparian reserves, they will be delineated in conjunction with riparian reserve design with an eye towards matching the landscape and habitat requirements of the species. Where buffers overlap with one another or riparian reserves, buffers need not be delineated individually. Buffers common to multiple species or locations are appropriate and acceptable. (A note of interest: The SEIS changed the list of S&M species. S&M

surveys and sites were, to a large extent, located prior to the SEIS. Many of the sites for species removed from the S&M list are located within riparian reserves. They will, consequently, indirectly receive protection from ground disturbance associated with the Scattered Apples project.) Implementing the S&M buffers per the SEIS resulted in an increase of approximately 13 acres from the pre-SEIS buffers. Approximately 150 acres of S&M species buffers have been delineated.

c. Seasonal operating restrictions (p. 26)

The seasonal operating restriction around spotted owl nest sites is changed from March 1 through June 1 (Table 2-3, p. 27) to March 1 through June 30 to comply with the current USFWS Biological Opinion.

The seasonal operating restriction around Townsend's Big-eared bat colonies is changed as follows: (a) in Section 19, T38S-R4W, potentially disturbing work activities (e.g., road work, hauling, burning, vegetation treatments) which are within 0.25 mile of the known maternity colony site, will be precluded from November 1 to September 15, and (b) at the three hibernacula sites the seasonal operating restriction will preclude activities within 0.25 mile of the sites between November 1 to April 1. These seasonal restrictions may be waived by the Resource Area biologist if bats are determined not be using the site in any given year.

d. Threatened and Endangered (T&E) & Survey and Manage (S&M) Species (p. 31)

The Townsend's big eared bat site in section 19 will not be buffered with a 1,000' no vegetation treatment zone as proposed. Management recommendations for this species have changed since the EA was prepared. A 250' buffer will be implemented instead. This buffer, in conjunction with the aspect and vegetation differences between the site and the unit, is expected to be sufficient to maintain the micro climatic conditions of the site. There will be no prescribed burning within 250' of this site.

9. Proposed Mitigating Measures

- Proposed Mitigating Measure #1 (EA, p. 39): Accepted
- Proposed Mitigating Measure #2 (EA, p. 39): Accepted
- Proposed Mitigating Measure #3 (EA, p. 64): Accepted
- Proposed Mitigating Measure #4 (EA, p. 68): This proposed measure is rejected as moot. Since the Scattered Apples EA was prepared, all of the trees identified with possible Red tree vole nests have been climbed and checked. All of these nests were determined to be either unoccupied by RTVs or are the nests of other species (e.g., squirrels).

- Proposed Mitigating Measure #5 (EA, p. 77): Accepted

10. Proposed Monitoring (EA Appendix B, p. 94)

- a. Great Gray Owl Population Monitoring - Implement this monitoring proposal as indicated except in Section 19 where it has been determined that GGOs are not actively using the identified habitat.
- b. Songbird monitoring - Implement this monitoring as proposed. This will be a part of the BLM - SOU's ongoing songbird monitoring study in the Williams Valley.
- c. Red Tree Vole monitoring - Do not implement this proposed monitoring. Based on our growing knowledge about RTV habitat and distribution, there are other areas that would provide better sites for researching questions about RTV movement between stands.
- d. Effectiveness of Thinning based on Crown Health monitoring - Implement this proposal on the three (3) units where the crown health based thinning prescription is being implemented.
- e. Accomplishing vegetation treatments with the local workforce monitoring - Implement the proposal to assess the extent of local workforce involvement in accomplishing the vegetation treatments and, therefore, the effectiveness of the new procurement and contracting methods..
- f. Cooperative Forest Ecosystem Research (CFER) project participation - The Resource Area will work with the CFER program to provide research sites as needed and requested by this project's research scientists.

In addition, a variety of creative silviculture prescriptions have been used throughout the proposed action to meet numerous natural resource and social issues. Implementation and post- treatment evaluations will be conducted to evaluate the successes and effectiveness of these treatments. If treatments fall short of expectations, they should be noted and written modifications suggested.

IV. DECISION RATIONALE

The broad No Action Alternative was rejected because it does not meet the objectives identified in the Medford District Resource Management Plan. It would not address or alter many of the existing resource conditions and trends that are of major concern relative to healthy forest conditions and resource and property protection. The No Action alternative would perpetuate or promote undesirable

resource conditions. With the No Action, these conditions would not be improved or mitigated; certain undesirable ecological trends would continue unchanged and, in some cases, would be exacerbated with the passage of time. For example, high fire hazard conditions would continue and grow, stand vigor and forest health would continue to decline, existing erosion problems would continue uncorrected, the successional trends that are contributing to a loss of pine and oak habitats would continue, and certain beneficial economic opportunities in the adjacent communities would be foregone.

The rationale for each element of the decision outlined in the previous section are summarized below. The overall rationale for the decision is that it implements the Medford District RMP, the Northwest Forest Plan, the BLM's Strategic Plan and the National Fire Plan. The decision will meet the purpose and need outlined in the EA as it pertains to contributing to meeting the District's commitment and responsibility for timber harvest. The decision will meet the other broad purpose and need for the management of the involved public lands in a manner that will provide and promote a wide range of non-commodity outputs and conditions that will maintain vigorous, healthy and more sustainable forest conditions. Each of the elements of the decision reflect the best effort and course of action, based on current conditions and public input, to meet the more specific objectives (i.e., purpose / need) outlined in the EA.

The Scattered Apples Interpretive trail was adopted based upon my understanding that there is broad community interest and support in its implementation due to its recreational and informational value.

Only a portion of the Chinaman's Ditch Trail proposal that is on public land was selected at this time. The remainder of the proposal will be revisited in the future if the community and the involved private land owners indicate an interest in expanding the trail for its full length. Additional sections of the trail could be added if partnerships and cooperative efforts can be developed. Private land owners would also need to provide appropriate levels of public access along the trail.

The unique vegetation / habitat restoration / enhancement treatments were adopted because they will contribute to maintaining vegetation, habitat and wildlife diversity in the watershed. Without implementation, many fire dependant (creation and maintenance) habitats will continue to decline in vigor and extent. The decision to implement the meadow restoration work within the GGO habitat zones is based on the wildlife biologist's conclusion that the current condition of these meadows is poor relative to providing important components of high quality GGO foraging habitat. Allowing the current trend of encroachment and decline to continue would mean a progressive degrade of the GGO habitat. The active restoration / enhancement of these meadows will be an important contributor to maintaining the viability of the GGO habitat zones.

The fire and fuel treatment proposals are adopted because, without implementation, there will be a continued increase in fuel loadings and fire hazard. This increase will be due to both the current vegetation successional trends and fuels produced by the vegetation treatments. Addressing both the "natural fuels" and the activity generated fuels is critical in the Williams watershed due to the high

resource and property values. Natural fire frequencies that historically served to maintain lower fuel loadings and fire hazard have been severely altered by many years of fire suppression. There is a grave and substantial need to judiciously but pro-actively address the fire hazard in the Scattered Apples project area. Reducing fire hazard in western forests and in the forest-urban interface zones is currently a national initiative in the BLM and Forest Service.

Adopting the special forest products proposals, both separately and as a component of silviculture and habitat treatment prescriptions, will provide an additional means for accomplishing the treatment objectives. It will provide both economic and personal use opportunities to the local community and is thus responsive to concerns expressed by the public during project planning. Adopting the proposal to investigate, evaluate and implement, where possible and efficient, new contracting strategies reflects the BLM's commitment to provide a broader array of contract methods and opportunities to local entrepreneurs and workers. It is based on expressed community interest in "keeping the work at home".

Implementing the proposed understory riparian reserve treatments is based on my concern about the condition of the riparian reserves as outlined in the EA. As the EA discusses, there may be short-term small scale adverse impacts resulting from some of these treatments. Some individuals will no doubt view these impacts as wholly unacceptable. However, I have accepted them because the treatments are designed to be for the long term benefit of the riparian and aquatic conditions. Reducing fire hazard and accelerating successional trends will lead to older forest conditions in these areas while retaining an important vegetation and habitat diversity.

Selecting Alternative V-3 (which does not include overstory thinning in Class 4 stream riparian reserves) places a greater emphasis on the habitat connectivity value of the current stand conditions across the valley's elevation gradient than on other resource goals and conditions. It foregoes, at this time, addressing the stand health concerns that stem from the current high stand densities. I recognize that precluding density reduction treatments now may be to the long term detriment of some of these stands because the increasing densities in the mid level and overstory trees will result in a continued decline of stand vigor. The light overstory thinning proposed in some of the other vegetation treatment alternatives would have forestalled this and would have contributed to promoting and meeting the long term Aquatic Conservation Strategy objectives.

I have selected Upland Vegetation Treatment Alternative V-3 (which includes the "Vegetation treatments common to all alternatives") because it will address most of the local community's concerns addressed in the Scattered Apples project's scoping and public input stages and because it will provide for and promote a wide variety of values and desired ecosystem condition objectives identified in the Medford District's RMP and the Northwest Forest Plan. This incorporates a blend of actions that will also help reduce fuel loadings, promote long term stand vigor and forest health, and meet the demand for wood products at the local and wider levels.

The wide variety of silvicultural prescriptions which alternative V-3 incorporates are closely tailored to the existing forest conditions, to the issues identified in the Williams Watershed Analysis, and to the forest management objectives set by the RMP and the NFP. The modifications to Alternative V-3 that I have identified in this decision were developed to reflect changes to the Survey and Manage standards and guidelines and to promote the “connectivity” objectives identified for Alternative V-3. The decision incorporates project design features whose purpose is to minimize short and long term adverse effects on connectivity that might arise as the actions are implemented. Some short term adverse environmental effects will occur as has been identified in the EA. However, the treatments will result in forest stand conditions that will increase the potential for healthy forest conditions in the short and long term, will provide improved habitats for late-successional forest associated species. Existing watershed conditions are expected to improve through the implementation of the road restoration and riparian vegetation treatments of this project. Implementation of this decision will also contribute to meeting the long range riparian zone objectives identified in the Williams Watershed Analysis. Implementing the action will help meet the NFP’s Aquatic Conservation Strategy objectives by restoring vegetation conditions that will be more resistant to catastrophic fire and insect events and will improve long term coarse woody conditions within the streams. There were no effects identified that would prevent attainment of the Northwest Forest Plan, provincial/regional landscape objectives or primary land allocation objectives of the Medford District Resource Management Plan.

Vegetation treatment Alternative V-1 was not selected because, while it would produce a larger volume of wood product / timber output and would most aggressively address the density related stand health issue, it would also result in the greatest change to wildlife habitat conditions currently in the project area. I have selected the more modest approach of Alternative V-3 based on this and my consideration of preferences expressed by some members of the community.

Vegetation treatment Alternative V-2, even though close to Alternative V-3, was not selected because it does not meet the long term elevation gradient connectivity issue identified in the Williams Watershed Analysis as well as V-3.

Vegetation treatment Alternative V-4 would implement the greatest amount of structural retention / regeneration harvesting. It would include more aggressive and extensive vegetation treatments and would implement most literally the broad silvicultural regime outlined in the RMP. It was not selected because it would not implement the most refined site specific stand prescriptions based on an analysis of current conditions or appropriately emphasize the late-successional connectivity issues previously noted. Due to the current composition and condition of the stands, this alternative would limit the long term management and stand treatment options and would result in a lower growth potential for the residual stands. This alternative also contains less creative prescriptions and management practices than the other 3 action alternatives, and is, therefore, perhaps less appropriate for the Adaptive Management Area. Rejecting this alternative does result in foregoing the greatest degree of fire hazard reduction in the near term although in the long term it essentially reaches parity with the other alternatives.

Strategic Plan: The Decision provides a balanced range of management actions that are consistent with and promotes a number of the goals of the BLM's FY2000 to FY2005 Strategic Plan:

- Goal 1.1: Provide opportunities for environmentally responsible recreation.

The Scattered Apples project includes the development of an interpretive trail, creating a hiking trail along the Chinaman's Ditch and improving access to it. Past recreational forest resource gathering (mushrooms, etc.) will continue. Restoration of the historic oak woodland habitats will result expanded opportunities to see and study these unusual vegetation types.

- Goal 1.2: Provide opportunities for environmentally responsible commercial activities;

- 1.2.3: By FY2005, consistent with established health standards, annually offer for sale, on a decadal average, 211 million board feet of timber in western Oregon (Oregon and California Grant Lands).

The Scattered Apples project will provide approximately 3.7 MMBF towards this goal while meeting a variety of other management objectives.

- Goal 1.4: Reduce threats to public health, safety and property.

The project includes extensive fuel hazard reduction treatments (over 1,100 acres). The project is within the wildland/urban interface and the fuel treatments promote the National Fire Plan initiatives.

- 1.4.2: assess the condition of BLM-maintained roads to identify public and administrative access needs, maintenance requirements to resolve public safety and environmental concerns, and prospective road closures.

The entire Scattered Apples project includes decommissioning 6.2 miles of BLM roads in the Williams watershed. Road maintenance will occur on 27.8 miles of BLM roads and road renovation will be implemented on 10.8 miles. There will be 0.1 miles of new temporary road construction for project access all of which will be decommissioned following use for the Scattered Apples project.

- Goal 2.2: Restore at-risk resources and maintain functioning systems

- 2.2.2: Achieve proper functioning condition or an upward trend on BLM-administered land.

The Scattered Apples project includes a variety of work consistent with this goal. This includes the forest stand thinning which will reduce stand densities to more sustainable levels, the restoration burning of oak woodland habitat, silvicultural prescriptions that will favor the retention of the pine vegetation

series, shrubland and meadow restoration burning, and Great Gray Owl habitat retention. Additionally the project is consistent with the Aquatic Conservation Strategy which is directed at restoring aquatic conditions.

National Fire Plan: Williams and a majority of the Scattered Apples planning area are within the wildland/urban interface. Williams has been identified as a Community at Risk under the National Fire Plan (Federal Register Vol. 66, No. 3). Consequently, special regional and national level attention is placed on this area as a wildland/urban interface community within the vicinity of Federal lands that are at high risk from wildfire. Much of the project area have high risk fire regimes and are classified as fire condition classes two or three under the Department of the Interior's "Cohesive Strategy for Protecting People by Restoring Land Health". The fire regimes in these fire condition classes have been moderately to significantly altered from their historical range of fire frequency. To restore them to their historical fire regimes, these lands require some level of restoration through mechanical and prescribed fire treatments (Integrating Fire and Natural Resource Management – A Cohesive Strategy for Protecting People by Restoring Land Health, DOI, March 2001 Draft). The Scattered Apples project includes a range of management actions directed at this restoration and at reducing the high wildfire risk on Federal lands.

Healthy Forests - An Initiative for Wildfire Prevention and Stronger Communities: The Scattered Apples project includes management actions that are congruent with the goals of the President's August 22, 2002 Healthy Forests Initiative. The Scattered Apples project includes a great deal of work focusing on reducing wild fire hazard to protect communities and resources, promoting healthy forest ecosystems and providing a framework for further local collaboration to accomplish these goals.

V. CONSULTATION AND COORDINATION

Pursuant with the Endangered Species Act (ESA), consultation was completed with the US Fish and Wildlife Service (Biological Assessment dated July 18, 2001; Biological Opinion #1-7-01-F-032 dated October 21, 2001). The Service has determined that the proposed action will not jeopardize the continued existence of the northern spotted owl and has issued an incidental take for the proposed action due to habitat modification.

Pursuant to the ESA, consultation for Scattered Apples Forest Management project was completed with the National Marine Fisheries Service. The Service concurred with the BLM's determination that the project's proposed actions were "not likely to adversely affect" (NLAA) the SONC coho salmon in its November 8, 2001 letter of concurrence. NMFS concluded that "there is less than a negligible likelihood of adverse effects or incidental take of SONS coho salmon occurring due to this action."

The State Historic Preservation Office (SHPO) was notified of this project in accordance with 36 CFR

§800.5(b). They have raised no objection to the BLM's finding that it would not adversely impact sites of cultural or historic significance.

The Confederated Tribes of the Siletz and of the Grand Ronde were notified of this project during the scoping process and the public comment period for the EA. Josephine County Commissioners and the Josephine County Forestry Department were also notified.

VI. PUBLIC INVOLVEMENT

Public notification and involvement for the Scattered Apples Project was initiated in 1997 with the mailing of a scoping notice to individuals and organizations which had previously requested to be notified of such projects, Josephine County officials, Native American Tribes, and adjacent private landowners of record (county tax rolls). The EA summarizes the comments and issues raised as a result of this scoping. Subsequent public involvement opportunities included community meetings, project areas tours, meetings and discussions with interested individuals and organizations, and a 30 day formal public comment period on the EA.

All Public input received regarding the Scattered Apples project was carefully reviewed and evaluated. Many excellent comments were received regarding both the substance of the Scattered Apples project and the commentors' preferences about the Scattered Apples proposals and the management of the BLM administered land in the Williams watershed. Comments received since the public distribution of the EA in 1999, did not provide any substantially new information or new analysis. Nor did it identify substantial new data gaps that would indicate additional analysis is needed. These comments also did not identify any significant new data which would alter the effects described in the environmental assessment.

In June 1998, some members of the Williams Community in conjunction with the Williams Creek Watershed council submitted to the BLM a "Scattered Apples Restoration Alternative" (the SARA). They requested that this be incorporated in to the EA as a "stand alone" alternative. The BLM's interdisciplinary planning team closely reviewed the SARA concluding that it was primarily a conceptual alternative, not a stand or area specific alternative with proposals presented in sufficient detail that the proposal could be analyzed as an alternative. It did not contain specific suggestions or prescriptions for the various parcels identified in the project area and assessed in the BLM designed alternatives. As such, it did not meet the criteria for inclusion that the Field Manager had enumerated for them: be site specific and detailed sufficient for the BLM to evaluate environmental consequences, and be consistent with the NFP and the RMP and their land use objectives. Nor could environmental consequences be analyzed and evaluated. Consequently, the SARA was not included as a specific or separate alternative entity in the Scattered Apples EA and analysis.

The BLM's review of the SARA concluded that a majority of the concepts and elements of the SARA

were, in fact, already present in the range of alternatives being designed and which were presented and evaluated in the Scattered Apples EA. The results of this review were presented in the EA. Changes to the proposed alternatives that have arisen from the SEIS, further site-specific information and additional analysis have resulted in the Scattered Apples project moving even closer to the SARA.

In May 2000 the Williams Creek Watershed Council prepared a watershed assessment and subsequently a Williams Watershed Action Plan. This plan identified a range of projects that the preparer(s) felt would contribute to restoring watershed functions in the Williams watershed. Projects were identified on both private and public land, some of which are located on BLM administered land within the Scattered Apples project area. Many of them had already been identified by the BLM. Some of them have been addressed. Others are included in the Scattered Apples project and will be accomplished as a part of its implementation. The attached table (Table DR-1) highlights those proposal that are in the Scattered Apples project area. Other projects identified in the Action Plan that are located on public lands may be pursued in the future with additional site specific analysis and NEPA analysis.

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

A. Plan Consistency

Based on the information in the Scattered Apples EA and in the record, I conclude that the decisions in this Decision Record are consistent with the Medford District Resource Management Plan, the Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl and, the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manager, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001). These decisions are also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations. They are also consistent with Executive Order 12898 (Environmental Justice).

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

This decision is limited to those parts of the Scattered Apples project area that are free of Port-Orford cedar. This decision will not, therefore, affect this species or the potential for the spread of *Phytophthora lateralis*.

B. Finding of No Significant Impact

On the basis of the information contained in the environmental assessment and a consideration of the comments received from the public regarding the Scattered Apples Forest Management Project, it is my determination that the decision stated above will not result in significant impacts to the quality of the human environment beyond the range of impacts and effects addressed by the Medford District Resource Management Plan, the Northwest Forest Plan, their EIS documents and their respective Records of Decision to which the Scattered Apples EA is tiered. Thus, the Scattered Apples project does not constitute a major federal action having a significant effect on the human environment and an environmental impact statement (EIS) (or supplement to the existing EISs) 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), both with regard to the context and to the intensity of the impacts described in the EA and based on my understanding of the project. As noted above, the analysis of effects has been completed within the context of the Medford District's Resource Management Plan 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 Scattered Apples decision relative to each of the ten areas suggested by the CEQ. With regard to each:

- 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 and outside of the scope of the EISs to which the project's EA is tiered.
- 2) The degree of the impact on public health or safety.* No aspects of the project have been identified as having the potential to significantly and adversely impact public health or safety. The fuel and fire hazard reduction elements of the project will have a beneficial impact on public health and safety, particularly within the rural interface areas in the Williams Valley.
- 3) Unique characteristics of the geographic area.* The Scattered Apples analysis identifies only one unusual characteristic of the geographic area: the unique assemblage of great grey owls. The project design and the decision include elements that are designed to protect and to improve habitat conditions that support this unusual concentration of birds.
- 4) The degree to which the effects on the quality of the human environment are likely to be highly controversial effects.* The effects of the Scattered Apples project are similar in nature to those of many other projects that are implemented within the scope of the Northwest Forest Plan and the Resource Management Plan. There is a continual full range of debate, findings and opinions about the

potential effects of such land management activities as evidenced by the public comments received regarding the preparation of this project. It underscores a level of uncertainty that exists in assessing the changes that may occur as a result of all such projects. This uncertainty is acknowledged by the EISs to which the Scattered Apples EA is tiered. Neither the analysis nor the public comments identified any areas where there was a significant or unique level of controversy about the effects that would result from the Scattered Apples project. Certainly there was a range of views expressed regarding the desirability of some elements of the project (e.g., commercial harvesting and road construction) and the desirability of some of the changes that would result (e.g., wildlife habitat changes).

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 would 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 outside of those addressed and anticipated in the RMP - EIS.

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 include any listed National Historic Register sites or sites known to be eligible. Cultural sites in the project will be protected per the project design features noted above.

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* The project includes project design features that preclude adverse impacts on ESA listed species. ESA consultation with NMFS and FWS has been completed with the determination that the project is not likely to adversely affect T&E species.

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 of environmental protection law or requirements.

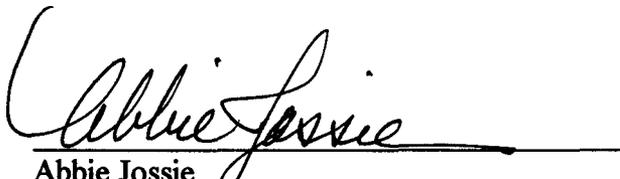
VIII. ADMINISTRATIVE REMEDIES

This decision is a forest management decision. Administrative remedies are available to anyone who believes they are 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 the decision, as it relates to an advertised timber sale(s), will be when the first Notice of Sale for such a sale appears in a newspaper of general circulation in the area where the lands affected by the decision are located. This newspaper is the Grants Pass Daily Courier. Publication of the first notice of sale establishes the effective date of the decision for those portions of this decision record included in the timber sale and timber sale prospectus. 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 and FONSI 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 date of publication in the Grants Pass Daily Courier will prevail as the effective date of this decision.

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


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

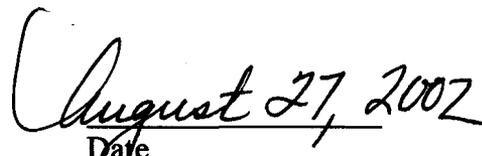
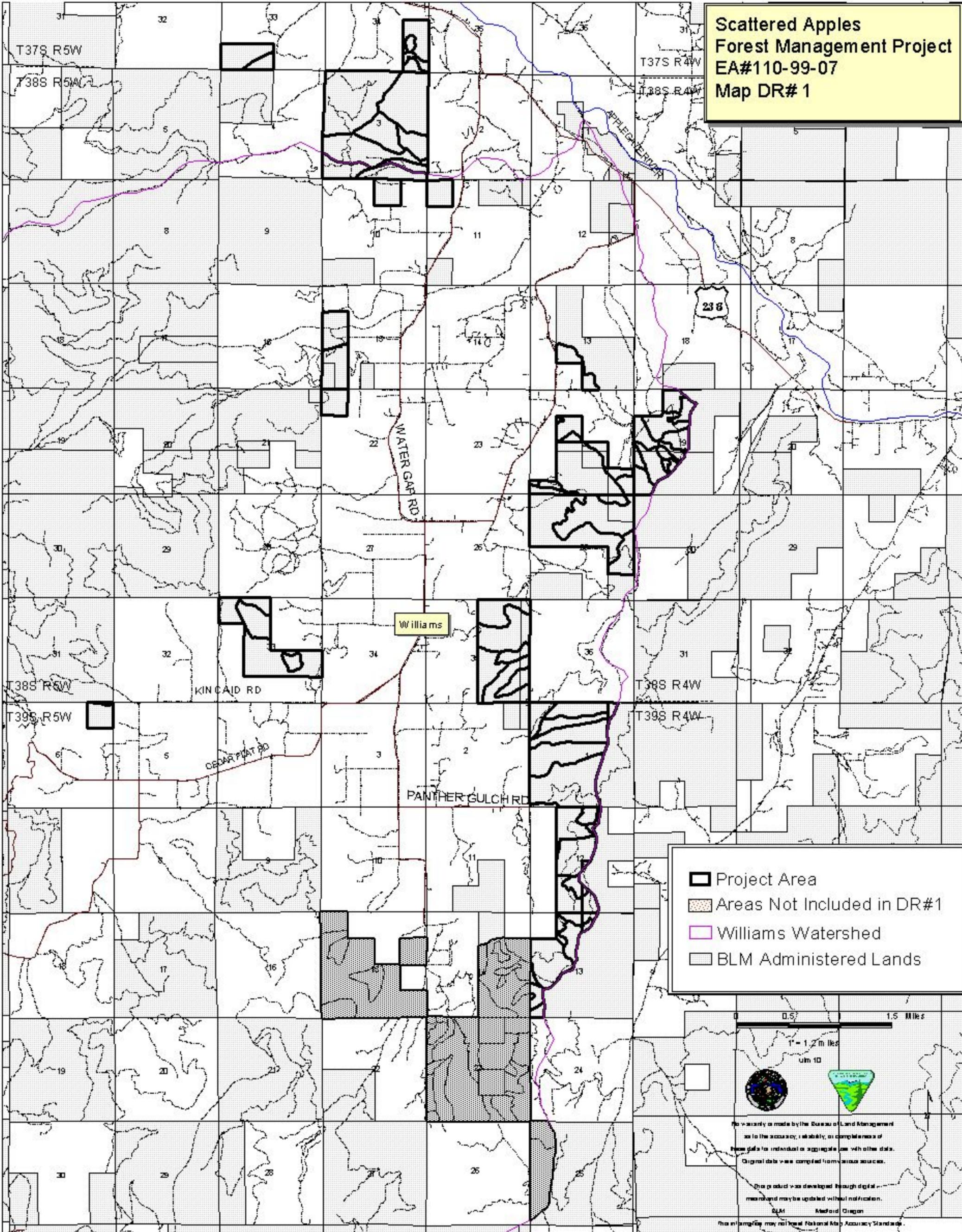

Date

Table DR-1: Disposition of Williams Watershed Action Plan projects in the Scattered Apples Project Area

Issue	Map symbol	Location	Comment
Fish Barrier	26	Powell Creek Road T38S-R5W-16	Culvert identified as a block to fish passage. This is a BLM road that will be used for hauling as a part of the Scattered Apples. Replacement and upgrade of this culvert is not currently a high priority by either the BLM or ODFW. It may be addressed at some time in the future.
Sedimentation	14	East Fork Williams Creek: Reaches 1 through 5	The issue is that the current level of sediment in the stream's substrate exceeds ODFW's benchmark standard. The Scattered Apples project will not be addressing this directly but includes the decommissioning of Road 39-5-23.2 and maintaining other roads in this area. Both actions will contribute to reducing sediment delivery to the stream.
Sedimentation	15	Road 39-5-2	This road was repaired and the culvert replaced in 2000. Decommissioning of this road is a part of the Scattered Apples project. This will occur when the road is no longer needed for this project. Seeding and mulching of the entire road prism will be a part of decommissioning.

**Scattered Apples
Forest Management Project
EA#110-99-07
Map DR# 1**



-  Project Area
-  Areas Not Included in DR#1
-  Williams Watershed
-  BLM Administered Lands

0 0.5 1.5 Miles

1" = 1.2 Miles
utm 10



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