

Number of Letter	Comment (may be paraphrased and include several similar comments)	BLM Response
7, 16, 24, 42, 43	Commenters requested that the BLM discuss Roadless/Wilderness and provide an alternative that protects and discloses roadless character of the planning area.	The BLM clearly disclosed both the roaded and unroaded character of the planning area (Section 3-10). Several maps were included in the DEIS and are included in the FEIS that clearly depict areas with and without roads, beginning with Map #2, Existing Transportation System. Maps 4, 5, 6 (alternatives 1, 2, 3 respectively) each show existing roads and proposed roads in relationship to other proposed activities.
7, 16, 24, 42, 43, 44	BLM has not considered impacts to roadless area; it is in the public interest to review those impacts which include 24 miles of W/SC River – contiguous w/ wilderness. There is no map depicting the Zane Grey roadless area, riparian reserves, or seral stages.	Impacts to the planning area have been fully analyzed and are located in chapter 4 of the FEIS. The cumulative effects analysis was expanded and includes a table found in Appendix 14. Maps 12, 14, and 27 (along with the rest of the document), Wild Rogue Watershed Unroaded Areas, North & South of the Rogue River, in the Wild Rogue (North) Watershed Analysis, were referenced during this analysis.
43	Has the BLM collaborated w/ FS on Wild Rogue Wilderness	No action is planned within the Wild Rogue Wilderness. The BLM and Forest Service do collaborate on management of the wilderness. The Forest Service was identified as an interested party and has been aware of the Kelsey Whisky planning process through scoping and DEIS distribution (see Section 5.4.1.2).
42	DEIS is deficient under NEPA because it did not analyze or disclose effects of logging and road building in a large unroaded area.	See chapter 4 for an expanded discussion of impacts.

Number of Letter	Comment (may be paraphrased and include several similar comments)	BLM Response
<b>Recreation / Wild and Scenic River</b>		
2, 4, 7, 14, 17, 20, 21, 24,35, 37, 39,40, 42-44, 46, 49, 51, 58, 60, 62, 64, 65, 69, 71, 79, 83, 87, 96, 107, 124, 126, 128, 138  7, 14, 16, 21, 24, 31-35, 37, 42-44, 58, 59, 60, 62, 65, 69, 73, 79, 100, 101, 105, 110, 111	<p>There are several comments concerned that the proposed project will compromise the recreational enjoyment of the Zane Grey area and the Rogue River, as well as general recreation in the planning area.</p> <p>The public has concerns with impacts of management alternatives on the Outstandingly Remarkable Characteristics of the Wild and Scenic Rogue River, including impacts to visual resources and audible impacts.</p>	<p>The Rogue River is managed in compliance with the Wild and Scenic Rivers Act. Proposals were designed to not impact the Outstandingly Remarkable Features of the Wild and Scenic River.</p> <p>The majority of recreation visitors to the Wild Section of the Rogue River are passengers in non-motorized boats. Potential noise impacts to recreationists on the Wild and Scenic River were identified. Activity on unit 2-3 would occur Nov-April to minimize the potential of noise disturbance. See Appendix 2.</p> <p>For further information see sections 4.11, 4.12, 4.18, 4.19.</p>
42	Visual impacts are within 1 mile of the Rogue River.	The Wild and Scenic River Act allows management activities within 1 mile, but not within 0.25 miles of the Rogue River if the action lies beyond the 1 <sup>st</sup> ridgeline from the river. All management activities meet this criterion.
<b>Sedimentation and Soils</b>		
7, 33, 42, 44, 62, 69, 105, 110, 124	There is a general concern about the amount of sediment being generated by road construction, maintenance, and hauling as a result of timber harvest.	The addition of 1.5 miles of temporary road construction is not expected to increase sediment levels in the long term. Road construction is proposed on stable locations. Sediment levels would decrease from current levels with decommissioning and other road improvements such as mulching and the placement of waterbars. For further discussion of sedimentation see sections 4.2 and 4.3.
24, 42, 44	Comments expressed concern about compaction, ripping, and productivity.	Best management practices would be in place to ensure soil organics be retained and thus maintain long term soil productivity. Subsoiling during road decommissioning would be employed. The buffers established to protect riparian zones would ensure that burns are not initiated within 50 feet of streams. See sections 2.3, 4.2 and 4.3 for further discussion.

Number of Letter	Comment (may be paraphrased and include several similar comments)	BLM Response
42-6	BLM failed to analyze and quantify site specific accelerated erosion.	Unstable areas were identified through on-site evaluations and protected in the design of the units. See maps #2 and #12 of the Wild Rogue North Watershed Analysis for riparian reserve land use allocations and areas of instability. The Watershed Analysis was used in planning for the Kelsey Whisky EIS. It can be found on BLM's web site @ <a href="http://www.or.blm.gov/Medford">www.or.blm.gov/Medford</a> , under planning documents.
<b>Hydrology / Water Quality</b>		
3, 17, 43, 46, 58, 61, 69, 83, 107	Water quality was a concern, due to potential increases in temperature.	All streams and each riparian zone adjacent to proposed activities and units are buffered thus maintaining shading. Because of this, water temperature and other water quality parameters would be maintained. Although maximum summer water temperatures in Mule and Whisky Creeks exceed state standards, the condition reflects natural conditions (USDI 1999b, pp. 20-23). For further discussion see section 3.3.2 & 4.3.2 Water Quality.
44, 46, 58, 61, 67, 74, 107, 109	Several comments expressed concern for maintaining water quality and what effects may occur as a result of timber harvest, hauling and road maintenance.	See sections 3.3.2 and 4.3.2 for discussion on water quality.
7, 16	There is a concern that activities are proposed in a Key watershed. An anti-degradation analysis (per 40 CFR 131.12) should be included.	The Wild Rogue Watershed is not a Key watershed under the Northwest Forest Plan. See sections 3.3.2 and 4.3.2 for a discussion of anti-degradation analysis.
7, 33, 42, 44	The increase and decrease of peak flows as effected by timber harvest activities and road building were identified as concerns.	The water flow of Rogue River Canyon is largely determined by the total watershed upstream by such rivers as the Upper Rogue River, Applegate River, and Little Butte River. Timber activities proposed for the project area are a small percentage portion of the total watershed. See section 4.3.1 hydrology and 4.3.2 water quality for further discussion.

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7, 24, 42, 33, 144	There is concern that erosion will result from logging, increasing slides, slumps, debris flow (mass erosion events), and would affect aquatic habitat. There is also concern about erosion resulting from burning.	See sections 2.3.6 Soils and Watershed and 3.2 and 4.2 Soils.
<b>Fisheries</b>		
7, 16, 24, 42, 44, 60, 62, 69, 83, 107	Fisheries would be affected from sediment and temperature effects on the Rogue River	Mule Creek, Kelsey Creek and Whisky Creek, the primary fish-bearing streams in the project area, are functioning properly. Streambank stability and low road density suggests that sediment is not currently a problem. Since very little road construction is proposed in any alternative, sedimentation would be limited and improved with road treatments that would reduce potential for road failure. See response to water quality regarding water temperature. See section 3.8.3 Fisheries, section 4.8.4 Fisheries and 4.24 Cumulative Impacts and Appendix 11 for further discussion.
24, 42	“The DEIS failed to identify Pacific lamprey as a special status vertebrate (DEIS p.A-43). Concerns with green sturgeon as well. Commercial logging and road building on steep erosion prone terrain merits a “likely to adversely affect” determination for threatened coho salmon.	The Pacific lamprey and green sturgeon have been added to Appendix 8.  The BA has been prepared and submitted to NOAA Fisheries. A “not likely to Adversely Affect” determination was indicated. See Appendix 16.

Number of Letter	Comment (may be paraphrased and include several similar comments)	BLM Response
6, 12, 13, 19, 20, 29, 31, 33, 40, 45, 52, 53, 55, 57, 62, 68, 72, 79, 81, 87, 90, 98, 100, 138	There are concerns regarding coho salmon habitat degradation / destruction.	See sections 3.9.3, 3.9.1.4 Southern Oregon/Northern California coho salmon, 4.9.4 Fisheries and Appendix 11 and 16.
42	The EIS has not adequately obtained a Biological Opinion from the National Marine Fisheries Service for threatened coho salmon.	The BLM is in consultation with NOAA Fisheries. The Biological Assessment can be found in Appendix 16 for reference.
7, 42	<p>The DEIS fails to discuss significant effects of road construction, other road treatments and timber harvest on aquatic health or fish habitat.</p> <p>The commenter has provided summaries of key research papers on the effects of roads and timber harvest on fish and other aquatic species.</p> <p>Brook trout decline after sedimentation</p>	<p>Refer to sections 4.3 Hydrology, 4.5 Fire and Fuels and 4.8.4 Fisheries for the effects discussion. See Appendix 11 for Aquatic Conservation Strategy Consistency Analysis.</p> <p>We appreciate receiving the many scientific references and our specialists took them into consideration when preparing the FEIS.</p> <p>Brook trout are not present in the North Wild Rogue Watershed.</p>

<b>Old Growth/Late Successional Habitat</b>		
43	Establish diameter limit	Diameter limits are described in Appendix 2 and in Appendix 13.
<p>1-4, 6-9, 13-17, 19-26, 28-37, 39-40, 42-45, 51-53, 55, 58, 59, 61, 64-66, 73-76, 79-82, 84, 86, 88, 91, 94-100, 105, 106, 111, 115, 118, 122, 123, 127, 130-132, 139, 141, 142, 144</p>	<p>Several comments were received requesting to not log old-growth trees.</p>	<p>Timber harvest is a primary objective in lands designated in the Northwest Forest Plan as General Forest Management Area (GFMA), some of which the Kelsey Whiskey Landscape Planning Area includes. The Medford District RMP states one of its objectives is to produce a sustainable supply of timber and other forest commodities to provide jobs and contribute to community stability (p.38).</p>
<b>Fire/ Fuels</b>		
<p>7, 20, 45, 70</p>	<p>Prescribed fire, rather than thinning, should be used to treat the fuels build-up and reduce fire risk.</p>	<p>A variety of fuels reduction methods are planned through the EIS. The use of prescribed fire is planned to treat fuels throughout the Kelsey Whiskey EIS project area as both an initial treatment and as a follow-up or maintenance treatment. All areas receiving fuels treatments through manual or mechanical means would be evaluated for maintenance treatments utilizing prescribed fire in the future as a means to maintain the stand characteristics and mitigate fire risk and hazard. See further description under 2.3.1.</p>
<p>1, 5, 7, 9, 12, 15, 17, 19, 21-26, 28, 29, 31, 34-37, 41, 42, 44, 48, 49, 50, 52-54, 57, 59, 64-66, 68, 71-73, 75, 77, 79, 80, 84, 85, 87, 88-91, 93, 100, 101, 115, 117, 119, 120, 122-127, 129-140</p>	<p>Cutting of “old growth” removes the more fire resistant trees from the forest and increases fire hazard by creating activity slash.</p>	<p>Timber harvest is a primary objective in lands designated in the Northwest Forest Plan as General Forest Management Area (GFMA), some of which the Kelsey Whiskey Planning Area includes. In addition, Oregon and California (O&amp;C) Act requires O&amp;C designated lands within the Kelsey Whiskey Planning area to be managed for permanent forest production. Activity slash from all timber harvest will be treated to reduce hazardous fuels.</p>

<p>7, 9,12, 28, 32, 35, 37, 41-44, 48, 50, 52-54, 59, 65, 71, 72, 74, 77, 81, 84, 100, 101</p>	<p>Building new roads in roadless areas opens the forest to human activity and will result in an increase in fire risk.</p>	<p>The improvement of existing roads and temporary road construction would provide access for fuels treatments across more acres, thus increasing the number of acres where fire hazard can be mitigated. Without these improvements, some fuels treatments, such as underburning, would not be feasible due to access and logistics problems. Road improvements would allow better access to wildfire starts which would aid in suppression efforts and provide for an added element of safety when fighting wildfires. In addition, the planning area has historically experienced a low level of visitor use. Road improvements and temporary and permanent road construction is not expected to substantially change the level of visitor use throughout the planning area.</p>
<p>24,42,44</p>	<p>Purpose and need section of the EIS states that past harvest activities have contributed to the fuels hazard problem through the creation of plantations and areas of brush/ understory vegetation. Any proposed logging activities will perpetuate this problem.</p>	<p>Under the proposal to harvest timber, fuels and slash reduction treatments in the harvest units are included. This has not always been the case in previous harvests located throughout and adjacent to the Kelsey Whisky Planning Area. Initially, there would be an increased fire risk following timber harvest activities. However, upon completion of post harvest slash reduction treatments, harvest units would have less slash and a reduced fire risk and hazard than treated units of the past. See section 4.5 for further discussion.</p>
<p>46</p>	<p>Concern over the use of drip torches/slash fuel being used to ignite handpiles and the potential for fuel to seep into ground water and contaminate private wells/drinking water.</p>	<p>The use of drip torches to ignite handpiles or underburns poses little to no risk of ground water contamination. See discussion under section Fire and Fuels 4.5.</p>
<p>44</p>	<p>The DEIS states that fuels treatments are needed to mitigate the unnatural build-up of fuels created, in part, from decades of fire suppression. However, the DEIS states that a full fire suppression strategy will still be employed throughout the DEIS area.</p>	<p>The Kelsey Whisky Planning Area is comprised of a mixture of federal, state and private lands with high value resources. While decades of fire suppression have contributed to the unnatural build-up of fuels throughout the Kelsey Whisky Planning Area, a strategy of full fire suppression is necessary to offer some level of protection to those resources. The planned fuels treatments, however, including pile burning and underburning, would serve to reintroduce fire into the ecosystem in a manner that minimizes the potential for a catastrophic fire. See further discussion under sections 1.4.1 and 4.5.</p>

<p>7, 20, 24, 42, 118, 123,</p>	<p>Regeneration harvest and pre-commercial thinning would increase the fire hazard and risk by opening the canopy and creating hotter and drier conditions on the forest floor. These conditions would promote the growth of brush and other vegetation and lead to an increase in fire behavior.</p>	<p>All proposed harvest units would receive fuels reduction treatments to mitigate slash created from the activity. In addition to treating slash from the harvest activities, many units would have additional slashing, hand piling and pile burning to remove brush and other vegetation which serve as ladder fuels. Following initial fuels reduction treatments, many units would be planted with conifers or have maintenance underburns to maintain the stand characteristics.</p> <p>Commercial and non-commercial thinnings throughout the Kelsey Whiskey Planning Area are designed to promote tree growth and reduce the threat of a catastrophic wildfire. Thinned stands would have less competition for water and other resources which would promote healthier trees with increased growth and canopy closure. Maintenance underburns in these stands would be conducted within 5-8 years (depending on vegetation response) following the initial treatments with the objectives of reducing brush and vegetative undergrowth. This would maintain the stand characteristics and decrease long-term fire hazard that currently exists. See Appendix 13, Silviculture Prescription, for further details.</p>
<p>46, 56</p>	<p>Concern over the use of prescribed fire and potential for prescribed burns to get out of control and do environmental damage and/or destroy private property.</p>	<p>Prior to prescribed fire being utilized as a slash treatment or reintroduced to the landscape as a maintenance burn, a prescribed burn plan would be written, reviewed by fuels management specialists and authorized by the Field Manager. A prescribed burn plan is comprised of many components and is written, in part, to identify the objectives of the burn, complexity of the burn, and issues that need to be mitigated. Coordination with the National Weather Service and the Oregon Department of Forestry is also a component of the burn plan process. See section 2.3.1 for further discussion.</p>
<p>42, 43, 44</p>	<p>1/4 acre is too large an opening needed to reduce moisture stress; the dripline of the tree as a clearing limit would be sufficient</p>	<p>“The quarter acre was proposed as a maximum size that would be applied primarily around groups of large pines or younger pine that would eventually become dominant within the stands. Not all openings would be 1/4 acre in size. Clearing to the dripline would only remove vegetation near the ground, and a few suppressed conifers and hardwoods under the tree. While this amount of clearing would reduce moisture stress for a short period of time, there would be encroachment by the surrounding vegetation as well in addition to the resprouting of cut hardwoods. A larger opening, one beyond the dripline, would lengthen the period of time that benefits from the opening will exist.</p>
<p><b>Habitat/Wildlife</b></p>		
<p>7</p>	<p>There is concern about converting more interior land into edge habitat due to roads and clearcuts.</p>	<p>See sections 4.7 Late Successional Habitat, 4.9 Threatened or Endangered Wildlife Species. Only a few short spurs are planned and will be decommissioned after use. No clearcuts are planned.</p>
<p>7, 62</p>	<p>Concerns regarding disturbance to bear habitat and other impacts to forest carnivores such as martens.</p>	<p>See sections 3.9.2.1 Game Animals and 3.9.2.2 Other Animal Species.</p>

<p>3, 16, 17, 20, 22, 35, 37, 44, 50, 52, 55, 56, 58, 62, 65, 66, 74, 76, 81, 89, 90, 91, 96, 100, 101, 105, 106, 126, 128, 129, 136, 138</p>	<p>There is an overall concern in the degradation/destruction of wildlife habitat due to logging and roads.</p>	<p>The majority of activities would occur along existing roads (see Maps 4 – alternative 1, Map 5 - alternative 2, and Map 6 – alternative 4).</p>
<p>7, 44</p>	<p>There was a concern that impacts to migratory birds were not assessed in EIS.</p>	<p>The BLM will comply with the requirements of Executive Order 13186 to protect, restore, enhance, and manage habitat of migratory birds and prevent the loss or degradation of remaining habitat on BLM lands (see section 2.3).</p>
<p><b>Species Diversity</b></p>		
<p>7</p>	<p>The FEIS needs to discuss what effect project activity could have on gene pools and species diversity.</p>	<p>The effects on plant and animal species were extensively examined (see Chapter 3) and both NOAA Fisheries and USFWS were consulted. There were no significant concerns with any species in the planning area.</p>
<p><b>Area of Critical Environmental Concern (ACEC)</b></p>		
<p>1, 2, 4, 8, 9, 11, 13, 14, 15, 19, 20, 23-26, 28-34, 38, 40-43, 45, 48, 52, 53, 54, 57, 59, 62, 65, 66, 68, 70, 71, 73, 76, 80, 85-88, 90, 94, 96-100, 115, 117, 119, 120, 122, 125-130, 132-140</p>	<p>Advocate ACEC</p>	<p>See sections 3.17 ACEC and 4.18 ACEC and Wild and Scenic Rivers for discussion of ACEC.</p>
<p>44</p>	<p>What is the reasoning for two different proposed sizes for an ACEC area in the EIS?</p>	<p>The two sizes represent alternative ways to meet the goal identified in section 1.1.3. The different configurations both follow natural features of the subwatershed.</p>

47, 102	The BLM does not have statutory authority to create reserves on O&C timberlands, or otherwise limit management on the O&C timberlands	Special areas are allowed under the O&C Act. This concern was raised when the Medford District RMP was developed and similar comments were received and addressed at that time (see USDI 1994, Volume III, pages 93-95).
<b>Transportation System</b>		
2, 5, 7-9, 12, 13, 15, 20, 21, 24, 29, 31, 33, 34, 38, 40, 42-45, 48, 50, 51, 52, 54, 57, 62, 65, 66, 68, 69, 71, 76, 85-88, 90, 91, 94, 96, 97, 98, 100, 101, 122, 127, 128, 130, 132, 138	Several comments were in favor of decommissioning roads or would like to establish more miles to be decommissioned.	See sections 3.1.0 and 4.1.0 Roads/Transportation System and Appendix 3.
108	Explain the rationale for decommissioning the particular roads that are proposed and how that fits in the overall strategy for closing and decommissioning roads.	See section 1.1.4 for clarification.
24	Cumulative effects of road building not adequately disclosed because baseline for impact comparison (no action alternative) already impacted.	The existing condition of the watershed is described in Chapter 3. The no action alternative is described in section 2.1. Past actions in the watershed are included in Appendix 14. Cumulative effects are adequately described in relationship to existing conditions. The EIS includes discussion of potential incremental impact (see Chapter 4).
47	Capital investments in roads were made by counties in the past.	The roads identified for decommissioning have been identified as no longer needed for the purposes for which they were built. At this time, they represent more of a liability to the human environment that a benefit. Decommissioning roads does not preclude future management in these same areas.

43	Define primitive road	It is an unsurfaced with no capital investments and can sometimes called a jeep road.
	Is the pre-existing capital investment a trigger for road designation?	Not in all cases. It depends on what purpose the road was developed. For example if a jeep road or a road built for wildland fire access is used later as an access route for other tasks, the road would not become a permanent road. However, if the road was built for logging use beyond temporary use, a capital investment would develop the road into a permanent road. Temporary roads are decommissioned after logging activities are completed.
	Are all of the primitive roads assigned road numbers and filed in the BLM system?	No. Some roads were never intended to be a part of the transportation system and have not been included in the filing system.
	Of these primitive roads which if any are considered trails or jeep roads?	The term primitive road and jeep road are frequently used interchangeably.
	How do you classify different types of roads?	BLM roads are classified among the following: Arteriole roads are main thoroughfare roads such as interstate 5. BLM owns few, if any, of these. Collector roads are BLM main line roads such as Cow Creek Road or any other two lane paved road under BLM's ownership. Local roads are single lane roads usually with crushed aggregate.
<b>Connectivity</b>		
44	“The proposal will also reduce the ability of the planning area to provide wildlife connectivity that is important on the provincial sale and vital to the attainment of the species viability objectives contained in the Northwest Forest Plan.”	<p>Connectivity is a complex issue which varies from species to species, involving animal movements across the landscape. At the broad scale, it is expected that connectivity for wide ranging vertebrates, such as northern spotted owls, has been addressed in the NFP through the establishment of Late-Successional Reserves, Riparian Reserves, and the concept of a partially hospitable landscape provided in the matrix through standards and guidelines which provide for important ecological functions such as dispersal of organisms and maintenance of ecologically valuable structural components such as down logs, snags, and large trees (p. IV-28, USDA/USDI 1993).</p> <p>While connectivity between LSRs is important for dispersing adult and juvenile owls, no specific concerns have been addressed by the USFWS about owl connectivity in the project area (White, pers. comm., 6/00). Although concerns about connectivity have been expressed in the adjacent watershed (p.85, USDI 1999), recent banding and telemetry information indicated that spotted owls have successfully crossed areas thought to be barriers in the adjoining watershed (Forsman et al. in press.)</p>
7, 24, 42-44, 61	Provide for connectivity.	See discussion of connectivity in Chapters 2, 3, and 4.

<p>1, 6, 9, 12, 13, 16, 19, 21, 23, 24-26, 28-32, 36-38, 40, 42, 44, 45, 48, 52, 57-62, 65, 66, 68-72, 79, 81, 82, 85, 90, 91, 96, 98, 100, 101, 109, 111, 115, 117, 119, 120, 123, 138</p>	<p>Several comments supported protection of spotted owl core areas and critical habitat.</p>	<p>Of the northern spotted owl activity centers north of the Rogue River, within the Project Area, 12 of the 13 activity centers have more than the minimum late-successional habitat (40% of the home range) in a viable condition, indicating the relatively good condition of older forest habitat in the Project Area.</p> <p>The impacts to the northern spotted owl critical habitat have been included in the section 7 consultation with USFWS for FY 01, 02, and 03 projects. No decision will be made prior to full input from the USFWS as required by the Endangered Species Act.</p>
<p><b>Port-Orford Cedar</b></p>		
<p>24, 42</p>	<p>The DEIS does not contain an adequate analysis of how the alternatives may affect Port-Orford Cedar and the spread of the root disease <i>Phytophthora lateralis</i>.</p>	<p>For discussion see section 3.4.3.3 Port-Orford cedar and 4.21 Non-Native and Invasive Species.</p>
<p><b>Mining Contamination</b></p>		
<p>58</p>	<p>Clean up the Alameda mine that is contaminating the Rogue River, harming wildlife, and potentially people since it is near the Alameda campground.</p>	<p>1. The mine is not located in the Kelsey/Whiskey Project Area, and is outside the procedural scope of this plan.</p> <p>2. A pilot project by the EPA was undertaken in the summer of 2002 to clean up toxicity leaking from this mine. This project is ongoing.</p>
<p><b>Riparian Reserves</b></p>		
<p>7, 24, 42, 43, 44</p>	<p>No riparian zones were mapped and no unstable areas were mapped.</p>	<p>Unstable areas were identified through on-site evaluations and protected in the design of the units. See maps #2 and #12 of the Wild Rogue North Watershed Analysis for riparian reserve land use allocations and areas of instability. The Watershed Analysis was used in planning for the Kelsey Whiskey EIS. It can be found on BLM's web site @ <a href="http://www.or.blm.gov/Medford">www.or.blm.gov/Medford</a>, under planning documents.</p>

<p>7</p>	<p>FEIS should analyze riparian reserves for all streams for habitat needs of fish. Wildlife and plant species that use the reserves as refugia. The NFP explicitly states minimal standards and guidelines for protecting intermittent streams.</p> <p>Numerous treatments are proposed in riparian reserves, and logging near intermittent streams. The NFP states “regardless of stream types changes to riparian reserves must be based on scientifically sound reasoning.”</p>	<p>All Riparian Reserves would be identified and posted according to direction/guidelines see Appendix B-84 – B-91 of the Northwest Forest Plan.</p>
<p>16</p>	<p>The DEIS does not adequately describe baseline characteristics of the streams.</p> <p>The DEIS lacks discussion on the affects of the plan on Riparian Reserve areas</p>	<p>Proposed “treatments” in riparian reserves are based on the need to reduce ladder fuels and fuel loadings, reduce the risk of wildfire and to thin saplings to accelerate growth of residual conifers, and in the long term, to accelerate the development of late successional forest characteristics. None of the alternatives propose any commercial logging in any riparian reserve.</p> <p>Refer to Chapter 3 (Affected Environment) and Chapter 4 (Environmental Consequences) for a discussion of baseline and effects of the proposed alternatives on streams and riparian habitat. In addition, this EIS references the Wild Rogue Watershed Analysis, which may be found at <a href="http://www.or.blm.gov/Medford/docs/Kel_Whis_DEIS/Prelim_summary_toc.pdf">http://www.or.blm.gov/Medford/docs/Kel_Whis_DEIS/Prelim_summary_toc.pdf</a></p> <p>See sections 3.3.1 and 4.3.1 Wetlands, Flood Plains and Riparian Zones.</p>
<p><b>Economics</b></p>		
<p>5, 7, 24, 42, 43, 44, 58</p>	<p>Businesses dependent on tourist dollars could be negatively impacted if recreational enjoyment is affected.</p>	<p>See section 3.13.3.5, 4.12.2 and 4.14 for discussion.</p>
<p>47, 102, 104, 114</p>	<p>Reduction of timber harvests has limited the economic livelihood of the area.</p>	<p>The FEIS presents three alternatives which provide some level of direct commercial economic activity.</p>

<b>Timber Management</b>		
111	<p>“Some thinning could be done here. Aggressive activity would be a mistake.” (in regards to unit 15-1)</p> <p>Several comments were received supporting thinnings instead of regeneration harvests.</p>	<p>Density management within unit 15-1 was proposed in the early stages of the EIS development. (Density management is operationally like commercial thinning but with an objective other than providing additional growing space so that more wood can be grown for commercial purposes. Objectives include: stand/tree vigor, maintenance or development of old growth characteristics, and elimination of fuel ladders.) As this unit is within a Late-Successional Reserve, the treatment would be to leave a minimum of 60% canopy cover with no cutting of trees over 11 inches dbh.</p> <p>The Northwest Forest Plan and BLM RMPs divide lands into different land use allocations. Each land use allocation has a set of objectives. Treatments such as thinning and regeneration harvests are “tools” to achieve objectives set fourth in our management plans.</p>
17, 43, 58, 59, 64,62, 73-76, 111, 121, 131, 139	<p>Regeneration harvest is a process that is counter to recommendations for harvest in the Wild Rogue North Watershed Analysis.</p>	<p>As noted in the Wild Rogue North Watershed Analysis p. 135 “...these recommendations are not consider management decisions. They are intended as recommendations to be considered for future management actions and may help frame the context for developing future projects. They should not be viewed by the public, BLM staff or managers as a commitment or as binding on future management. Watershed analysis is clearly not a decision document. Actual implementation decisions need to be developed through the NEPA process using this watershed analysis, public input and other information and considerations.</p>
7, 43	<p>Regeneration harvest is a process that is counter to recommendations for harvest in the Wild Rogue North Watershed Analysis.</p>	<p>As noted in the Wild Rogue North Watershed Analysis p. 135 “...these recommendations are not consider management decisions. They are intended as recommendations to be considered for future management actions and may help frame the context for developing future projects. They should not be viewed by the public, BLM staff or managers as a commitment or as binding on future management. Watershed analysis is clearly not a decision document. Actual implementation decisions need to be developed through the NEPA process using this watershed analysis, public input and other information and considerations.</p>
24, 42	<p>The DEIS does not disclose increased risk of blowdown inherent with regeneration logging and thinning: 1) Is blowdown anticipated and desired, inside and outside timber sale units? 2)Were the effects of blowdown on adjacent stands considered? 3)Are there expected to be any adverse environmental effects resulting from blowdown? 4) How will blowdown be treated? 5) Will blowdown generate another entry with resultant soil and water impacts?</p>	<p>Some blowdown is anticipated inside and outside of timber sale units but not a substantial amount in this area. See Section 4.7.7 Snags and Coarse Woody Debris for further discussion. This section was further clarified for the DEIS.</p>

108	What is commercial density management?	Commercial Density Management and Density Management are now defined in the glossary and in Appendix 4.
<b>Size of Harvest Trees</b>		
42	The DEIS should disclose the estimated or actual number of large trees to be logged in each unit.	The actual numbers and sizes of trees proposed for logging is not known at this time. Rather than providing numbers which would have little meaning, as acres are approximate and unit boundaries have not been finalized, the EIS attempts to describe effects based on what stand conditions, habitat, water quality, etc. would be if each of the alternatives were implemented. The DEIS states on page 2-7 that, “Harvests and subsequent followup treatments would be consistent with management direction and Standards and Guides in the RMP and the North West Forest Plan.” These planning documents state that regeneration harvests on Matrix allocated lands (GFMA) would retain 6-8 large conifers per acre following harvest.
<b>Noxious Weeds</b>		
21, 24, 42, 58, 87	There is concern about the spreading of noxious and invasive species from logging activities.	See section 2.3.6 for the description of the project design feature to minimize threat of noxious weed spread, and section 4.21 for expected effects.
<b>Cumulative Effects</b>		
7, 16, 24, 25, 28, 42, 43, 44, 110	Cumulative effects analysis was lacking for several critical elements in the DEIS	See Chapter 4 and Appendix 14. Additional information has been added to include subjects such as sedimentation, past timber harvests, road densities, peak flows, water quality and fisheries.
<b>Threatened &amp; Endangered Species</b>		
44	“Why did the BLM not ‘consult’ under the ESA for populations of Rogue River Stone Crop (sedum moranii)?  Protect T&E Species	Rogue River stonecrop ( <i>Sedum moranii</i> ) is a bureau sensitive species, not an ESA listed species. We do not consult under ESA for species which are not listed. Populations of <i>S.moranii</i> are not likely to occur in proposed units, since their habitat consists of rock outcrops which tend to be withdrawn from timber production.  See sections 3.9.1 Threatened and Endangered Species and Other Species of Concern and 4.9 Threatened and Endangered Species
59, 60, 64, 51, 70, 71, 72, 76, 77, 79, 81, 82, 85, 87, 90, 96, 97, 100, 108, 109, 111, 117, 119, 120, 122, 123-127, 129, 130, 132-135,		

7	If the proposed activities could affect T&E species, associated USFWS or NMFS biological opinion or letter of concurrence is needed.	The BLM has initiated consultation with NOAA Fisheries (see Appendix 16). A Record of Decision for the EIS would not be signed until NOAA Fisheries issues a Biological Opinion. Our BA determined we would “Not Likely Adversely Effect” Southern Oregon/Northern California coho salmon.
6, 19, 24, 29, 33, 34, 36, 42, 48, 53, 57, 62, 72, 79, 87, 100, 108, 123	There were concerns from commentors regarding the bald eagle and marbled murrelet.	See sections 3.9.1.2 and 4.9.2 Marbled Murrelets and 3.9.1.3 and 4.9.3 Bald Eagles.
<b>Other Species of Concern (including Survey and Manage)</b>		
24	“Surveys for species (survey and manage) have not been completed. Without adequate survey information (including survey results and disclosure of protocol used), there is no analysis of the true effects of the project and effects cannot be known by decisionmaker or the public.”	Many surveys have been conducted and analyzed. Some survey information was incorporated since the publication of the DEIS. The ID team has been aware of potential changes to the action based on the survey findings. The Survey and Manage Guidelines will be followed in all instances where required (see Section 1.5 & Section 2.3). A ROD will not be signed until all such information has been obtained.
6, 24, 36, 42, 44 48, 53, 57, 72, 87, 100, 123	Commentors had concerns about habitat destruction of the red tree vole and del norte salamander.	See sections 3.7.4 and 4.7.9 Survey and Manage Animal Species.
6, 7, 24-26, 53, 57, 59, 72, 87, 100, 119, 120, 123	Fisher, tailed frog, western pond turtle, American martin, white footed vole, lynx, wolverine, northern goshawk, Oregon bensontella	See sections 3.9.1.5 Other Species of Concern, 3.9.2.2 Other Animal Species, and 4.4.1 T&E, Special Status, & Survey & Manage.
<b>NEPA</b>		
24(20)	Current maps give impression there has been no logging in the planning area	The cumulative effects discussion has been expanded in the FEIS. See Appendix 14 for specific previous activity in the watershed and Chapter 4.

<p>42</p>	<p>The DEIS (pg.4-22) erroneously states that the proposed action meets Terms &amp; Conditions of NMFS LRMP/RMP BO of March 18, 1997.</p>	<p>At the time of public release of the DEIS the consultation process with NMFS had not been completed. The final submission of the BA to NMFS can be seen in Appendix 16. The BLM is in compliance with Terms &amp; Conditions of the 1997 BO. See Chapter 4 for discussion.</p>
<p>132</p>	<p>BLM did not develop an alternative that includes protecting roadless areas and older mature old growth forests. "DEIS must be re-done to include the most significant issues the public has identified. NEPA requires that you consider public scoping in the development of alternatives."</p>	<p>See clarification of this issue in Chapters 1 and 2. This would be outside the scope of the EIS, major Land Use Allocations were made in the Medford District Resource Management Plan &amp; Northwest Forest Plan.</p>



# Appendix 16. Biological Assessment NOAA Fisheries.



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
 NATIONAL MARINE FISHERIES SERVICE  
 Northwest Region  
 7600 Sand Point Way N.E., Bldg. 1  
 Seattle, WA 98115

Refer to:  
 2002/01475

February 4, 2003

Ron Wenker  
 District Manager  
 Medford BLM District  
 3040 Biddle Road  
 Medford, OR 97504

Re: Endangered Species Act Section 7 Informal Consultation and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for the Kelsey-Whiskey Timber Sale, Bureau of Land Management, Rogue Basin, Oregon.

Dear Mr. Wenker:

This correspondence is in response to your December 12, 2002, request for consultation under the Endangered Species Act (ESA) for the proposed Kelsey-Whiskey Timber Sale in the BLM-Wild Rogue watershed. Additionally, this letter serves to meet the requirements for consultation under the Magnuson Stevens Fishery Conservation and Management Act (MSA).

## ENDANGERED SPECIES ACT

On December 13, 2002, the National Marine Fisheries Service (NOAA Fisheries) received a complete biological assessment (BA) describing the project and its effects, maps detailing the project location, and a written request for concurrence with a determination that the proposed action is "not likely to adversely affect" (NLAA) Southern Oregon/Northern California (SONC) coho salmon (*Oncorhynchus kisutch*), or their designated critical habitat. The project includes commercial thinning, precommercial thinning, regeneration harvest, density management, and prescribed burning.

NOAA Fisheries listed SONC coho salmon as threatened under the ESA on May 6, 1997 (62 FR 24588), with critical habitat designated on May 5, 1999 (64 FR 54049). Interim protective regulations for SONC coho were issued under section 4(d) of the ESA on July 18, 1997 (62 FR 38479). This consultation is undertaken under section 7(a)(2) of the ESA, and its implementing regulations, 50 CFR Part 402.

The proposed action occurs in the Kelsey Creek subwatershed in the BLM-Wild Rogue watershed, which is a tributary to the Rogue River. Five streams in the project area are designated critical habitat for SONC coho salmon: (1) The lower 2.6 miles of the Kelsey Creek



mainstem; (2) the lower 0.5 miles of the East Fork of Kelsey Creek before its confluence with the mainstem; (3) the lower 2.5 miles of the West Fork of Whiskey Creek; (4) the lower 2.1 miles of the East Fork of Whiskey Creek; and (5) 2.3 miles of the Whiskey Creek mainstem.

The Medford District Bureau of Land Management (BLM) is proposing treatment on 2,877 acres. This includes 1,091 acres of pine enhancement/maintenance, which involves clearing around scattered selected large pines to reduce competition and encourage seedling survival. All commercial thinning, density management, regeneration harvest and overstory removal occurs on ridgetops and midslopes with no activity in riparian reserves. Commercial thinning and density management will occur on 1,255 acres. Commercial thinning will reduce canopy cover to 40% on thinned lands, and density management will reduce it to 60% on density management lands. Regeneration harvest and overstory removal will occur on 531 acres. Yarding will occur on the 1,786 acres outside of the pine enhancement/maintenance areas. There is no yarding within riparian reserves. Tractor yarding will occur on 201 acres, cable yarding on 1,102 acres, helicopter yarding on 235 acres and a combination of cable and helicopters on 248 acres. To facilitate harvest, 1.5 miles of temporary road will be built and 14.5 miles of road will be renovated. At project completion, 9.7 miles of road will be decommissioned and 6.9 miles of road will be blocked to traffic. Twenty-two culverts will be removed and seven more replaced, none of which are on fish-bearing streams. Eight of the culverts are 0.5 miles from critical habitat, the other 21 are 2.0 miles or more from critical habitat. One tributary of Whiskey Creek, that has been running down a road bed, will be re-routed back into its historical channel. This work is 0.9 miles above coho salmon critical habitat.

Within the riparian reserves, there will be 76 acres of non-commercial density management, 28 acres of underburning and some of the pine enhancement/maintenance. For the density management, 25-foot no-treatment buffers will be established along the 1.0 miles of intermittent stream and the 0.2 miles of perennial stream. No conifer greater than 7 inches diameter at breast height (dbh) will be felled and no material will be taken offsite. Within this density management area, slash will be hand-piled and burned. No piles will be allowed within 25 feet of streams. The underburn will reduce ladder fuels and fuel hazards and all stream shading vegetation and sources of large woody debris will be retained. No underburn ignition will occur within 50 feet of streams and no mechanized equipment will be used to construct fireline within riparian reserves. The pine enhancement/maintenance consists of clearing competing vegetation within 15 feet of the dripline of large pine trees. All felled material will be left on site and no treatment will occur within 75 feet of streams.

Some acreage (497 acres) in the transient snow zone will be regeneration harvested. After harvest, the open condition within the watersheds will range between 3% and 16%. The largest increase would occur in the Meadow 7<sup>th</sup> field which would raise the portion of land in open condition from 0.1 to 9%. This increase in open condition is not expected to cause an increase in peak flows. Furthermore, the amount of the forest that used to be in open condition under the historic wildfire regime ranged between 15 and 25% (Wild Rogue North WA, 1999) so, peak flows have likely decreased in the recent past from historic levels.

Based on information provided by the BLM and developed during informal consultation, NOAA Fisheries concurs with the BLM's determination that the proposed project is NLAA for the following reasons: (1) There will be no commercial thinning, overstory removal or regeneration harvest within riparian reserves; (2) within the 76 acres of riparian reserve density management, 25-foot no-touch buffers will be used to protect streams (which do not contain fish), no trees greater than 7 inches diameter dbh will be felled, and no trees will be taken out of the riparian reserve; (3) no handpiling and burning will be allowed within 25 feet of streams, and no underburning will be permitted within 50 feet of streams; (4) within the pine enhancement/maintenance area, no treatment will take place within 75 feet of streams, and all material will be left on site; (5) an increase in peak flows is not expected, as all watersheds will be left with 16 % or less open canopy; (6) all temporary roads are located on ridgetops; and (7) of the 29 culverts to be replaced or removed, eight are 0.5 miles from critical habitat, the other 21 are at least 2.0 miles or more from critical habitat. Therefore, the proposed project is unlikely to cause incidental take of SONC coho salmon, or cause adverse effects to designated critical habitat.

The BLM must reinitiate this consultation if: (1) New information reveals that effects of the action may affect listed species in a way not previously considered; (2) the action is modified in a way that causes an effect on listed species that was not previously considered; or (3) a new species is listed or critical habitat is designated that may be affected by the action (50 CFR 402.16).

#### **MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT**

Federal agencies are required, under §305(b)(2) of the MSA and its implementing regulations (50 CFR 600 Subpart K), to consult with NOAA Fisheries regarding actions that are authorized, funded, or undertaken by that agency that may adversely affect essential fish habitat (EFH). The MSA (§3) defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." If an action would adversely affect EFH, NOAA Fisheries is required to provide the Federal action agency with EFH conservation recommendations (MSA §305(b)(4)(A)). This consultation is based, in part, on information provided by the Federal action agency and descriptions of EFH for Pacific salmon contained in Appendix A to Amendment 14 to the *Pacific Coast Salmon Plan* (August 1999) developed by the Pacific Fishery Management Council and approved by the Secretary of Commerce (September 27, 2000).

The proposed action and action area are described above in this concurrence letter and in section I of the BA. Designated EFH for various life stages of coho salmon and chinook salmon (*Oncorhynchus tshawytscha*) occurs within and downstream from the project area.

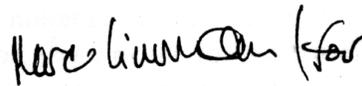
Because the habitat requirements (*i.e.*, EFH) for the MSA-managed species in the project area are similar to that of the ESA-listed species, and because the conservation measures that the BLM

included as part of the proposed action to address ESA concerns are also adequate to avoid, minimize, or otherwise offset potential adverse effects to designated EFH, conservation recommendations pursuant to MSA (§305(b)(4)(A)) are not necessary. Since NOAA Fisheries is not providing conservation recommendations at this time, no 30-day response from the BLM is required (MSA §305(b)(B)).

This concludes consultation under the MSA. If the proposed action is modified in a manner that may adversely affect EFH, the BLM will need to reinitiate EFH consultation with NOAA Fisheries in accordance with NOAA Fisheries implementing regulations for EFH at 50 CFR 600.920(k).

Please direct questions regarding this letter to Chuck Wheeler of my staff in the Oregon Habitat Branch at 541.957.3379.

Sincerely,



D. Robert Lohn  
Regional Administrator

cc: Bill Hudson, Coos Bay BLM District  
Dale Johnson, Medford BLM District  
Dan Delaney, Rogue-Siskiyou National Forest  
Craig Tuss, Fish and Wildlife Service

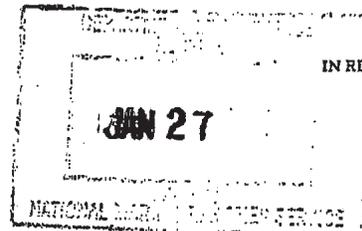


## United States Department of the Interior

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

6840 (118)  
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JAN 23 2003



Mr. Michael Tehan  
 NOAA Fisheries  
 525 NE Oregon Street  
 Portland, Oregon 97232-2737

file: OHB 2002-0325-1EC  
 1/NWR/2002/01475

Dear Mr. Tehan:

In accordance with regulations on interagency cooperation (50 CFR 402) pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 (as amended), the Medford District, Bureau of Land Management (BLM) initiates consultation for the Kelsey-Whisky Timber Sale project with your Roseburg Office. Enclosed is a copy of the Biological Assessment (BA) and supporting documentation that addresses the proposed action that "may affect, not likely to adversely affect" (NLAA) a listed species. The attached copy, a revision of our original submission of December 12, 2002, contains additional information and data corrections. We request concurrence on this project.

The Southern Oregon/Northern California (SO/NC) coho salmon (*Oncorhynchus kisutch*) Evolutionary Significant Unit (ESU) was listed as threatened under the Endangered Species Act (ESA) by National Marine Fisheries Services (NMFS); May 6, 1997. Its critical habitat was designated June 4, 1999.

We also request NOAA Fisheries' response to this consultation request to serve as informal conferencing on Klamath Mountain Province (KMP) steelhead trout (*Oncorhynchus mykiss*). The KMP steelhead trout ESU was proposed as threatened under the ESA but was not found warranted. The effects determinations of the actions included in this BA for SO/NC coho salmon are the same as for the KMP steelhead ESU.

If you have any questions, please call Dale Johnson of my staff at (541) 618-2339. We look forward to working with you and your staff to conserve the threatened, endangered and candidate fish species in Southwest Oregon.

Sincerely,

Mary Smelcer  
 Acting District Manager

1 Enclosure  
 1- Biological Assessment

## Biological Assessment for Kelsey Whisky Complex Project

**PROJECT:** Kelsey-Whisky Complex

**EFFECTS DETERMINATION:**

SO/NC coho salmon: NLAA

**HABITAT CONSIDERED:**

SO/NC coho salmon critical habitat: May affect, not likely to adversely affect

Essential fish habitat for coho and chinook salmon: will not be adversely affected

**PROJECT LOCATION:**

**Agency:** Medford District, Glendale Resource Area

**HUC - 4:** Rogue River

**HUC - 5:** BLM-Wild Rogue

**HUC - 6:** Kelsey Creek

**HUC -7s:** Lower Whisky, West Fork Whisky, Meadow, Bunker, Russian

**EIS:** Kelsey Whisky Final Landscape Management Plan, Proposed Amendments to the Medford Resource Management Plan and Final Environmental Impact Statement (RMPA/LMP/EIS) February 2003

**WA:** Wild Rogue Watershed Analysis [USDI BLM ( December 1999)]

### I. BACKGROUND

#### A. LOCATION

The timber sale is located within the Glendale Resource Area of the BLM Medford District on the north side of the Rogue River Canyon between Whisky Creek and Kelsey Creek in Josephine, Douglas and Curry counties.

**B. FISH DISTRIBUTION**

Salmonid distribution is shown on the project area map (attached).

**Table 3-4.** Streams and estimated habitat miles for coho salmon and steelhead, within the Kelsey Whisky timber sale planning area.

<b>Stream Name</b>	<b>Miles of Coho</b>	<b>Miles of Steelhead</b>
Rogue River	20.0	20.0
Whisky Creek	2.3	2.3
East Fork Whisky Creek	2.1	2.1
West Fork Whisky Creek	2.5	2.5
Kelsey Creek	2.6	2.6
East Fork Kelsey	0.5	2.4
Booze Creek	-----	.5
Bronco Creek	-----	.1
Bunker Creek	-----	1.2
Meadow Creek	-----	.9
Russian Creek	-----	.3

**C. FISH HABITAT AND WATERSHED CONDITION**

Twenty miles of the Rogue River and about 10 miles of streams on the north side of the river in the project area are probably accessible to ESA-listed Southern Oregon/Northern California coho salmon. Fish distribution is poorly known due to the area’s inaccessibility. Most habitat is marginally suitable for the species because of moderate to steep gradient, poor quality spawning and off-channel rearing habitat and natural barriers. Mileages in this table are estimates of the possible upper limit of the species distribution and are based on Oregon Department of Fish and Wildlife habitat survey data. The Rogue River in the analysis area supports a large number of fish species, including chinook salmon (Wild Rogue North WA).

Kelsey Creek and Whisky Creek, the primary fish-bearing streams in the Planning Area, are properly functioning overall, although some factors such as sediment limit stream productivity. Causes of stream sediment and substrate embeddedness in these major fish streams include roads, naturally unstable soils and, to a lesser extent, a small placer mining claim on East Fork Whisky Creek. Condition of fish streams in other subwatersheds reflects natural conditions that are uninfluenced or marginally influenced by human activity. Degraded substrate has negative implications for fish spawning success and winter refugia, as well as for aquatic macroinvertebrate community composition and abundance.

All streams are properly functioning from a hydrologic standpoint due to high percentage of watershed cover in mid to late seral forest (Table 6). Moderate to high road density (Table 5) and associated increase in the drainage network through road ditchlines in the Kelsey and Whiskey creek watersheds has potential for influencing timing and magnitude of peak flows. But indicator factors like streambank stability and gravel accumulation in low gradient reaches suggests that it is not currently a problem.

Riparian connectivity in the Wild Rogue North is relatively high, ranging from 70 to 98% (Wild Rogue WA - Table 17) greater than 80 years of age (the age at which late successional characteristics begin to appear). Acres in this condition will continue to increase since they are protected from future timber harvest under the Northwest Forest Plan. High riparian connectivity favors not only aquatic organisms and processes but also terrestrial plants and animals that use these areas as travel corridors.

Although maximum summer water temperatures in Whiskey Creek exceeds state standards, the condition reflects natural conditions (WA - p.20-23). There is only limited data for other streams due to their remote locations and general inaccessibility. However, based on the general lack of land management activities in all or the majority of their watersheds and high degree of late seral connectivity of Riparian Reserves, it is believed that water temperatures in all subwatersheds are well within the range of natural variability.

Historic wildfire characteristics resulted in much greater acreage in open condition (no or minimal ground cover or canopy closure) than at present. Existing stream channel capacity reflects peak flow conditions under historic wildfire regimes. Hillslopes adjacent to streams are stable and well-vegetated and streambanks are stable in the subwatersheds where timber harvest is planned (Table 3).

Refer to the Wild Rogue North Watershed Analysis for addition information on stream and watershed conditions.

## II. PROJECT DESCRIPTION

### A. Project Details

The scope of this Biological Assessment is limited to commercial forest harvest and associated activities.

1. The Kelsey-Whisky Project proposes commercial timber harvest to meet commitments of the Medford District Resource Management Plan, as well as a variety of treatments for reducing fuel hazard and thinning in an LSR to reduce wildfire risk and to enhance late successional forest characteristics. Proposed timber sales included in the proposed action are: Upper East Kelsey (04), California Gulch (04), Mari Kelsey (05), West Fork Whisky (05), and Meadow Creek (05).
2. Details and a summary of the proposed timber harvest units appear in Table 3 and Appendix 5. This BA is based on Alternative 1 as presented in the Kelsey-Whisky Final EIS, November 2002.
3. Virtually all of the commercial timber harvest units are in the headwaters of the following fish-bearing streams: Kelsey, Meadow, Bunker, and Whisky creeks. Two units (16-1 on West Fork Whisky Creek and 1-2 on East Fork Kelsey Creek) are adjacent to fish habitat (coho and steelhead on Whisky, steelhead only on Kelsey). Commercial density management units 27-1A and 27-1B are more than 2 site potential trees from Whisky Creek.
4. Riparian Reserves a minimum of 150 to 180 feet in width would be established on most streams and a minimum of 300 to 360 feet on fish-bearing streams.
5. About 76 acres of riparian reserve adjacent to commercial thin harvest units 5-4 and 16-1 (West Fork Whisky Creek) would receive non-commercial density management (NDM) treatment (defined on last page of Appendix 5). This would occur in stands of young conifers (200 to 250 trees/acre), hardwoods and brush where the treatment would benefit growth rates of residual trees and accelerate the development of late-successional stand characteristics. A 25 foot no-treatment buffer would be maintained along 1.2 miles of intermittent (83%) and perennial (17%) streams. Within the 155 foot wide riparian treatment area (each side of stream), the number of trees retained would range from 80 to 100/acre. A combined total in the treated and untreated acreage of 97 to 122 trees/acre adjacent to the 1.2 miles of stream would provide more than an adequate supply for future wood requirements. An unmanaged forest in this area typically contains 30 to 100 conifers/ acre >20 inches dbh with an indeterminate amount of understory conifers, hardwoods and shrubs. No commercial size material would be removed. All slashed material would be hand-piled and burned. Conifers and hardwoods greater than 7 inches dbh would be retained regardless of number or spatial arrangement. Riparian treatments

in units #16-1 and #5-4 are between 0.1 and slightly more than 0.5 miles from possible coho and steelhead habitat in West Fork Whisky Creek (Map attachment).

Another 28 acres of riparian reserve adjacent to unit 6-3 (regen harvest) in upper East Fork Kelsey Creek would be underburned to reduce ladder fuels and fuels hazard. All stream shading and sources of large down wood would be retained. The 1<sup>st</sup> and 2<sup>nd</sup> order streams in RR units 6-3R2 and -3R3 in upper Kelsey Creek are about 3 miles from coho habitat.

6. There would be no commercial harvest within Riparian Reserves. However, some commercial size trees may be cut and left on site as part of an effort to enhance and maintain large pines .

Clearing competing vegetation from underneath and 15 feet around the dripline of large pines in the West Fork Whisky Creek pine enhancement /maintenance (E/M) area would involve slashing brush and hardwoods, as well as conifer saplings and probably even some commercial size conifers. The number of large pines that would be treated, as well as the number of commercial conifers that might be cut is unknown because all acreage in the E/M area has not been examined on the ground. However, field inspection of some E/M sites in riparian reserves indicates that cutting large (e.g. min 20 dbh) conifers would seldom be necessary to accomplish project objectives. Any commercial size conifers that are cut would not be removed from the site..

Assuming a maximum of two large pines/acre (based on preliminary field inspection of the E/M area) and 0.1 acres per opening, slightly less than 2% (27 out of 1464 acres) of Riparian Reserve in West Fork Whisky Creek would be treated. There would be no pine treatment within at least 75 feet of streams. None of the pine E/M treatment is adjacent to habitat for OC coho, OC steelhead or any other fish species.

7. Haul routes from harvest units would be gravel, natural surface rock or paved roads. The only haul route crossings of coho salmon streams are gravel roads (Whisky Creek).
8. Road renovation, decommissioning, outsloping and water-dipping and construction of temporary roads are planned under Alternative 1. About 8 culverts would be replaced on renovated roads to accommodate 100 year flood events and another 22 would be completely removed during decommissioning (Map attachment). Of these treatments, decommissioning has the greatest potential for contributing sediment to streams, especially during the winter following culvert removal.

Road decommissioning in the Whisky Creek watershed would involve subsoiling, constructing water dips in appropriate locations, and rerouting one intermittent stream that currently flows down a road into its original channel to eliminate severe erosion. This action is about 0.9 miles from coho critical habitat. Road renovation (reestablishing

the original road prism) and decommissioning in the Kelsey Creek watershed would involve removing or replacing 29 culverts (none in fish habitat). Eight culverts on road 33-9-11 (T33S R9W Sec10), about 0.5 miles from coho habitat, would be removed to ensure that this inherently unstable road does not fail and deliver a large quantity of sediment to Kelsey Creek. Another 21 stream culverts that would be removed or replaced in the Kelsey watershed are more than 2 miles from coho habitat. Again, none of the culverts are on fish-bearing streams. Road decommissioning and renovation in other subwatersheds would not disturb stream channels nor contribute sediment to them because the roads do not cross nor are they close to streams. Project Design Features developed for road decommissioning and culvert replacement appear in Appendix 3 .

**Table 2. Watershed Condition and Proposal For Alternative 1 of The Kelsey/Whisky Project**

Total Acres *	24,960
BLM Acres (%)*	23,594 (95%)
Estimated % total acres currently in proper hydrologic functioning condition *	94%
Existing Road Density * (mi. per sq. mile)	2.4
Acres to be harvested ( refer to Table 3)	1786. Includes all acres planned for RH, OR, OR/CT, RH/CT,RH/OR,CT,CT/PCT, CDM,CDM/NDM  Does not include 1091 acres of pine enhancement/maintenance.
Harvest units (acres) adjacent to coho habitat	unit #16-1 (CT/PCT, 109 acres)
<u>Proposed Road Treatment Under Alternative 1:</u>	<u>Miles</u>
Permanent Road Const.	0
Temporary Road Const.	1.5 (none in RR)
Decommission	9.7
Renovation	7.1
Reestablish original road prism	7.4
Roads to be rocked	6.7
Roads closed with gates	5.1
Roads closed with barricades	1.8

\* Wild Rogue North and Wild Rogue South Watershed Analyses

**Table 3. Harvest Unit Summary For the Alternative 1 - Kelsey/Whisky Project Area**

	Lower Whisky (several 7ths)	West Fork Whisky (7)	Meadow (7)	Bunker (7)	Kelsey (6)	Totals (acres)	% of all treated acres
Pine E/M*		1091					
RH		14	113	15	281	423	24
RH/CT					49	49	3
RH/OR					12	12	<1
OR					21	21	1
OR/CT					26	26	1
CT			136	221	102	459	26
CT/PCT		189			279	468	26
CDM	234		27		30	291	16
CDM/NDM	37					37	2
						1786	100%

CT= commercial thin, RH=regeneration harvest, OR=overstory removal  
 PCT=precommercial thin, CDM= commercial density management, NDM= non commercial density management

\*Pine Enhancement/Maintenance across 1091 acres of the subwatershed involves clearing around large ponderosa and sugar pines to reduce competition with other vegetation and encouraging seedling survival.

**Table 4. Yarding Summary (Acres) For The Kelsey/Whisky Project**

Subwatershed Huc 6 or 7	Cable/Tractor	Cable	Heli	Cable/Heli	
Kelsey (6)	51	576	98	75	
Lower Whisky (several 7ths)	37	46	137	51	
West Fork Whisky (7)		81		122	
Meadow (7)	113	163			
Bunker (7)		236			
Totals	201 (11%)	1102 (62%)	235 (13%)	248 (14%)	1786

**Table 5. Road Treatments For the Alternative 1 - Kelsey/Whisky Project Area**

Subwatershed Huc 6 or 7	Temporary	Decommission	Renovation	Reestablish original road prism	New permanent road	Road Density (mi./sq. mile)	
						Pre-	Post-
Kelsey (6)	1.2	6.6		7.4		3.4	3.1
Lower Whisky (several 7ths)		1.3				4.4	4.1
West Fork Whisky (7)		0.2	1.4			2.4	2.4
East Fork Whisky (7)			0.9			no change	
Russian (7)		1.6	1.0			1.4	0.5
Meadow (7)	0.1		1.0			no change	
Bunker (7)	0.2		2.5			no change	
Copsey (7)	0		0.3			no change	
Totals	1.5	9.7	7.1	7.4			

## **PROJECT DESIGN FEATURES**

### **Helicopter Yarding**

The purchaser would be required to use helicopter landings that have been approved by the Field Manager.

Helicopter refueling sites would be designed and operated to comply with all applicable regulations.

All new helicopter landing construction would be sub-soiled, mulched and planted with trees when logging has been completed. The road ditch line at the helicopter landings would be bladed, seeded, and straw mulched before October 1 to allow proper drainage and to prevent movement of sediment offsite

Helicopter landings would be constructed, used and ripped in the same season. These landings would only be rocked if it is necessary to prevent erosion and stream sedimentation. Adequate drainage would be provided to minimize erosion. Landings constructed for this sale would be ripped before October 15 and planted after logging.

Helicopter operation within 0.25 mile of northern spotted owl core areas would not be permitted between March 1 and June 30.

### **Roads**

Dust abatement would be done during dry weather when necessary on roads used for hauling to prevent loss of fines in road surfacing.

Energy dissipaters and downspouts would be installed at cross-drain and stream culverts where necessary to protect road fill slopes that are not adequately protected by natural materials.

The following design features would apply to this Project for culvert installation or replacement in stream channels.

- The in-stream work period would be between June 15 and September 15 of the same year in accordance with State of Oregon regulations.
- When replacing bottom-lay culverts, streams would be diverted around the work area whenever reasonably feasible in order to limit movement of sediment off-site during the low flow period. The diverted stream would not be returned to the channel and allowed to flow through the project site until all stream work has been completed.
- Work would be temporarily suspended if rain saturates soils to the extent that there is potential for road damage and for excessive stream sedimentation.

- Bare soil areas would be seeded with approved, certified seed (weed-free) after construction has been completed. Bare soil areas would be mulched with a cereal grain straw from weed-free, certified fields.
- Culverts would be designed to pass a 100 year flood in accordance with guidance in the Northwest Forest Plan.
- Culverts excavated from the road prism would be disposed of in an appropriate location.
- Hydraulic fluid and fuel lines would be in proper working condition in order to minimize leakage into streams.
- Waste diesel, oil hydraulic fluid and other hazardous materials would be removed from the site and disposed of in an approved site.
- Equipment refueling would be done where there is minimal chance that toxic materials could enter a stream.
- Equipment would not be stored in a stream channel overnight.

To prevent damage to roads and potential for stream sedimentation, log or rock hauling would be restricted to the following time periods unless authorized otherwise on a case-by-case basis:

Paved roads	- All year
Rocked roads	- April 5 to November 15
Natural surface roads	- May 15 to October 15
New construction	- May 15 to October 15

Road renovation (except roadside brushing outside of black stain period) and maintenance on natural surface roads would be restricted to the dates prescribed for hauling. If the roads are deemed too wet (road surfaces are deforming and road damage or sediment production is likely) during a designated haul season (inclusive of the start and end dates), hauling would not be allowed until approved by the Glendale Resource Area Field Manager.

Log hauling outside the dates specified above would be subject to approval by the Area Manager and would be restricted to rocked roads.

Work would be suspended:

- when water is flowing on the road surface or ditchlines
- when snow on the road is melting
- when loaded log truck tire deflection exceeds 2 inches into the road surface anywhere over the entire road length.
- snow removal (blading) on any road would not be authorized in order to prevent loss of rock surfacing.

Road drainage improvement would consist of constructing a shallow water dip and armoring it with rock below cross-drain culverts and draw culverts at locations where they are prone to plugging. The road template would be outsloped where possible. Roads would be water barred on steep sections.

Temporary spur roads would be built, discontinuously subsoiling with winged rippers, water-barred, seeded, mulched and log barricaded in the same year, between April 15 and October 15. Conifers would be planted at a later date. Native grass seed, if available, would be used for seeding immediately after subsoiling.

Road decommissioning would entail discontinuous subsoiling with winged rippers, mulching, pulling culverts, water-barring and barricading, seeding with grass or planting with conifers. Work would be done between July 1 and October 15 of the same year.

All bare ground disturbed by road construction activities would be mulched and seeded with certified seed prior to autumn rains.

Excess excavated material would be end-hauled to designated waste areas. Side casting of excess excavated material would not be allowed.

Landings would be located in approved sites and designed with adequate drainage.

No new landings would be constructed in Riparian Reserves.

Step landings would be re-contoured, mulched and seeded following use.

### **Fish/Streams/Riparian Habitat**

Riparian Reserves would be established along all intermittent and perennial streams in accordance with the Medford District RMP and ROD. Reserve widths would be 150 to 180 feet on each side of non-fishery intermittent and perennial streams, 300 to 360 feet on fish bearing segments (units #1-2 and #16-1) and 100 feet on springs and seeps.

Trees in Riparian Reserves and owl core areas that are accidentally knocked over during falling and yarding would be retained on-site for fish and wildlife habitat.

Directional falling away from streams and wet areas would be required within one site potential tree height of Riparian Reserves.

### **Large Pine Maintenance/Enhancement**

Openings would be created only within the outer ½ of Riparian Reserves. The size of created openings would be limited to that created by cutting competitive vegetation under the leave pine and to a distance of up to 15 feet beyond the drip line. Openings would be no closer than 300 feet from other created openings in the Riparian Reserve. If merchantable trees are cut they would be left on the site to provide coarse woody debris.

## **Vegetation Treatment and Prescribed Fire In Riparian Reserves**

About 76 acres of riparian reserve adjacent to commercial thin harvest units 5-4 and 16-1 (West Fork Whisky Creek) would receive non-commercial density management (NDM) treatment (defined on last page of Appendix 5 ); another 28 acres of riparian reserve adjacent to unit 6-3 (regen harvest) in upper East Fork Kelsey Creek would be underburned .

- Brush and hardwoods would be slashed no closer than 25 feet of non-fishery streams. (There are no vegetation or fuels treatments planned within riparian reserves that border fish habitat).
- There would be no intentional broadcast burning within 50 feet of streams.
- Underburns would be allowed within 50 feet of streams.
- Pile and burn would be allowed no closer than 25 feet from streams.
- Firelines using mechanized equipment would not be constructed in riparian reserves.

## **Timber Resources (includes tractor and cable yarding)**

Hand piles would be burned as early in the Fall as possible to best avoid adverse effects on plants, or animals that may hibernate or nest in them. Broadcast burns would take place in the Spring, if possible, and would be designed to:

- minimize conflicts with smoke management.
- minimize the risk of control problems.
- avoid adverse impacts to nesting wildlife species.
- minimize consumption of soil organic matter and surface duff.
- meet silvicultural objectives to prepare the site and reduce competition with conifer seedlings.
- minimize the loss of large down wood.
- not exceed guidelines for exposing bare soil (Monitoring Handbook).

Tractor yarding would only be allowed between June 1 and October 15 (soil moisture permitting) of the same year to minimize the amount of soil disturbance and compaction. If the Authorized Officer determines that soils are too wet within this season, tractor yarding would not be allowed until approved by him/her. Water bar spacing on tractor skid trails would be based on existing guidelines considering slope and soil series.

Yarding tractors would not exceed eight feet in width and would be equipped with an integral arch to raise the front end of the logs in order to minimize soils disturbance and compaction.

Tractor operations would be restricted to designated skid trails and to slopes less than 35 percent, except where permitted by the Authorized Officer. Existing skid trails would be used where possible. New trails would be no closer than 150 feet apart.

Tractor blades would not be used to build trails in tractor logging units. This provision would ensure minimal soil displacement and would help to retain organic material on-site.

Following yarding and during the dry season (before October 15), skid trails in all OR and RH tractor units would be water barred and discontinuously subsoiled using winged rippers to reduce soil compaction, mulched with weed-free straw where necessary and planted with conifers. Skid trails in commercial thin units would not be planted to trees. Water bar spacing on tractor skid trails would be based on existing guidelines considering slope and soil series.

In cable yarding units the number of yarding corridors would be minimized to reduce soil compaction and erosion. Corridors would be located at least 150 feet apart at the tail end and lateral yarding would be required.

Partial suspension would be required on all cable yarding units where possible to minimize ground disturbance and soil compaction.

Designated skid trails in overstory removal units would be located to minimize damage to existing regeneration. Existing skid trails would be used where regeneration in skid trails is sparse or in poor condition.

Six to twelve large green conifers per acre (12 to 15 in connectivity blocks), and a minimum of three large hardwoods per acre (where available) would be retained in all regeneration harvest and overstory removal units to provide for biological legacies and large structure in the regenerating stands. The number varies between units to provide for coarse woody debris or to provide site modification on more harsh sites.

All non-hazardous snags would be retained in all harvest units. If it is necessary to fall snags for safety reasons, they would be left on the site to provide down coarse woody material.

Tractor and cable yarding on all commercial thinning units would not be allowed between March 1 and June 1 to prevent bark slippage on residual trees.

Heavy equipment would be washed before moving into the project area to remove soil and plant parts to prevent the spread of noxious weeds.

### III. Effects Analysis For Alternative 1

**Table 6.**

6 <sup>th</sup> or 7 <sup>th</sup> Field HUCs where commercial harvest is planned	% BLM	Acres	Square Miles	% veg > 30 years of age		Transient Snow Zone*		
						Acres	% in Open Condition	
				Pre-harvest	Post-harvest	Pre-harvest	Post-harvest	
Kelsey (6)	92	11546	18.0	90	85	8376	13	16
Lower Whisky (several 7ths)	87	2403	3.8	95	92	0	0	0
West Fork Whisky (7)	100	3928	6.1	90	85	5224	13	14
Meadow (7)	95	2597	4.1	100	93	1602	0.1	9
Bunker (7)	100	4486	7.0	100	98	2540	0.1	3
Russian (7)		1081	No harvest planned					
		24960**						

\* TZS (transient snow zone) includes acreage above 2500' elevation

\*\* does not include Russian Creek

The proposal has potential for contributing a minor, short-term, localized pulse of sediment to streams from road renovation and decommissioning and also to increase runoff in the vicinity of some harvest units, especially in the transient snow zone, during rain-on-snow events.

Although road maintenance, renovation, outsloping, water dipping, decommissioning and log hauling may result in a pulse of sediment entering project area streams in the short term, the amount of road-generated stream sediment would be minor and rapidly dissipate during the first major rainstorm of the wet season. Any effects on coho salmon eggs or fry in Kelsey and Whisky Creeks would be insignificant because implementing appropriate PDFs would help ensure that sediment generated by these actions would be indistinguishable from background levels by the time it reaches occupied habitat ( 0.9 miles to coho habitat in mainstem Whisky Creek; 0.5 to more than 2 miles in Kelsey Creek - map attachment).

Effects of stream sedimentation on aquatic organisms would be greatest immediately downstream of each crossing but they would rapidly diminish with increasing distance from the road. Use of appropriate project design features (pp 9 - 13 and Appendix 3) would help ensure that any effects are negligible and short term at the project level (HUC 6 and 7). Since temporary road locations are on or near ridgetops on stable ground and are not near streams, road construction would not degrade water quality and stream habitat. No permanent road construction is planned under any alternative. Road treatments (other than construction), especially road decommissioning, would reduce potential for erosion or failure of the road prism

and resultant stream sedimentation in the long term. Closing roads using barricades and gates would eliminate vehicle use and erosion of unsurfaced roads during the winter.

Only very limited vegetation treatments are proposed in any of the riparian reserves; no commercial products would be removed. Vegetation and fuels treatments in selected riparian reserves (Appendix 5) would reduce potential for severe wildfire and would also accelerate development of late successional characteristics in the long term. Implementing appropriate project design features (PDF chapter) in these sensitive areas would minimize any short term effects.

Riparian Reserves at least one site potential tree height (150 feet) in width from all streams in accordance with ACS objectives, would effectively filter any sediment from overland flow from road crossdrain culverts and harvest units.

The total proposed treated acreage (RH, OR, CT and CDM) across all 6<sup>th</sup> and 7<sup>th</sup> field HUCs in the project area under Alternative 1, is 7% of the total acres. Changes in infiltration, antecedent moisture conditions, interception and evapotranspiration losses due to timber harvest are not expected to substantially alter the flow regime. Analysis has shown that 85 to 98% of the area of these subwatersheds is in a hydrologically recovered condition (Table 6), exceeding 30 years of age, and that the proposed harvest would not lower it below acceptable levels (Wild Rogue WA). In addition (a) road density would decrease somewhat, reducing the risk of road-related flow increases (b) road drainage improvement and renovation, including some outsloping and adding water dips would route more water from ditchlines on to forest soils to decrease the amount that flows directly from roadside ditches into streams (c) soil depth is adequate in harvest units to allow precipitation to percolate into soil during storm events for slow release (d) compacted ground resulting from tractor skid trails and temporary roads would be sub-soiled and waterbarred to largely restore soil permeability.

Most of the harvest units in the project area are in the transient snow zone (roughly above 2500 ft elevation). Rain-on-snow events on these timber harvest units is not expected to increase water yield because only 3 to 16% of the TSZ in each HUC would be in open condition following harvest (Table 6). The percentage of the landscape in open condition in the past following wildfire was much greater than projected conditions following implementation of Alternative 1 (EIS section 3.5.3). Existing stream channel capacity, which reflects peak flow conditions under historic wildfire regimes, would easily accommodate any increase in peak flows without erosion. Additionally, no units are located in any subwatershed where a large percentage of the TSZ is already in open condition. It is expected that canopy condition in CT/PCT, CDM/NDM and CDM units would return to baseline (pre-harvest) conditions within 5-10 years and within 30 years in RH units. Only 27% of all harvest acreage under the Alternative 1 is regeneration harvest.

Base flow is not expected to decrease as a result of timber harvest because vegetation treatments would not encourage growth of riparian hardwood vegetation. However, it may increase

somewhat for several years in upper East Fork Kelsey Creek because the amount of vegetation left on-site following regeneration harvest would have considerably less demand for subsurface water than the existing old growth forest. Groundwater moving subsurface that is excess to the demands of vegetation that reoccupies harvested acreage would eventually reach stream channels and increase flow for several years until vegetation again fully occupies harvested units. Any changes to baseflow would be most pronounced in 1<sup>st</sup> to 3<sup>rd</sup> order tributaries of East Fork Kelsey and upper Kelsey Creek and are not expected to measurably affect streamflow in coho critical habitat.

Because forests in West Fork Whisky Creek and all of the Wild Rogue watershed are overstocked with conifers, largely because of aggressive wildfire suppression over the last 50 years, cutting some commercial size conifers in riparian reserves would not degrade the properly functioning condition of riparian or stream habitats. Virtually all of the streams in the pine E/M area are 1<sup>st</sup> and 2<sup>nd</sup> order and do not require large tree boles in channels in order to function optimally. Clearing around large pines in the outer ½ of riparian reserves would have no effect on water temperature because of the minimal acreage involved and because the action would be more than 75 feet from stream channels.

NDM would accelerate the development of late successional characteristics in riparian reserves in the longterm. Underburning would reduce fuel loading, ladder fuels and potential severity of wildfire along these streams.

Pine E/M and NDM/pile and burn would cover an estimated 7 % of riparian reserve acres in West Fork Whisky; underburning would involve less than 1% of Kelsey Creek riparian reserve acres. These actions would have no effect on coho or steelhead because appropriate PDFs would be implemented (page 12) and because of the distance between treatment units and coho/steelhead habitat.

### **Essential Fish Habitat**

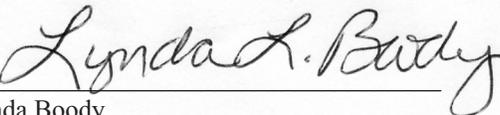
Activities associated with this project would have less than an adverse effect on EFH for coho and chinook salmon. The effect would be minor sediment deposition resulting from activities associated with road renovation and decommissioning. Peak flows in salmon habitat would be unaffected by the proposed action.

The less than adverse effects would be short term and minimized by implementing appropriate BMPs and PDFs in accordance with the Northwest Forest Plan and the Medford District RMP ROD, including project design features on pages 9 to 13 of this document. Long term beneficial effects from proposed road work would outweigh any short term effects and result in minor improvements to salmon spawning success, aquatic insect production and gravel permeability.

Further mitigation is not necessary to reduce impacts to EFH or associated species.

**Conclusion:**

The proposed action would maintain all habitat indicators in the Matrix of Pathway Indicators at the Project Scale (6<sup>th</sup> and 7<sup>th</sup> field watersheds; Appendix 1). I find the proposed project is consistent with watershed analysis recommendations related to aquatic and riparian habitats, applicable Northwest Forest Plan Standards and Guidelines, NEPA documentation, and applicable aspects of NMFS' March 18, 1997 Biological Opinion. The project has a negligible likelihood of resulting in incidental take of SO/NC coho salmon and therefore is not likely to adversely affect the species and its critical habitat.

s?   
Lynda Boody

BLM/Glendale Resource Area Field Manager

## **V. Attachments**

**Appendix IA. CHECKLIST FOR DOCUMENTING ENVIRONMENTAL BASELINE AND EFFECTS OF PROPOSED ACTION(S) ON RELEVANT INDICATORS**

**Project Name:**  
Kelsey Whiskey Project

**7h Field HUC or Project Scale:**  
Lower Whiskey Creek 7<sup>th</sup> field.  
Baseline rating based on ODFW data for Lower Whiskey Creek Reach I

**Date:** December 12, 2002  
**Preparer(s):** Bob Bessey (Fish)  
Loren Wittenberg (Hydrology)

**Physiographic Province:** Klamath/Siskiyou

**Resource Area, Medford BLM**  
Glendale Resource Area

PATHWAY INDICATORS		ENVIRONMENTAL BASELINE			EFFECTS OF THE ACTION(S) <sup>2</sup>			
		Properly Functioning <sup>1</sup>	At Risk <sup>1</sup>	Not Properly Functioning <sup>1</sup>	Restore <sup>2</sup>	Maintain <sup>2</sup>	Degrade <sup>2</sup>	Consistent with ACS?
Water Qual.	Temperature	BLM				EA		Y
	Sediment		AM			EA		Y
	Chem. Contam./ Nutrient Load	PJ				EA		Y
	Physical Barriers	ODFW				EA		Y
Habitat Elements	Substrate	ODFW				EA		Y
	Large Woody Debris	ODFW;PJ				EA		Y
	Pool Frequency	ODFW				EA		Y
	Pool Quality	ODFW;PJ				EA		Y
	Off-Channel Habitat	ODFW;PJ				EA		Y
	Refugia	PJ; ODFW				EA		Y
Chan. Cond. & Dyna.	Width/Depth Ratio	ODFW				EA		Y
	Streambank Condition	ODFW;PJ				EA		Y
	Floodplain Connectivity	ODFW				EA		Y
Flow/Hydro	Peak/Base Flows		WA;PJ			EA		Y
	Drainage Network Increase		WA			EA		Y
Wshed Condition	Road Density and Location		WA;PJ			EA		Y
	Disturbance History	WA				EA		Y
	Landslide Rates	WA;PJ				EA		Y
	Riparian Reserve	WA				EA		Y

- 1 These 3 categories of function ("properly functioning," "at risk," "not properly functioning") are defined for each indicator in the "Matrix of Factors and Indicators" for each physiographic province as agreed to by the Level I Teams.
- 2 The effects of the action are based on which way the project is likely to move a relevant indicator. However, no changes in baseline conditions are expected. For the purposes of this checklist, "restore" means to move an "at risk" indicator toward "properly functioning" or a "not properly functioning" indicator toward "at risk" or "properly functioning." "Maintain" means that the function of an indicator does not change. "Degrade" means to move the function of an indicator for the worse (i.e. it applies to all indicators regardless of functional level). In some cases, a "not properly functioning" indicator may be further worsened, and this should be noted.

**Codes:**

- BLM: Water temperature data
- ODFW: ODFW stream habitat survey data
- PJ: Professional judgement
- WA: Wild Rogue North Watershed Analysis
- EA: Kelsey Whisky Final Landscape Management Plan, February 2003. The Aquatic Conservation Strategy Consistency Analysis is considered a supplement of the EIS or EA
- AM: Aquatic macroinvertebrate survey and report

**Appendix I B. CHECKLIST FOR DOCUMENTING ENVIRONMENTAL BASELINE AND EFFECTS OF PROPOSED ACTION(S) ON RELEVANT INDICATORS**

**Project Name:**  
Kelsey- Whisky Project

**6h Field HUC or Project Scale:**  
Kelsey Creek 6<sup>th</sup> field. Baseline rating based on ODFW data for Kelsey Creek Reach I

**Date:** December 12, 2002  
**Preparer(s):** Bob Bessey (Fish)  
Loren Wittenberg (Hydrology)

**Physiographic Province:** Klamath/Siskiyou

**Resource Area, Medford BLM**  
Glendale Resource Area

PATHWAY INDICATORS		ENVIRONMENTAL BASELINE			EFFECTS OF THE ACTION(S) <sup>2</sup>			
		Property Functioning <sup>1</sup>	At Risk <sup>1</sup>	Not Property Functioning <sup>1</sup>	Restore <sup>2</sup>	Maintain <sup>2</sup>	Degrade <sup>2</sup>	Consistent with ACS? <sup>2</sup>
<b>Water Qual.</b>	Temperature	BLM				EA		Y
	Sediment		PJ			EA		Y
	Chem. Contam./ Nutrient Load	PJ				EA		Y
	Physical Barriers	ODFW				EA		Y
<b>Habitat Elements</b>	Substrate	ODFW				EA		Y
	Large Woody Debris	ODFW;PJ				EA		Y
	Pool Frequency	ODFW				EA		Y
	Pool Quality	ODFW;PJ				EA		Y
	Off-Channel Habitat	ODFW;PJ				EA		Y
	Refugia	ODFW;PJ				EA		Y
<b>Chan. Cond. &amp; Dyna.</b>	Width/Depth Ratio	ODFW				EA		Y
	Streambank Condition	ODFW				EA		Y
	Floodplain Connectivity	ODFW;PJ				EA		Y
<b>Flow/Hydro</b>	Peak/Base Flows		WA;PJ			EA		Y
	Drainage Network Increase		WA			EA		Y
<b>Wshed Condition</b>	Road Density and Location		WA;PJ			EA		Y
	Disturbance History	WA				EA		Y
	Landslide Rates	WA;PJ				EA		Y
	Riparian Reserve	WA				EA		Y

1 These 3 categories of function ("properly functioning," "at risk," "not properly functioning") are defined for each indicator in the "Matrix of Factors and Indicators" for each physiographic province as agreed to by the Level I Teams.

2 The effects of the action are based on which way the project is likely to move a relevant indicator. However, no changes in baseline conditions are expected. For the purposes of this checklist, "restore" means to move an "at risk" indicator toward "properly functioning" or a "not properly functioning" indicator toward "at risk" or "properly functioning." "Maintain" means that the function of an indicator does not change. "Degrade" means to move the function of an indicator for the worse (i.e. it applies to all indicators regardless of functional level). In some cases, a "not properly functioning" indicator may be further worsened, and this should be noted.

**Codes:**

- BLM Water temperature data
- ODFW: ODFW stream habitat survey data
- PJ: Professional judgement
- WA: Wild Rogue North Watershed Analysis
- EA: Kelsey Whisky Final Landscape Management Plan, February 2003. The Aquatic Conservation Strategy Consistency Analysis is considered a supplement to the EIS or EA
- AM: Aquatic macroinvertebrate survey and report

**Appendix 2. DICHOTOMOUS KEY FOR MAKING SECTION 7 DETERMINATION OF EFFECTS**

**Name of Action:** Kelsey-Whisky Project

**Location:** Glendale RA, Medford BLM, BLM Wild Rogue 5<sup>th</sup> field HUC

**Date:** \_\_\_\_\_

1. Are there any proposed/listed anadromous salmonids and/or proposed/designated critical habitat in the watershed or downstream from the watershed?

- NO ..... No Effect
- YES ..... May affect, go to 2<sup>1</sup>

2. Will the proposed action (s) have any effect whatsoever<sup>1</sup> on the species and/or critical habitat?

- NO ..... No Effect
- YES ..... Go to 3

3. Does the proposed action (s) have the potential to hinder attainment of relevant properly functioning indicators (from checklist)?

- NO ..... Go to 4
- YES ..... Likely to adversely affect<sup>2</sup>, Go to 5

4. Does the proposed action (s) have the potential to result in “take”<sup>3</sup> of proposed/listed anadromous salmonids or adversely affect proposed/designated critical habitat?

- A. There is a negligible (extremely low) probability of take of proposed/listed anadromous salmonids or adversely affect proposed/designated critical habitat . . . . . **Not likely to adversely affect**
- B. There is more than a negligible probability of take of proposed/listed anadromous salmonids or adversely affect proposed/designated critical habitat . . . . . Go to 5

5. A. Probability of take of proposed/listed anadromous salmonids or adversely affect proposed/designated critical habitat results from actions on federally-managed lands . . . . . Likely to adversely affect<sup>4</sup>

B. Probability of take of proposed/listed anadromous salmonids or adversely affect proposed/designated critical habitat results from interrelated/interdependent actions of privately-owned lands. . . . . Likely to adversely affect<sup>4</sup>

<sup>1</sup>“Any effect whatsoever” includes small effects, effects that are unlikely to occur, and beneficial effects, i.e. a “no effect” determination is only appropriate if the proposed action will literally have no effect whatsoever on the species and/or critical habitat, not a small effect, an effect that is unlikely to occur, or a beneficial effect.

<sup>2</sup>Document expected adverse effects on reverse side of this key.

<sup>3</sup>“Take” - The ESA (Section 3) defines take as “to harass, harm, pursue, hunt, shoot, would, trap, capture, collect or attempt to engage in any such conduct”. The USFWS further defines “harm” as “significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering”, and “harass” as “actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding or sheltering”.

<sup>4</sup>Document expected adverse effects on reverse side of this key.

## **Project Design Features For Road Renovation and Decommissioning**

Project design features (PDFs) are specific measures included in the proposed action to minimize adverse impacts on the human environment. Many project design features for projects in the Medford District are specified for in the RMP and may not be repeated here. These include Best Management Practices (BMP) as described in Appendix D of the RMP.

All of the following would be implemented for this action.

If changes to the PDFs are needed during project implementation, they would be analyzed by the Interdisciplinary Team and the Field Manager, and an amended EA would be prepared before the change is implemented

Work performed in stream channels would be accomplished between July 1 and September 15 of the same year, in accordance with Oregon Department of Fish and Wildlife guidelines. The work period for decommissioning road surfaces would be limited to July 1 to October 15 of the same year.

Where practical, stream flows would be diverted around existing culvert replacements so that the construction sites remain de-watered; and would not be returned through the project area until all instream work has been completed to minimize stream sedimentation.

Existing culverts excavated from the road prism would be disposed of in accordance with State and County regulations.

Excavated side slopes where culverts are permanently removed would be laid back to at least a 1 1/2:1 slope, to reduce erosion potential. The width of the bottom of the excavation would match the width of the bank-full stream channel.

Excess excavated material generated from this work from road decommissioning would either be spread in stable locations within the existing road prism or hauled to a stable designated waste disposal area where sediment would not enter stream channels.

Buried logs and other debris from culvert excavation would be placed in designated disposal areas.

Partial rather than total decommissioning may be more appropriate where vegetation on the road surface is well-established, the surface is not eroding and ripping could reinitiate erosion. In such a situation, existing culverts should be pulled and the road water barred and barricaded.

Where full decommissioning is appropriate, discontinuously rip the road surface and water bar to prevent longitudinal erosion of the road bed. Water bars would be constructed at the same time as ripping. Ripping would be done with a winged ripper (24" tines) at least 18" deep and 36" apart to provide at least 70 percent fracture of the compacted roadway material.

Equipment refueling would be done where there is minimal chance that toxic materials could enter a stream. Equipment would not be stored in a stream channel overnight. Hydraulic fluid and fuel lines would be in proper working condition in order to minimize leakage into streams.

Heavy equipment would be washed off of federal lands before moving into the area, to remove soil and plant parts to prevent the spread of noxious weeds and disease into the project area.

Cutting vegetation on road fill slopes would be minimized in order to maintain slope stability and shading.

Work would be temporarily suspended if monitoring indicates that rain storms have saturated soils to the extent that there is potential for causing excessive stream sedimentation.

Mulching would be done immediately after excavation or ripping to reduce erosion.

Decommissioned and barricaded roads would be open to non-motorized use, such as foot traffic, bicycles and horses.

The normal work period for quarry operations would be June 15 to October 15 of the same year, to minimize potential for generating sediment that could enter streams. Measures would be taken to capture sediment before it reaches streams if quarry work must be done outside the preferred work period.

Waste diesel, oil, hydraulic fluid and other hazardous materials would be removed from the site and disposed of at an approved landfill.

All soil disturbance associated with road drainage improvement and culvert installation/replacement would be within the existing road Rights-of-Way, with moderate to small excavations and fills.

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Alder and other vegetation would be cut in ditch lines to ensure proper road drainage. Ditch lines would be pulled and cleared of obstructions where identified in the contract.

Energy dispersal pads would be placed at culvert outlets where necessary to reduce potential for soil erosion.

#### **Appendix 4. Other Relevant Federal Actions in the Watershed.**

The following table shows all federal actions within the Wild Rogue North watershed (the northern ½ of the BLM Wild Rogue 5<sup>th</sup> field watershed) from 1983 through the present time. Some of the projects (such as those in Mule Creek), although within the EIS planning area, are not in the timber sale project area. Refer to map attachment (to be provided at the Level 1 meeting).

Past Timber Harvest Related Projects in the Project Area since 1983	Legal Description	Type of Harvest per Acre	MBF	Miles of Road Construction	Miles of Road Renovation	Miles of Road Closures
Marial alternative road (culverts) 2000						
Cold Mule Timber Sale 1996	T32S, R9W, Sec. 14-23, 27-30; T32S, R10W, Sec. 23-26	201 acres RH 63 acres CT 90 acres OSR 64 acres RR	7,486 MBF	0.6 miles of temp road construction	25 miles of existing road were storm proofed to reduce to reduce potential erosion and plugging culverts Entire road ripped 25 culverts replaced and 20 new installed ditches filled <u>goal-</u> improve drainage, reduce sediment, increase road width and remove protruding rocks on road	-----
Marial Road Improvement 1996	T33S, R9W, Sec. 6; T33S, R10W, Sec.9	20 trees removed for safety	-----	-----		-----
Mule's Brew Timber Sale 1995	T32S, R9W, Sec. 19, 29, 31, 32, & 33	95 acres SRC 31 acres OSR 15 acres OSR/CT 66 acres RR	4,253 MBF	The following temp road spurs were constructed: 9b, 10, 11a, 12b, & 13	19.66 miles of road renovated	-----
Whisky Creek Cabin Road Surfacing 1993	T32S, R8W, Sec. 27	-----	-----	-----	1.5 miles of existing natural surface road would be rocked 5 culverts installed spot rocking and water management where unstable soils and steep gradient are present Improvements needed to reduce sediment runoff into Whisky Creek during storm events	Portion of roadway below gate within 0.25 miles of the Wild and Scenic stretch of the Rogue River would remain closed to the public vehicular traffic

Past Timber Harvest Related Projects in the Project Area since 1983	Legal Description	Type of Harvest per Acre	MBF	Miles of Road Construction	Miles of Road Renovation	Miles of Road Closures
Mule Creek Road Management Plan 1992	T32S, R9W, Sec. 15; T32S, R10W, Sec.35	-----	-----	-----	-----	Barricade 7.7 miles of road with 7 lockable gates 2.4.4 miles of road with 18 barricades of logs, rock, etc. <u>goal</u> – limit motor vehicle access to reduce harassment of elk
Bobby Creek Timber Sale 1990	T32S, R9W, Sec. 15, 16, & 23	86 acres CC	2,705 MBF	-----	1.1 miles of existing road re-surfaced	Roads 32-15.4, 32-9-16.4, & 32-9-16.5 barricaded with log/soil berm
Rueben Road surfacing and additional culverts 1990s						
Kelsey Creek North Timber Sale 1989	T32S, R9W, Sec. 22, 23, 26, & 27	108 acres CC 6 acres R/W	2,625 MBF	1 mile of new road construction	2 miles of existing road re-surfaced	32-9-13 road barricaded with guard rail at 32-9-13 intersection
Arrasta Plot II Timber Sale 1985	T32S, R9W, Sec. 30	2 acres CC 1 acre other	124 MBF			
East Whiskey LIM Timber Sale 1985	T33S, R8W, Sec. 9	19 acres CC 7 acres other	834 MBF			
Trapper's Trap 1985	T33S, R9W, Sec. 25, 26, & 35	470 acres CC (6,302 MBF) 12 acres SR 32 acres R/W	6,842 MBF	3.1 miles temp road construction	20.6 miles road renovation (blading, cleaning of ditches and culverts, and roadside brushing)	-----
Whiskey Creek Timber Sale 1985	T33S, R8W, Sec. 8, 16, 17, 20, & 21	266 acres CC 21 acres SR	5,228 MBF	Approximately 5.1 miles of new road construction	-----	-----

Bruin II Timber Sale 1983	T32S, R9W, Sec. 28, 29, 30, 31, 32 & 33	268 acres CC	5,671 MBF	1.15 miles road improvement 6.86 miles road improvement
Corral Relog Timber Sale 1983	T32S, R9W, Sec. 31 T33S, R9W, Sec. 4, 5 & 6	274 acres CC	9,749 MBF	1.2 miles road improvement
Dutch Kelsey Timber Sale 1983	T33S, R9W, Sec. 1, 10, 11 & 12	305 acres CC	5,510 MBF	14.1 mile road improvement
Mule Bob Cleanup Timber Sale 1983	T32S, R9W, Sec. 15 & 22	21 acres Individual salvage tree and clearcut wildlife tree removal	131 MBF	
Scattered Mules Timber Salvage 1983	T32S, R9W, Sec. 16, 20, 21, 28 & 29	59 acres Individual salvage tree removal	377 MBF	
Thin Bobby Timber Sale 1983	T32S, R9W, Sec. 15, 16, & 22	6 acres R/W clearcut 9.3 acres partial cut	953 MBF	1.2 miles new road construction
Totals		2,681 acres	52,488 MBF	+103.17 miles  +32.1 miles

Legend

CC = Clear cut  
RR = Riparian Reserves, only treated for fuels  
OSR = Overstory Removal  
SR = Shelterwood cut (removal cut)  
RH = Regeneration Harvest  
CT = Commercial Thinning  
R/W = Right-of-way  
SRC = Stand Replacement Cut (leaving 6-8 trees/acre)