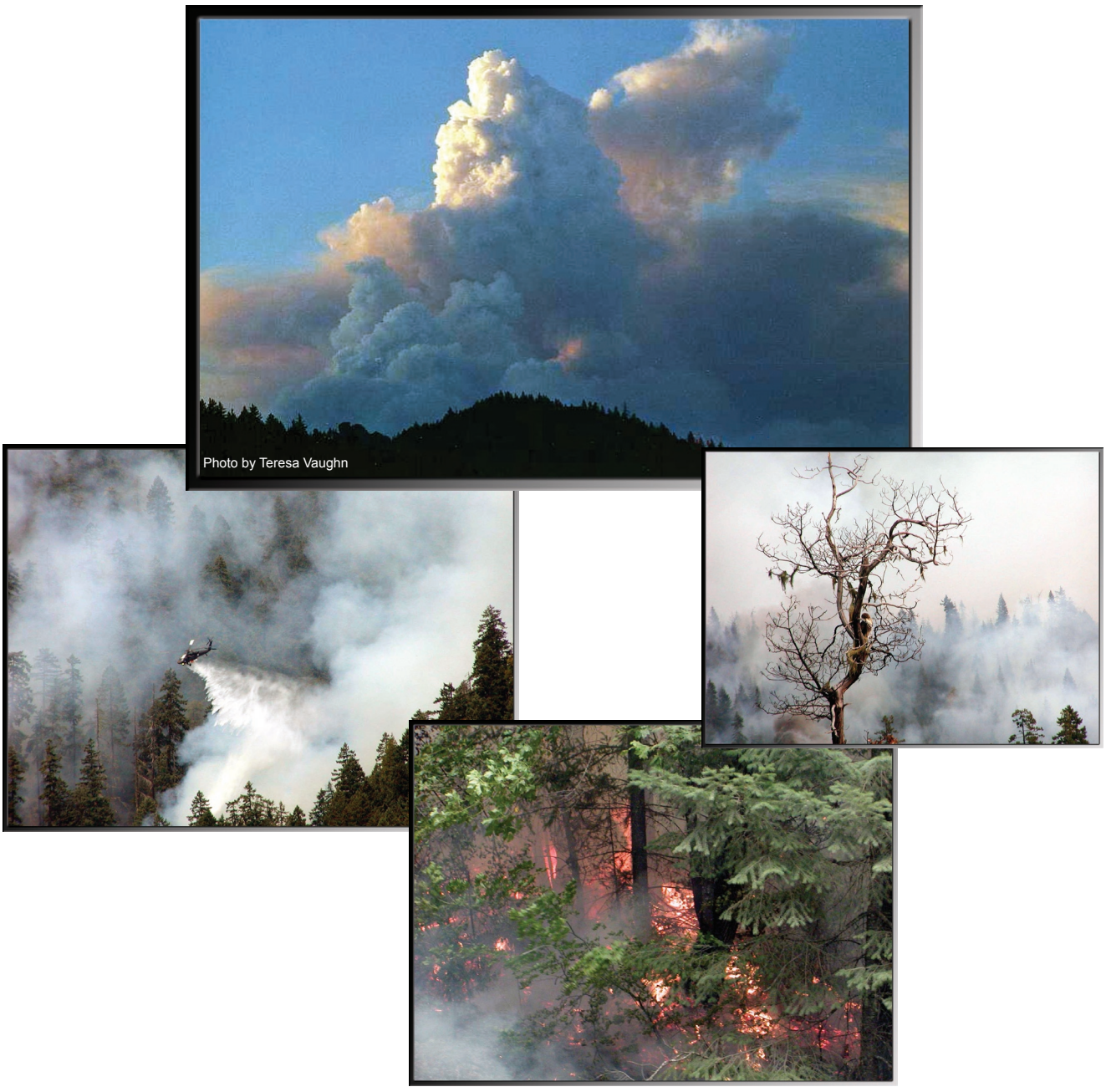
U.S. Department of the Interior
Bureau of Land Management
Medford District Office
Butte Falls Resource Area

March 2004

Timbered Rock Fire Salvage and Elk Creek Watershed Restoration Record of Decision



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Acronyms

BLM - Bureau of Land Management
BO - Biological Opinion
CEQ - Council on Environmental Quality
CFR - Code of Federal Regulations
CWD - Coarse Woody Debris
DBH - Diameter at Breast Height
DNA - Determination of NEPA Adequacy
EFH - Essential Fish Habitat
EIS - Environmental Impact Statement
ESA - Endangered Species Act
ESRP - Emergency Stabilization/Rehabilitation Plan
FEIS - Final Environmental Impact Statement
FMZ - Fuel Management Zone
IBLA - Interior Board of Land Appeal
LSOG - Late Seral/Old Growth
LSR - Late-Successional Reserve
LSRA - Late-Successional Reserve Assessment
MMBF - Million Board Feet
MSA - Magnuson-Stevens Fishery Conservation and Management Act
NEPA - National Environmental Policy Act
NFP - Northwest Forest Plan
NOAA Fisheries - National Oceanic and Atmospheric Administration - Fisheries
PDF - Project Design Feature
REO - Regional Ecosystem Office
RMP - Resource Management Plan
ROD - Record of Decision
RRNF - Rogue River National Forest
S&G - Standards and Guidelines
SHPO - State Historic Preservation Office
SONC - Southern Oregon/Northern California
T&E - Threatened and Endangered
UNF - Umpqua National Forest
USACE - United States Army Corps of Engineers
USDA - United States Department of Agriculture
USDI - United States Department of the Interior
USFS - United States Forest Service
USFWS - United States Fish and Wildlife Service
WA - Watershed Analysis

Contents

Summary

The decision is to implement projects as described in Alternative G of the Final Environmental Impact Statement (EIS) for the Timbered Rock Fire Salvage and Elk Creek Watershed Restoration Project, as described in Section 1.2 below.

The Draft EIS for this project was published in August 2003, followed by the release of the Final EIS in February 2004. Publication of this Record of Decision (ROD) completes the National Environmental Policy Act (NEPA) process for timber salvage and watershed restoration projects analyzed in those documents, except as noted below.

The decisions outlined in this document are consistent with the Medford District Resource Management Plan (USDI 1995) and the Northwest Forest Plan (USDA and USDI 1994) and, therefore, a plan amendment is not required. Plan consistency was addressed in Section 1.6 of the Final EIS. Review of salvage and restoration projects by the Late-Successional Reserve Working Group, a subgroup of the Regional Ecosystem Office (REO), is included in Appendix A.

The decision on the timber salvage portion of this project will be made when the notices of timber sales are published in local newspapers, expected in April 2004. A portion of the Fuel Management Zones (FMZ) within the fire perimeter will be implemented as part of the timber salvage. Some road maintenance, improvements, renovation, and/or decommissioning will be implemented through the salvage timber sale(s). Some Late-Successional Reserve (LSR) thinnings and pine release projects may also be implemented through timber sales. Decisions on those projects are expected to be through sale advertisements in local newspapers in 2005 or 2006.

Actual implementation of the restoration projects included in this decision will occur as funding and workforce are available. Funding for restoration projects was requested through the Bureau of Land Management (BLM) budgeting system.

Implementation of research included as part of the Selected Alternative is scheduled to begin in 2004. Research funding was requested in a separate funding package for wildlife/snag, wildlife/mammal, and reforestation in late 2003. Research projects will be implemented as described in Appendix B. Except for the activities associated with the expected timber sales resulting from this analysis, the decision is to proceed with Alternative G, as modified. The following modification were made to Alternative G in response to public review of the Final EIS:

- Four acres at high risk of mass wasting were removed from area salvage.
- 158 acres were removed from Pine Restoration and Late-Successional Forest Habitat Restoration projects located within Deferred Watersheds.

1.0 The Decision

1.1 Background

The Timbered Rock Fire began Saturday, July 13, 2002 from a lightning strike near Timbered Rock. The Timbered Rock Fire burned with varying degrees of intensity across approximately 27,100 acres of high elevation (4,600 feet) mixed conifer and low elevation (2,000 feet) mixed conifer/hardwood. About 11,700 acres of BLM-administered land within the Elk Creek LSR were burned. The fire burned across a mixed ownership of federal, private, and industrial forest lands. The fire created extensive areas of dead and dying trees dispersed across a landscape with historically high vegetation densities and high fuel loading.

Prior to the Timbered Rock Fire, the Elk Creek Watershed Analysis (WA) and the South Cascades Late-Successional Reserve Assessment (LSRA) emphasized the need to restore watershed functions,

protect remaining mature and old growth stands from catastrophic loss, accelerate development of late-successional habitats, reduce fuel levels in strategic locations, and create stand conditions to lower the potential for future catastrophic fire.

1.2 Decision

The decision is to implement projects described in Alternative G in the Final EIS for Timbered Rock Fire Salvage and Elk Creek Watershed Restoration, as modified (see Summary). Area salvage operations will be conducted on approximately 961 acres and roadside salvage on approximately 1,188 acres, resulting in about 23.4 million board feet (MMBF) of salvage (see Map 1). The harvest volume produced from the fire salvage timber sale(s) resulting from this decision will be determined by "log scaling" (the estimated gross and/or merchantable volume of a log) and, therefore, the actual volume salvaged may be more or less than the estimated volume. The effects analyses in the EIS were based on acres affected and snag and coarse woody debris (CWD) retention guidelines and not the amount of volume removed.

Multiple decision documents will be issued to implement management actions over the next 10 years, subject to availability of funding and personnel. Appropriate NEPA analysis will be completed prior to implementation of projects. These decisions will be published in local newspapers and mailed to individuals, businesses, organizations, and agencies included in the Butte Falls Resource Area and ROD mailing lists. Decisions can be protested at that time. Timber sale decisions will become effective upon notice of sale in local newspapers.

Projects listed in Table 1 will be implemented without further decision documents. Projects include: Reforestation, Road Maintenance, Road Closures, Seasonal Road Closures, and Log Piles for Wildlife Habitat. These projects may be protested within 15 days after the notice of the ROD in the local newspaper in accordance with 43 CFR Subpart 5003.

Table 1. Projects to be Implemented from the ROD

Project	Description
Reforestation	• Plant 2,152 acres • Approximately 10 foot x 10 foot spacing with microsite emphasis; Mixed species • 430 trees per acre; Replant if stocking level drops below 100 trees per acre • No mulching, tubing, or shading until replant • Remove brush around ½ of seedlings if the stocking level is greater than 250 trees per acre • Remove brush around all seedlings if the stocking level is less than 250 trees per acre **Research Reforestation** • Plant 75-90 acres • Mixed species; Mixed planting densities; Varied vegetation treatment
Road Maintenance	• Maintain or improve 10 miles of road
Road Closures	• Close 4 miles of road by installing 3 gates or barricades
Seasonal Road Closures	• Close 114 miles of secondary and native surface roads from mid-October to April 30
Log Piles for Wildlife Habitat	• Develop 6 sites • Pile logs 16 inch DBH or greater in piles 20 feet x 20 feet and 4-6 feet high

Projects listed in Table 2 will be implemented without further analytical documents. The timber sale notice in the local newspapers constitutes the decision document for salvage projects for purposes of protests under 43 CFR Subpart 5003 for the salvage. Protest of any timber sale must be filed within 15 days of publication of the timber sale notice.

Table 2. Projects to be implemented with a Timber Sale Notice

Project	Description
Area Salvage	• Salvage in high and moderate burn severity areas greater than 10 acres with less than 40 percent canopy closure **Within research units** • 282 acres • Harvest systems: 136 acres cable; 7 acres tractor; 139 acres helicopter • Conduct salvage research in 12, 30-acre units • 3 treatments; 4 repetitions of each treatment ▪ Intensive: Salvage entire unit (includes 11 acres in Riparian Reserves) ▪ Moderate: Reserve 30 percent of unit ▪ Control: No salvage • Coarse Woody Debris and Snags ▪ Leave 6 snags/acre in salvaged portion ▪ Leave minimum 120 feet of CWD greater than 16 inch DBH and 16 feet per acre in salvaged portion **Outside research units** • 675 acres • Harvest systems: 262 acres cable; 106 acres tractor; 272 acres helicopter; 35 acres bull-line • Salvage in high and moderate burn severity patches greater than 10 acres • Salvage in patches less than 10 acres will occur in and adjacent to FMZs • No salvage in Riparian Reserves • Small patch clear cuts or group selection; Openings less than 20 acres • Coarse Woody Debris and Snags ▪ Leave 8 snags/acre and 2.0 percent ground cover in Douglas-fir plant series ▪ Leave 12 snags/acre and 3.6 percent ground cover in white fir plant series ▪ Retain pre-fire CWD and snags
Roadside Salvage	• 1,188 acres bull-line • Salvage hazard trees along BLM roads • Hazard trees in Riparian Reserves and within ¼ mile of active owl sites will not be salvaged unless felled within the road • Retain pre-fire CWD
Road Construction	• No new temporary roads in research units • 0.9 miles temporary roads outside research units • No new permanent roads
Road Maintenance	• Maintain or improve 90 miles of road
Road Decommissioning	• Partially or fully decommission 9 miles of road
Road Closures	• Close 17 miles of road by installing 13 gates or barricades

Projects listed in Table 3 will require NEPA documentation prior to implementation. Projects include: Culvert Replacement, Fish Structures, LSR Thinning, Pine Restoration, Riparian Thinning, Oak Woodland and Meadow Restoration, Fuel Management Zones (areas outside of the salvage), Owl Activity Center Underburns, Eagle Habitat Improvement, Road Reconstruction, Stream-Crossing Upgrades, Road Decommissioning, Pump Chance Restoration, and Rock Quarry Closure and Rehabilitation (see Map 2). These projects will be protestable under 43 CFR Subpart 5003 following publication of a notice of sale or decision record in the local newspaper.

Table 3. Projects to be Implemented after further NEPA documentation

Project	Description
Fish Habitat Improvement	
Culvert replacement for fish passage	• Replace 4 culverts
Fish structures over 8 miles of stream	• Place 5 rock weirs/mile; add gravel above each weir • Place 20 logs/mile
Vegetation Treatments	
Late-Successional Forest Habitat Restoration • Stands 10-30 years old	• Thin 862 acres • Cut trees less than 8 inch DBH in stands with greater than 70 percent canopy closure
Late-Successional Forest Habitat Restoration • Stands 30-80 years old	• Thin 418 acres • Harvest systems: 93 acres tractor; 140 acres cable; 233 acres helicopter • Cut trees less than 20 inch DBH in stands with greater than 70 percent canopy closure • Coarse Woody Debris and Snags ▪ CWD retention level equals 2 percent ground cover ▪ Harvest thinned trees in excess of CWD levels ▪ Leave pre-fire snags and CWD
Pine Restoration • Stands 10-30 years old with mixed pine	• Thin 16 acres • Cut trees less than 8 inch DBH
Pine Restoration • Stands 30-80 years old • Stands 80+ years old	• Thin 90 acres in stands 30-80 years old • Thin and clear around 577 acres of pines greater than 24 inch DBH in stands 80+ years old • Harvest thinned trees • Harvest systems: 79 acres tractor; 698 acres helicopter • Coarse Woody Debris and Snags ▪ CWD retention level equals 2 percent ground cover ▪ Leave pre-fire snags and CWD
Riparian Reserve Thinning • Stands 10-30 years old	• Thin 225 acres • Perennial streams only • Cut trees less than 8 inch DBH
Riparian Reserve Thinning • Stands 30-80 years old	• Thin 134 acres • Cut trees less than 20 inch DBH in stands with greater than 40 percent canopy closure • Hand pile slash and girdle trees to limit fuel loads to 20 tons/acre or less
Oak Woodland and Meadow	• Thin 1,544 acres • Cut trees less than 8 inch DBH • Underburn
Fuels Treatments	
Fuel Management Zones (FMZ)	• Treat 1,300 acres: 500 acres within fire perimeter; 800 acres outside fire perimeter • 400 feet outside LSR; 200 feet within LSR • Within the fire perimeter, salvage in patches less than 10 acres in size adjacent to FMZs • Commercial thin 62 acres; 150 feet on each side of ridgeline in T33S, R1W, Sec. 14 and 15

Table 3 (cont.). Projects to be Implemented after further NEPA documentation

Project	Description
Fuel Treatments within Owl Activity Centers	• Underburn 425 acres within 4 owl activity centers
Fuels Treatment within old West Branch Fire	• Treat 70 acres • Cut, pile, and burn fire-killed trees less than 8 inch DBH within West Branch Fire area
Wildlife Projects	
Eagle Habitat Improvement	• Thin 50 acres • Thin thickets of younger trees (less than 8 inch DBH) to a spacing of 12-20 feet • Clear 10-15 feet from dripline around existing larger overstory trees
Road Projects	
Road Reconstruction	• Reconstruct 2.6 miles of road • Add drainage structures and rock blankets
Stream-crossing upgrades	• Upgrade 11 sites • Replace culverts to pass 100-year storm event • Replace existing road fill material with rock
Road Decommission	• Partially or fully decommission 26 miles of road
Pump Chance Restoration	• Restore 7 sites • Clean material from pool area • Clean or repair inlets and outlets • Improve access
Rock Quarry Closure and Rehabilitation	• Close and rehabilitate 5 sites • Slope benches and plant vegetation

1.3 Plan Conformance

The Northwest Forest Plan (NFP) (USDA and USDI 1994) addresses management of Late-Successional Reserves in pages C-9 through C-21, as amended. The Medford District Resource Management Plan (RMP) (USDI 1995) later adopted these land use allocations and Standards and Guidelines (S&G). In July 1996, the Elk Creek Watershed Analysis was prepared by Medford District BLM and Rogue River National Forest (USDA and USDI 1996). In February 1998, the South Cascades Late-Successional Reserve Assessment was published by the BLM and USFS (USDA and USDI 1998). Both documents provided management recommendations to accelerate development of late-successional forest conditions, restore pine and oak woodlands, reduce road density, and reduce risk of large fires on BLM- and USFS-administered lands within the Elk Creek LSR. The LSRA also addressed salvage of fire-killed trees. Implementation of the projects in this ROD will contribute to fulfilling many of those recommendations.

Salvage of fire-killed trees within an LSR continues to be a controversial issue. Differing scientific opinions and developing science adds to the controversy. Fire salvage and restoration projects with LSRs do not have clear and concise opinions among the academia. These differing opinions were brought together during development of the Northwest Forest Plan. While these opinions should be considered, the guidance provided in the NFP and RMP remains the basis for management decisions on BLM-administered lands.

Salvage within LSRs is expressly addressed starting on page C-13 of the Record of Decision for the NFP and requires Regional Ecosystem Office (REO) review. Salvage of fire-killed timber is permitted within those LSRs under the S&Gs. When originally proposed in the Draft EIS, both salvage and LSR restoration projects were reviewed by the LSR Working Group, a subgroup of REO. REO's review documentation relating to salvage of fire-killed trees and restoration projects is included in Appendix A. The REO found "all proposed actions are consistent with objectives for managing LSRs" (see Appendix A) and, therefore, are consistent with both the NFP and the Medford District RMP.

This ROD does not change the land use classifications identified in the Medford District RMP. Plan consistency was specifically addressed in Section 1.6 of the FEIS.

1.4 Project Design Features

Project Design Features (PDFs) are included in the design of the salvage and restoration projects (see Appendices C and D). These PDFs are a compilation of the Best Management Practices identified in the Medford District RMP and resource protection measures identified by the EIS Interdisciplinary Team. The PDFs will serve as a basis for resource protection in the implementation of these projects. All PDFs shown in Alternative G in the Final EIS have been carried forward into this ROD.

2.0 Alternatives, Including the Selected Alternative

Seven alternatives were developed to provide different responses to the issues identified in Chapter 1 of the EIS. A No Action Alternative (Alternative A) was included.

The action alternatives contained two major categories of proposed projects:

- Salvage within the fire perimeter (Alternatives C-G).
- Restoration projects located throughout the Elk Creek Watershed (Alternatives B-G).

2.1 Alternative A - No Action or Continuation of Current Management

No restoration projects are proposed, but rehabilitation and stabilization projects identified in the Timbered Rock Fire Emergency Stabilization/Rehabilitation Plan Environmental Assessment (ESRP) will be implemented. Salvage of hazardous trees will be determined through NEPA documentation.

2.2 Alternative B - No Salvage and Focused Restoration

Emphasis is placed on reducing noncommercial-size vegetative competition in overstocked stands through density management treatments, fuels reduction treatments, and pine habitat restoration. Areas proposed for treatment are generally those in most need of a reduction in competing vegetation. Within the fire perimeter, restoration will focus on high priority road work. Restoration actions will focus on noncommercial projects designed to accelerate tree growth to promote late-successional conditions with a variety of size classes. Species diversity will be maintained to promote connectivity between owl activity sites and develop late-successional forest characteristics. Salvage of hazardous trees will be determined through appropriate NEPA documentation.

2.3 Alternative C - South Cascade LSRA Criteria for Salvage and Moderate Restoration

Area salvage emphasis is placed on high and moderate burn severity areas greater than 10 acres with less than 40 percent canopy cover where the fire resulted in a stand-replacement event. Alternative C salvage is based on guidelines from the LSRA for snag and CWD retention. Restoration projects include fish habitat improvement, LSR thinning, pine and oak woodlands restoration, reforestation of stand-replacement areas greater than 5 acres, fuels reduction along ridgelines, wildlife habitat enhancement projects, and road improvement projects.

2.4 Alternative D - LSR Salvage Using DecAID Wood Advisor for Snags and CWD and Moderate Restoration

Area salvage emphasis is placed on high and moderate burn severity areas greater than 10 acres with less than 40 percent canopy cover where the fire resulted in a stand-replacement event. Snag and CWD

retention levels in this alternative are based on the DecAID Wood Advisor. Restoration projects will be the same as Alternative C.

2.5 Alternative E - High Level of Salvage and Extensive Restoration

Area salvage would occur in high, moderate, low, and very low burn severity areas. Snag retention levels within the high and moderate burn severity areas will be 6-14 snags per acre. This level is based on a study by Haggard and Gaines (2001), which found the highest diversity in cavity nesting species and the highest number of nests where snag densities ranged from 6-14 snags per acre. Snag retention will be 4 snags per acre within the low and very low burn severity areas with canopy cover greater than 40 percent. The CWD level in this alternative will be a minimum of 120 linear feet per acre. Extensive restoration will increase the scope of the projects (acres, miles of roads, etc.) and location of treatments identified in Alternatives C and D. In addition, Alternative E also includes a seasonal road closure.

2.6 Alternative F - Salvage Logging and Restoration Actions Focused Only within the Timbered Rock Fire Perimeter

To the extent practical, Alternative F is based on a report entitled *Recommendations for Ecological Sound Post-Fire Salvage Management and Other Post-Fire Treatments on Federal Land in the West* (Beschta, et al. 1995). Area salvage emphasis is based on recommendations to avoid severely burned areas, erosive sites, fragile soils, riparian areas, steep slopes, or sites where accelerated erosion is possible. Existing snags and CWD levels will be retained on all these areas. Salvage will occur in 3- to 10-acre patches of fire-killed trees. Within each of these patches, a minimum of two acres will be reserved from salvage, retaining all snags and CWD. Restoration projects consistent with the Beschta, et al. report will take place within the fire perimeter. Since the Beschta, et al. report does not address actions outside of a burned area, no restoration actions will occur outside the fire perimeter.

2.7 Alternative G (Selected Alternative) - Salvage Based on Research Questions and Salvage in Stand-Replacement Units Greater than 10 Acres and Moderate Restoration

Area salvage emphasis is based on research to study the effects of various snag levels on selected wildlife species. Twelve units were selected to be included in this study. These units are generally 30 acres or greater and will be salvaged at various levels. Four control units will not be salvaged.

Stand-replacement areas (high and moderate burn severity) greater than 10 acres with less than 40 percent canopy closure outside of research units will also be considered for salvage. Snag and CWD levels will meet those recommended by DecAid Wood Advisor, along with the following local and regional recommendations: *Guidelines for Snag and Down Wood Prescriptions in Southwestern Oregon* (White 2001), *Effects of Stand Replacement Fire and Salvage Logging on a Cavity Nesting Bird Community in Eastern Cascades, Washington* (Haggard and Gaines 2001), and *Jenny Creek Late-Successional Reserve Assessment* (USDI 2000).

A reforestation study, also included in this alternative, will evaluate a variety of planting densities, species, and follow-up treatments in both salvaged and unsalvaged areas. Restoration projects will be the same as Alternatives C and D. A seasonal road closure is also included. Additional research will be considered if it contributes to attaining late-successional forest habitat conditions. Required NEPA documentation will take place before new research is implemented.

3.0 Environmentally Preferred Alternative

Council on Environmental Quality (CEQ) regulations [40 CFR 1505.2 (b)] require the ROD to specify the alternative or alternatives considered to be environmentally preferred. Environmental preferability is judged using the criteria suggested in the National Environmental Policy Act of 1969 (NEPA), which is guided by the CEQ. "The environmentally preferable alternative is the alternative that will promote the national environmental policy as expressed in NEPA's Section 101. Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (CEQ, "Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations" [40 CFR 1500-1598], *Federal Register* Vol. 46, No. 55, 18026-18038, March 23, 1981: Question 6a.).

Table 4. Comparison of Alternatives to Section 101 Goals

Section 101 Goals	Alternatives						
	A	B	C	D	E	F	G
1. Fulfill the responsibility of this generation as trustee of the environment for succeeding generations;		X	X	X	X	X	X
2. Assure for all Americans productive and aesthetically and culturally pleasing surroundings;			X	X	X	X	X
3. Attain the widest range of beneficial uses of the environment without degradation or other undesirable and unintended consequences;				X			X
4. Preserve important natural aspects of our national heritage and maintain an environment which supports diversity and variety of individual choice;		X	X	X	X	X	X
5. Achieve a balance between population and resource use, which permits high standards of living and a wide sharing of life's amenities; and		X	X	X	X	X	X
6. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.				X	X		X

NEPA's Section 101 establishes 6 goals (see Table 4). The table depicts the application of the Section 101 goals to projects considered in the Timbered Rock Fire Salvage and Elk Creek Watershed Restoration EIS. Each alternative was compared against these goals to determine the environmentally preferred alternative.

The following rationale was used to determine which alternative best meets NEPA's Section 101 goals as shown above:

Goal 1. All alternatives, with the exception of Alternative A, have some level of restoration which will improve conditions in the watershed to the benefit of future generations. Alternative E, with the highest level of restoration activities proposed, will best meet Goal 1.

Goal 2. Alternatives C-G provide various levels of products while protecting the aesthetically and culturally pleasing surrounding. It is anticipated the greater the harvest level, the greater the amount of disturbance, and associated impacts, would occur. Alternative E has the highest harvest level and will result in the most disturbances. Alternative C will best meet Goal 2 because salvage will disturb fewer acres, compared to other salvage alternatives, and a moderate level of restoration will be implemented.

Goals 3 and 5. The risk of undesirable or unintended degradation is higher in alternatives with higher levels of salvage and restoration activities but these also present the highest potential for beneficial uses. The projects are designed to limit or reduce the risk of degradation and provide a wide range of beneficial uses while balancing population and resource uses within a Late-Successional Reserve.

Alternative A will have no short-term degradation, but the beneficial uses achieved through the restoration and salvage activities proposed in other alternatives will not be provided. Alternative B will provide a lesser range of beneficial uses and, by excluding recovery of timber value, will not provide the balance of population and resource use. Alternative C will recover some of the economic value of the dead timber and provide some moderate restoration benefits. Alternatives D and E have a high range of beneficial uses through the recovery of the value of the dead timber and moderate to high restoration levels. Alternative F will disturb the fewest acres from both a timber salvage and restoration standpoint, but could also result in a longer vegetative recovery period for obtaining old-growth characteristics within the fire perimeter. It is anticipated salvage activities in Alternatives E and F will result in some degradation of late-successional habitat. Alternative G will best meet Goals 3 and 5 by providing the widest range of beneficial uses while balancing population and resource uses, including recovering the value of the dead timber, restoration activities throughout the watershed, and research.

Goal 4. Restoration activities are designed to restore or maintain natural aspects of the environment. Proposed restoration activities designed to reduce the intensity and severity of future fires, improve habitat for fish and wildlife, and reduce potential of degradation from existing conditions will allow for greater protection of natural aspects within the watershed. Alternative A will provide short-term preservation of the existing natural environment but slower recovery of the watershed. Alternatives B, C, D, and G will best meet Goal 4 by providing a moderate level of restoration. While Alternative E will provide a higher level of restoration, the degradation of the late-successional habitat from the salvage will offset some of the restoration benefits. Alternative F will limit restoration to the fire area and current conditions outside the fire will not be altered. Alternative F, with its restoration emphasis based on the report by Beschta, et al., will allow for the most natural recovery of fire-disturbed conditions; however, it does not provide for accelerated development of late-successional forest conditions or enhanced protection of remaining late-successional forests within the LSR.

Goal 6. Salvaging recovers the economic value of some fire-killed trees. If salvage does not occur, this value will be lost over time due to deterioration, as has already occurred to some degree. Alternatives C and F will provide only minimal recovery of the timber value. Alternative E will provide the highest return; however, this alternative could result in greater harm to sensitive resources. Since Alternative E is not consistent with the existing land use allocation, further deterioration of trees will result from the delay necessary to prepare a land use plan amendment. Restoration activities, such as thinning and pine restoration, which utilize the excess thinned material will enhance the quality of renewable resources and recycle the depletable resources. Alternatives B and F will provide some level of restoration but will not utilize the thinned material. Alternative E delivers the highest level of these restoration activities while Alternatives C, D, and G provide moderate levels. Alternatives D and G best meet Goal 6 by providing a high level of recovery of timber value through salvage of the dead timber without degrading late-successional habitat.

Restoration projects are designed to restore, improve, or maintain conditions for future generations. Salvage provides for the recovery of the economic value of some fire-killed trees while balancing other beneficial uses of the environment and still meeting LSR management objectives. Research will provide information to allow future generations to make more knowledgeable decisions. Alternatives D and G provide balanced levels of restoration and salvage; however, the addition of research in Alternative G makes it the more environmentally preferred alternative.

4.0 Rationale for Selected Alternative

Alternative G in the FEIS has been selected as the alternative to be implemented. Rationale is based on how well this alternative meets the Purpose and Need and responds to the following objectives and issues identified during the preparation of the EIS (Chapter 1, FEIS). Alternative G is also the environmentally preferred alternative.

4.1 Objectives

1. Manage to protect and enhance conditions of late-successional and old growth forest ecosystems. Desired future condition identified in LSRA is 55 percent of LSR and 75 percent of Riparian Reserves in late seral vegetation 80 or more years old.
2. Reduce potential amount of sedimentation resulting from the Timbered Rock Fire and any past or future management actions.
3. Manage to create, protect, and improve special habitats within the Elk Creek Watershed.
4. Restore anadromous fish habitat to increase survival rates by improving the abundance and quality of spawning gravels, deep pool habitat, side channels, overwintering habitat (channel structures and log jams which can shelter fish), while maintaining water temperatures and quality that can sustain multiple fish species within the Elk Creek Watershed.
5. Manage the LSR to a level where no more than 28 percent of acres are in a high fire risk condition.
6. Improve existing suppression facilities and reestablish the role of fire to reduce wildfire size and cost, and increase resiliency to site disturbance.
7. Recover some economic value of fire-killed trees, while meeting LSR and watershed objectives.
8. Where possible, conduct scientific investigations that could be implemented within the LSR to respond to controversial issues related to salvage of fire-killed trees or fire effects on critical resources.
9. Analyze effects associated with fire salvage so future efforts can be tiered to this analysis.

4.2 Issues

1. Recovery of the economic value of fire-killed trees.
2. Fuel loading within the Elk Creek Watershed.
3. Coarse woody debris and snag levels.
4. Late-Successional forest habitat.
5. Cumulative effects from the fire and activity on commercial timberlands.
6. Road density and delivery of sediment to streams.
7. Threatened or endangered and other sensitive species.

4.3 Rationale

The following comparisons of the objectives and issues to the alternatives provides rationale for the selected alternative.

Objective 1, Issues 4 and 7: Alternative G does not harvest patches of fire-killed trees less than 10 acres in size, therefore providing for future forest patch development. Also, Alternative G will create additional small patches through the salvage operation.

Objective 1, Issues 4 and 7: Alternatives C, D, and G include restrictions on salvage logging within ¼ mile of owl sites active prior to the fire. Since little is known regarding site tenacity, this will provide an increased level of protection should owls return to those sites .

Objective 2, Issue 6: All action alternatives provide for reduction in road density and reduced delivery of sediments to streams.

Objectives 2 and 4, Issue 7: All action alternatives include habitat restoration or enhancement for coho salmon.

Objective 3, Issues 2, 4, and 7: All action alternatives provide for treatment of oak woodlands to enhance values for wildlife, range, plants, and biological diversity.

Objectives 5 and 6, Issues 2 and 3: All action alternatives will reduce fuel loading by creating fuel management zones (FMZs) along ridges and providing enhanced protection to rural residences, adjacent industrial forest land, and remaining late-successional forest within the LSR. Alternatives C, D, and G are more effective and efficient than the other alternatives.

Objective 7, Issue 1: Alternative G provides for the economic recovery of some fire-killed trees. Delay of harvest for approximately two years has resulted in a loss of volume due to decay. However, harvest of approximately 23.4 MMBF of fire-killed trees will result in about $4.8 million in receipts to the US Treasury, with an increase of about $20.1 million to the local economy and creation of 354 direct and indirect jobs.

Objective 7, Issues 1 and 3: Alternative G provides for a limited harvest of fire-killed trees while still meeting management objectives for Late-Successional Reserves. The levels of snags and coarse woody debris retained across the fire area meet or exceed levels consistent with southwest Oregon's drier climate.

Objective 7, Issues 3 and 4: Implementation of any action alternative will comply with the LSR "area salvage approach that suggests a landscape perspective to determine leave needs for large dead wood." This is consistent with the EIS design that focuses on recovering some economic value of fire-killed trees while meeting LSR and watershed objectives. The alternatives analyze leaving various levels of snags and CWD to meet this landscape objective.

Objective 8: Alternative G provides for research related to some of the controversial issues surrounding the salvage of fire-killed trees. Researchers were involved in the design of the research from the beginning of the project, rather than grafting research onto an existing project. While the research design results in a decrease in salvage volume, the long-term benefits outweigh the economic loss.

Other Issues Identified and Addressed: Alternative G is consistent with the Records of Decision for both the Medford District RMP and the Northwest Forest Plan. Salvage and restoration projects have been coordinated with the Regional Ecosystem Office, as required by the Northwest Forest Plan. Alternatives C-G addresses hazard reduction along roads, but at varying degrees. Alternative G also implements many of the restoration actions recommended in the Elk Creek WA and the South Cascades LSRA.

Objective 9 and Issue 5 were not specifically addressed because they are part of the environmental analysis process. The EIS was designed to specifically evaluate cumulative effects from the fire and those associated with salvage logging on intermingled private industrial forestlands (Issue 5). The EIS prepared for these projects can be used for tiering (see 40 CFR 1508.28) when wildfires occur in the future (Objective 9).

Selection of Alternative G relates directly to meeting the Purpose and Need presented in Chapter 1 of the EIS as enumerated by the above objectives and issues. Alternative G includes a moderate level of restoration which can reasonably be expected to be implemented over the next 2-10 years. Restoration actions implement many of the recommendations included in the South Cascades LSRA and the Elk Creek WA. Alternative G produces a moderate level of salvage of fire-killed trees while still meeting LSR objectives. Research incorporated into Alternative G will provide data to respond to controversy associated with post-fire salvage logging.

5.0 Monitoring

The monitoring plan is shown in Appendix E. Three types of monitoring are discussed: implementation, effectiveness, and validation monitoring. All projects will be monitored to ensure they are implemented consistent with objectives identified in the FEIS and PDFs outlined in this ROD. The monitoring plan includes components identified in the LSRA Monitoring (USDA and USDI 1998). Proposed projects have been reviewed by REO and determined to be consistent with objectives for managing LSRs. Effectiveness and validation monitoring will occur as funds and personnel are available.

6.0 Public Involvement

6.1 Summary of Public Involvement

Public involvement was sought to identify the desires, expectations, and concerns of interested and affected publics regarding this project and the use of available resources. The "public" included all individuals, agencies, businesses, and organizations interested in, or affected by the project.

The Notice of Intent to prepare an Environmental Impact Statement and conduct public scoping was published in the Federal Register on January 24, 2003. A letter seeking input on the EIS was mailed to 780 individuals, landowners, organizations, tribal governments, and government agencies. A website specific to the Timbered Rock EIS was published on the Internet. Two public meetings, attended by about 40 people, were held during the scoping period. A total of 50 comments were received at the meetings and by e-mail, telephone, and fax.

The public comment period for the Timbered Rock Fire Salvage and Elk Creek Watershed Restoration Draft Environmental Impact Statement (DEIS) began August 15, 2003 and ended October 15, 2003. The DEIS was mailed to 112 individuals, businesses, groups, organizations, libraries, elected officials, and government agencies. The DEIS was available at local and university libraries and on the BLM Timbered Rock website. Two public meetings were held and a total of four individuals attended those meetings. Twenty-three comment letters were received in the form of e-mails, postcards, faxes, and letters.

The public review period for the Timbered Rock Fire Salvage and Elk Creek Watershed Restoration Final EIS began when the Environmental Protection Agency published the Notice of Availability on February 6, 2004.

6.2 Responses to Comments on the Final EIS

Eleven comment letters were received during the public review period for the Final EIS, including the Jackson County Board of Commissioners. The BLM took a hard look at all comments received. Comment review looked for the presence of new information that has not already been considered in the Final EIS or would justify a modification to the document. Comments resulted in two modifications to the Selected Alternative. Comments containing new information or requiring clarifications are addressed below.

Comment: Please incorporate and address the findings contained in Franklin and Agee, 2003, "Forging a Science-Based National Forest Fire Policy," *Issues in Science and Technology*, Fall 2003.

Response: The article by Franklin and Agee calls for the development of a comprehensive national fire policy that covers all aspects of wildfire management. Analysis or creation of the suggested policy is beyond the scope of this EIS. We are familiar with the issues and concerns raised in this paper about post-fire treatments and have addressed those thoroughly in the Final EIS. The proposed research is intended to aid our understanding of these processes.

Comment: Please consider and incorporate the findings of the attached draft paper (in review) by Robert Pearson entitled *Spotted Owl Habitat Considerations with Regard to Barred Owl Presence*.

Response: This article is a summary of available literature regarding the exclusion of Spotted Owls by Barred Owls from suitable Spotted Owl habitat. Barred Owls were addressed in the FEIS and no new information was presented that would change the Spotted Owl analysis.

Comment: The US Fish and Wildlife Service supports efforts to conduct prescribed burns in a manner that mimics natural events, including the initiation of frequent, low intensity fall burns. While fall burns present challenges to fire managers, such as increased temperature, lower fuel moistures and increased fire behaviors, negative impacts to plant and wildlife species may be reduced by conducting burns at this time.

Response: Underburning is proposed as a maintenance activity in oak woodlands, in Fuel Management Zones (FMZ), and in four owl activity centers. The season the underburnings would occur was not specifically addressed. Conducting burning in the fall creates additional air quality concerns, and the narrow time periods may not permit completion of projects. Conditions in the fall also create greater risks for controlling the burns. Depending on fuel types and fuel conditions, the BLM will consider burning in the fall as well as the spring.

Comment: Apparently the NOAA Fisheries only consulted about projects with funding certainty such as salvage logging, thinnings, road construction and culvert replacement (Appendix J 3-6). The 35 miles of road decommissioning and fish habitat projects from the DEIS were not mentioned in August 29, 2003 consultation letter. Restoration projects are not likely to be implemented soon since there was no consultation on the restoration projects.

Response: Consultation under Section 7 of the ESA was undertaken with NOAA Fisheries on July 17, 2003 with the submission of a Biological Assessment (BA). The BA states, "The result of salvage, fuels treatment, thinning and associated road work constitutes a 'May Affect, Not Likely to Adversely Affect' determination." NOAA Fisheries agreed with this determination in a Letter of Concurrence on August 29, 2003.

Restoration projects included in the Selected Alternative are covered by a programmatic Biological Opinion (BO) dated October 18, 2002, and further consultation is not necessary. The programmatic consultation contained many individual actions in one consultation. Projects in the programmatic BO are: 1) road maintenance, 2) aquatic and riparian projects, 3) recreation site, trail, and administrative structure maintenance and associated public use, 4) fisheries, wildlife, botany, and cultural programs, 5) non-commercial vegetative treatments, 6) pump chance/helipond maintenance and use, 7) rock quarry operations/ornamental rock collecting, 8) road decommissioning, obliteration, storm proofing, and inactivation, and 9) telephone line and power line renewal special-use permits/rights-of-way grants.

Comment: The BLM should be aware of the findings contained in Latham, P. and J. Tappeiner, 2002, "Response of old-growth conifers to reduction in stand density in western Oregon forests." *Tree Physiology 22, 137-146.* This study indicates that sugar pines do not respond well to culturing and that less than half of sugar pines showed increased growth rates while 5-13% of the treated sugar pines actually decreased their growth rates.

Response: We are aware of this study but disagree with the commenter about the management implications of the study. The study looked at the effects of thinning old growth stands to reduce the threat of stand-replacing fires and increase resource availability to large, old growth trees, which in turn may prolong their lives by reducing the effects of competition. The paper notes that current high densities of understory trees may contribute to water stress in large old growth trees and could make them susceptible to insect-related mortality. The Pine Restoration project focuses on those stands within the Ponderosa Pine Plant Series. The target species for release in this project is ponderosa pine but also includes releasing around sugar pine.

The comment indicates there would be no or little benefit from thinning around old growth sugar pine. The study indicates sugar pine response to thinning was not as great as the response of other species studied (Douglas-fir and ponderosa pine). The study does show the basal area growth was increased in the treated sugar pine stands compared with the untreated sugar pine stands. "The mean growth ratio of sugar pine trees in the treated stands was significantly greater than in the untreated stands" (Latham and Tappeiner 2002). Table 5 in the paper indicates the proportion of sugar pine with significant increased basal area growth was 40% and 25% in the 2 treated stands and 0% in the untreated stand. Significant decreased basal area growth was 13% and 5% in the treated stands and 26% in the untreated stand.

Under *Management implications* the paper states, "Cutting trees to reduce density in old-growth stands or to modify the amount and distribution of fuels can be beneficial to residual large old-growth trees. Reduction of stand density around individual trees with full crowns is likely to increase the basal area growth of a high proportion of the trees for several decades." In addition, the study states, "Based on our most conservative measure of growth, only 5-23% of trees in sugar pine and Douglas-fir stands significantly decreased growth following density reduction and no ponderosa pine trees did. Moreover, the decrease in growth observed in response to the density reduction was not a sharp decrease, but rather a continuation of the slower growth of these trees."

Comment: The principle reason that reliance on DecAID violates NEPA's requirement that the BLM ensure the scientific integrity of its analysis is that DecAID is clearly inappropriate for use in post-fire ecosystems. The authors of the DecAID note that "at present DecAID does not specifically address effects of fire."

Response: The BLM acknowledges that DecAID does not specifically address effects of fire; however, DecAID does recognize that the "sample plots of older forests might represent some post-fire conditions" (Mellen, et al. 2003, 'Caveats and Cautions'). Using DecAID is not "clearly inappropriate" for analyzing post-fire conditions.

Furthermore, the proposed snag and coarse woody debris retention level in Alternative G did not rely solely on DecAID but also considered other local and regional references (see FEIS Appendix D, page D-32). The prescribed snag and coarse woody debris levels are consistent with recommendations made in these other references. The snag retention level prescribed in the Preferred Alternative was reviewed by the LSR working group and determined to be consistent with the objectives for managing LSRs.

Comment: The FEIS (3-15) then falsely states that logging and other land uses have not had much affect on turbidity in the streams. The FEIS failed to report and analyze turbidity data for the USGS gauge on Elk Creek below Alco Creek (FEIS 3-44). Turbidity measurements by R. Nawa on 16 February 2004 revealed sharply elevated turbidity in Elk Creek due to turbid water flowing from small tributaries with recent salvage logging. Turbidity in Elk Creek increased from 36 NTUs above Sugar Pine Creek to 136 NTUs above Flat Creek. Sediment sources appear to be skid roads located along streams and stream diversions caused by roads. Elk Creek and some tributaries appear to be violating state standards for turbidity. Although BLM and private landowners have intensively logged and roaded the watershed, no turbidity monitoring data is being collected. The FEIS fails to disclose that public land logging will exacerbate turbidity that appears to be already violating state standards. Similarly, the Water Quality Restoration Plan is flawed because it does not provide for the monitoring of turbidity that would be harmful to fish and recreational fishing.

Response: The FEIS (3-15) reference is a quote from the Elk Creek Watershed Analysis (USDA and USDI 1996, II-19) addressing pre-fire conditions, not post-fire conditions. The FEIS (3-35) recognized turbidity would increase following the fire: "The first rainy season would probably see the greatest surface runoff and subsequent delivery of fine sediment and turbidity to the downstream aquatic system, with each of the following years becoming progressively less."

Monitoring on BLM-administered lands is providing data on turbidity, conductivity, and pH (FEIS 3-44). The station on Elk Creek below Alco was not used because it is a low-flow station only used for measuring flows during the summer and early fall months (FEIS 3-44). Future monitoring will include data from this site.

The data provided by R. Nawa is similar to data gathered at BLM monitoring stations showing an increase in turbidity between February 16 and 18, 2004. This increased turbidity was followed by a decrease to prior levels. These spikes coincided with recorded rain events in which Medford Airport received over 1" of precipitation on February 16 and 17, 2004. These spikes in turbidity are expected during storm events.

The effects of Alternative G on sediment are addressed in the FEIS (3-60). Project Design Features described in the document, along with delaying harvest for 2 years after the fire and the associated vegetation recovery in the Riparian Reserves, would prevent sediment from reaching the stream.

The Oregon Department of Environmental Quality (DEQ) included Elk Creek on the 303(d) list for the limiting factors of temperature and dissolved oxygen (DO). The Water Quality Restoration Plan (WQRP) only documents the extent that federal actions may contribute to changes in the limiting factors which result in the 303(d) listing. DEQ did not identify turbidity as a limiting factor in Elk Creek.

Comment: The following document, "Comments on Draft Environmental Impact Statement for Biscuit Recovery Project" by Jerry Franklin, are submitted to the Timbered Rock record for your consideration. While the Franklin comments are specific to the Biscuit Fire, the document speaks directly to the purpose and conservation biology strategy of the LSR network.

[NOTE: These comments were received after the Timbered Rock Final EIS was sent to be printed and the comments were not specifically directed to this project. However, Dr. Franklin's comments

primarily relate to salvage in an LSR, which is pertinent to this project.]

Response: Dr. Franklin opposes salvage logging in an LSR, particularly of large snags and boles. He states, "... general salvage of large snags and logs is absolutely antithetical to the goal of rapid recovery of fully functional late-successional forest habitat and inappropriate within the Late-Successional Reserves."

The Selected Alternative includes cutting across all size classes and retains approximately 2/3 of the fire-killed trees in each size class. While this is not consistent with the position advanced by Dr. Franklin, it is consistent with management direction provided in the NFP, the Medford District RMP, and the South Cascades LSRA which all provide for a conservative amount of salvage in an LSR following approved guidelines. Dr. Franklin's comments are a disagreement with the decision made in the NFP to allow salvage logging at all in the LSRs. This is not a new issue, or one directed at this particular project. The NFP has already resolved the issue whether to allow some salvage logging in LSRs and accompanied that decision with a detailed environmental impact statement.

Comment: The BLM did not release the Boise Watershed Analysis to the public as requested by NEDC until after the close of the DEIS comment period. As a result, NEDC was deprived a meaningful opportunity to consider the significance of the document. Because BLM did not release the document until after the close of the comment period, the public has been deprived of its only meaningful opportunity to comment on the contents of the Boise WA in violation of the CEQ NEPA regulations.

Response: The Boise Watershed Analysis was provided to NEDC prior to release of the Final EIS. Pertinent portions of that analysis were included in the record available to the public during the comment period on the draft. NEDC requested the entire document, which required time for us to get released from the private party. Not having the entire document apparently did not deprive NEDC of a "meaningful opportunity" to comment. While NEDC provided a number of substantive comments on the Draft EIS regarding mass wasting, none were provided on the Final EIS, even though NEDC possessed the entire document by that time.

Comment: Is the BLM really contending that no green trees will be felled for yarding or landings and that no fuel "management," pine release logging, riparian logging, or stand thinning involving green trees will occur within the deferred watersheds? If so the project maps need to be significantly revised.

Response: BLM reviewed project maps and determined some treatments, which included timber harvesting, were proposed within deferred watersheds. These treatments include pine restoration and late-successional forest habitat restoration in stands over 30 years old. These treatments within the Deferred Watersheds have been dropped from the Selected Alternative. Other restoration projects, such as riparian thinning (logging is not proposed in riparian thinning), FMZs, and oak woodland restoration, that do not include timber harvesting, are consistent with activities permitted within the deferred watershed.

Comment: Response to comments 207 and 213 appears to indicate that the BLM intends to log 4 acres at high-risk of mass wasting that it believes have a "realistic potential for delivery of CWD to streams vial landslides." What is the rationale for logging these acres? Economic recovery?

Response: The BLM has dropped these 4 acres from proposed salvage activities in the Selected Alternative.

Comment: We refer the agency to "A Report to the President In Response to the Wildfires of 2000" September 8, 2000 by USDA Forest Service and Department of the Interior. Find this report at: http://www.fireplan.gov/president.cfm. The following is taken directly from Part III of the report, "Key Elements of the Administration's Wildland Fire Management Policy."

> "The removal of large, merchantable trees from forests does not reduce fire risk and may, in fact, increase such risk. Fire ecologists note that large trees are "insurance for the future – they are critical to ecosystem resilience."

Response: This quote specifically refers to the harvest of large green trees to reduce fire risk. This EIS does not propose any harvesting of large green trees. Salvage is proposed to recover some economic

value of fire-killed trees while meeting LSR and watershed objectives and not to reduce fire risk.

Comment: Similarly, the Flounce Around EA (an adjacent 500 acres of matrix timber sale in the Butte Falls RA) acknowledges that: "Many of these road were previously closed or had little traffic but were opened up during the suppression effort of the Timbered Rock wildfire in the adjacent Elk Creek watershed in the summer of 2002. As a result, many of these high gradient access roads have not been re-blocked and winter traffic has destroyed many of the designated road drainage (i.e. water bars, water dips and culverts). This has caused damage to the road surfaces creating road related erosion (rill, gullies) and subsequent sedimentation of the nearby stream channel."

Response: Fire suppression rehabilitation included reblocking most roads opened during the fire suppression activities. Some roads were left open to provide access for emergency stabilization activities or to provide private landowners access to their land. The EIS proposes additional road maintenance, closures, or decommissioning on many of the BLM roads used during the fire suppression activities within the Elk Creek Watershed. Road projects for roads accessing the fire from the Lost Creek side were addressed in the Flounce Around EA.

Comment: The EIS statement that there are no granitic or sedimentary soils within the planning area is inaccurate. There are no granitic soils but there are sedimentary.

Response: All rock types within the Timbered Rock project area are igneous (volcanic) in origin. One of these rock types (Tu-Tertiary Undifferentiated) does contain igneous rocks that could also be considered sedimentary; however, USDA NRCS (formerly the Soil Conservation Service) recently rated soils derived from these rocks as having a low to moderate erosion potential.

6.3 Coordination with Other Agencies and American Indian Tribes

A scoping letter was sent to the following American Indian Tribes: Affiliated Tribes of Northwest Indians; Cow Creek Band of Umpqua Tribe; Columbia River Intertribal Fish Commission; Oregon Commission of Indian Services; Confederated Tribes of the Grande Ronde; Confederated Tribes of the Siletz; Coquille Indian Tribe; Klamath Tribe; Burns Paiute Tribe; Confederated Tribes, Warm Springs Reservation; and Confederated Tribes, Umatilla Indian Reservation. The Confederated Tribes of the Siletz, the Cow Creek Band of Umpqua Tribe, and the Confederated Tribes of the Grande Ronde requested, and were sent, copies of the DEIS and FEIS.

Approximately 2,647 acres of the Rogue River National Forest (RRNF) and 84 acres of the Umpqua National Forest (UNF) were affected by the Timbered Rock Fire. The BLM invited both National Forests to participate in the preparation of the Timbered Rock Fire EIS. The UNF declined to participate as a formal cooperating agency, although a liaison was appointed to work with the EIS Team throughout the EIS process. The RRNF determined only 12-15 acres were potentially available for salvage. This was not considered sufficient acreage for inclusion in the EIS.

The US Army Corps of Engineers (USACE) manages approximately 610 acres affected by the Timbered Rock Fire. The BLM invited the USACE to participate as a cooperating agency in the development of this EIS. The USACE declined to participate.

The Oregon State Historic Preservation Office (SHPO) was informed of this project and received copies of the Draft and Final EIS. Cultural resource surveys were completed following compliance procedures for cultural resource surveys set forth by Section 106 of the National Historic Preservation Act. Specific guidelines outlined by Oregon SHPO were followed. No new sites were located and no further consultation was necessary

6.4 Endangered Species Act, Section 7 Consultation

Consultation with the US Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration–Fisheries (NOAA Fisheries) for Threatened and Endangered (T&E) species is required under Section 7(a)(2) of the Endangered Species Act (ESA) .

Federal agencies must consult with the USFWS and/or NOAA Fisheries to ensure proposed activities will not jeopardize the continued existence of listed species or adversely modify designated critical habitat. Only two species occurring within the project area require consultation.

6.4.1 Coho Salmon (*Oncorhynchus kisutch*)

The Bureau of Land Management Medford District initiated consultation for the Timbered Rock Fire Salvage project with NOAA Fisheries on July 17, 2003. Consultation was sought for the Southern Oregon/Northern California (SONC) coho salmon. NOAA Fisheries listed the SONC coho salmon as threatened under the ESA on May 6, 1997 and designated critical habitat on May 5, 1999. On August 29, 2003, NOAA Fisheries concurred with the BLM's determination that the proposed project is "May Affect, Not Likely to Adversely Affect (NLAA)" for SONC coho salmon. Additionally, NOAA Fisheries was consulted under the Magnuson-Stevens Fishery Conservation and Management Act regarding actions in the proposed project that may adversely affect essential fish habitat (EFH). NOAA Fisheries determined that "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" (NOAA Fisheries Letter of Concurrence August 29, 2003).

6.4.2 Northern Spotted Owl *(Strix occidentalis caurina),* Other Listed Wildlife Species, and Listed Botany Species

Section 7 consultation with the USFWS for wildlife and botany T&E species was requested in a programmatic Biological Assessment prepared by the Medford District BLM, Rogue River National Forest, and Siskiyou National Forest. The consultation was for proposed federal projects in southwest Oregon for fiscal years 2004-2008. The USFWS issued a Biological Opinion (BO) (log# 1-14-03-F-511) on October 20, 2003. The full text of the BO is available on the internet at http://www.or.blm.gov/Medford/planning/planning_docs.htm.

The only wildlife species found within the Timbered Rock project area requiring consultation with USFWS is the northern spotted owl (*Strix occidentalis caurina*). Excerpts from the BO relating to the Timbered Rock project were included in the FEIS Appendix N. The biological opinion for this EIS resulted in a "May Affect, Likely to Adversely Affect (LAA)" determination.

No other wildlife or botanical T&E species are located within the project area.

7.0 Implementation Process

Projects will be implemented as described in Section 1.2. Some projects will be implemented directly from this Record of Decision while others will require additional NEPA documentation and/or notification (see Tables 1, 2, and 3).

Economic recovery of fire-killed trees (salvage) will be implemented through timber sales. NEPA compliance was completed through this EIS. Timber sales can be protested when they are advertised for sale.

Many restoration projects will be implemented over the next 10 years, subject to availability of funding and personnel. The decision to go forward with these projects will be documented in a Decision Record, published in local newspapers, and mailed to interested individuals, businesses, agencies, and organizations on the Butte Falls Resource Area and ROD mailing lists. These decisions can be protested at that time.

8.0 Protest Procedures

Organizations or persons have the right to protest this ROD to the Authorized Officer of the Medford District Office. In order for your protest to be considered, it must be in accordance with the regulations contained in 43 CFR Subpart 5003. If a protest is taken, it must be filed in this office by close of business (4:30 p.m.) within 15 days of publication of the Notice of the Record of Decision in the local newspapers. Protests must be received on or before the filing deadline. The BLM may accept only written and signed hard copies of protests that are delivered to the physical address of the advertising BLM office. Postmark does not qualify as meeting the deadline. Electronic mail or facsimile protests will not be considered valid.

Address:

Medford District Office
Bureau of Land Management
3040 Biddle Road
Medford, OR 97504

9.0 Contact Persons

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