

Chapter 1

Purpose and Need

1.0 Introduction

The Kelsey Whisky Landscape Plan and Resource Management Plan Amendment and Final Environmental Impact Statement (FEIS) presents an array of proposals that would implement management direction from the Medford District Resource Management Plan (RMP), amend management direction in the RMP through designation of an Area of Critical Environmental Concern in two alternatives and close roads in three alternatives. This FEIS assess the impacts of the proposals in relation to relevant key issues. The purposes and needs for developing this FEIS are described in this chapter under the framework of issues.

Decisions Proposed in the EIS

The selected alternative, if 2 or 4, would amend the RMP management guidelines for a specific portion of General Forest Management Area by eliminating scheduled timber harvest, commercial thinning, road building, fuels treatments, and modifying fire response actions. Road closures in alternatives 1, 2, and 4 would require an RMP amendment to the transportation plan. Under all alternatives, multiple decisions would be made concerning implementation of specific RMP management actions over a period of years. Some actions, if selected, may be ready for implementation immediately following the publication of the Final EIS, including low impact actions such as paving some existing roads. Other actions may require more pre-disturbance surveys or consultation with other agencies or other parties before implementation could occur. The latter may be the case with prescribed fire and timber sales. The most important decision areas include:

- Amendment to Land Use Plan (ACEC)
- Fuels management areas and treatments
- Timber harvest
- Forest health projects and treatments
- Wildlife habitat enhancement projects
- Transportation system activities

Background

The actions are proposed to occur within the Wild Rogue Watershed, a 5th field watershed, with the Wild Rogue Wilderness to the west, the Rogue Wild and Scenic River Corridor through the center, designated critical habitat for northern spotted owls and marbled murrelets, Late-Successional Reserve, and two connectivity/diversity blocks. Management plans and policies currently exist for these areas to ensure protection of their values. However, to give consideration to the proximity of these significant areas to the proposed actions, impacts will be assessed in the following environmental impact statement.

The FEIS area is located about 23 miles northwest of Grants Pass, Oregon (Map 1). It lies within the Wild Rogue Watershed, for which existing conditions and ecological functions were analyzed in the Wild Rogue North Watershed Analysis (1999) and the Wild Rogue South Watershed Analysis (2000). Most of the watershed is managed by the Bureau of Land Management (BLM). The public lands within the FEIS area are designated as Oregon and California (O&C) lands.

1.1 Purpose and Need

For planning purposes, an “issue” was defined as a matter of controversy, dispute, or general concern over resource management activities, the environment, or land uses. The issues incorporate some aspects of land management direction defined by the Medford District Resource Management Plan. These issues help to define the need for the actions proposed, and provide a focus for assessing impacts and a basis for resulting decisions. The four primary issues described below were identified through public scoping and internal

evaluation, and further supported by the Wild Rogue Watershed Analyses (BLM 1999; BLM 2000). Additional issues are addressed to provide further context for the resulting decisions.

The Bureau of Land Management (BLM) is mandated to balance production of timber with numerous management concerns. The Oregon and California (O&C) Act of August 28, 1937 (O&C Act) requires the Secretary of the Interior to manage O&C lands for permanent forest production in accordance with sustained-yield principles. Further, the Act requires that management of O&C lands protect watersheds, regulate stream flow, provide for recreational facilities, and contribute to the economic stability of local communities and industries. FLPMA directs the BLM to manage public land on the basis of multiple use and “in the manner that would protect the quality of scientific, scenic, historic, ecological, environmental, air and atmospheric, water resource, and archeological values.”

1.1.1 Issue 1: Fire and Fuels

There is a growing need for RMP implementation management actions to reduce fuel hazard in the planning area to avoid large losses of valuable resources. The planning area has many high value resources, including late-successional forest providing habitat for late successional affiliated species, connectivity/diversity blocks, habitat for federally listed threatened or endangered species, riparian reserves, commercial timber lands and recreation areas.

Fire plays an important role in many forested ecosystems, including those within the planning area. This FEIS includes proposals for beginning to reduce the hazardous fuels. It also includes prescribed underburn proposals to begin to reintroduce fire into the ecological processes.

The need to prioritize fuels treatments is particularly emphasized by the 2002 fire season in Oregon involving over 800,000 acres. The drought, along with the dense growth, contributed to making 2002 Oregon’s worst fire season in a hundred years. Although the Wild Rogue Watershed was untouched by the massive Biscuit fire, the edge of the fire came close to the southern border of the watershed.

Accumulation of fuels and resulting risk of intense fires was also identified in the Wild Rogue North Watershed Analysis and through several comments received from the public. It is a complex issue, involving several factors. Hazardous forest fuels in the form of dense stands of conifers and hardwoods occur in portions of the planning area, creating heavy fuel loadings and ladder fuels which have the potential for carrying fire into the canopy. Large areas with little or no road access, along with the very steep, rugged terrain, limit fire suppression in portions of the planning area. Some primary roads expose areas to greater risk of fire. In an effort to reduce the level of fire risk associated with existing primary roads throughout the planning area and in an effort to limit the potential for large fire growth within sub watersheds, a strategy of treating high hazard fuels along primary road systems and along major ridgelines will be utilized.

In 1995 a federal fire policy (USDA and USDI 1995) was issued directing federal land managers to expand the use of prescribed fire to reduce the risk of large wildfires due to unnatural high fuel loadings and to restore and maintain healthy ecosystems. The use of prescribed fire is a management tool that would assist in meeting the objectives of conserving, protecting and restoring values identified throughout the planning area.

A Record of Decision (ROD) will identify which of these fuels treatments would be implemented, where they would occur, the means by which the fuels would be treated and the time lines involved for implementation.

1.1.2 Issue 2: Timber Management

In order to meet annual forest management requirements, the Glendale Resource Area needs to develop and implement plans for harvesting trees, restoring sites, conducting forest health treatments, and reducing fire hazards.

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 Whisky Landscape Planning Area includes. One of the purposes of this FEIS is to examine site-specific consequences of specific timber harvest proposals in this area. Specific proposals for commercial timber harvest from GFMA lands are included in all of the action alternatives, to varying degrees. The areas and intensities of harvest vary among the alternatives to address different objectives. All alternatives are consistent with RMP guidance. The No Action Alternative addresses the option of postponing timber harvest, but even under this alternative, it is assumed that timber harvest would occur on these GFMA lands in the future, since that decision was made in the RMP.

Commercial timber harvest is a major objective for GFMA lands and is an integral component of the Northwest Forest Plan. In this planning area, proposals for timber harvest are greatly affected by protection measures for late-successional species and habitat. The scarcity of roads in some areas also have an impact on how the land may be managed for timber. The values some people place on large, undeveloped tracts of land could have a major impact on timber management practices in this planning area. Protection of Visual Resource Management (VRM) resources around the Wild and Scenic Rogue River might, also, affect timber management practices.

A ROD will identify where and how timber might be harvested over the next several years. It will also identify whether fuels treatments and treatments to promote late-successional habitat will be implemented, which could lead to a commercial timber product, including biomass for potential energy generation.

1.1.3 Issue 3: Late-successional Habitat

There is a potential need to maintain late successional forest outside Late Successional Reserve in the watershed to aid in the short term viability of affiliated species and connectivity between Late Successional Reserves. Based on the condition found in the Grave Creek watershed, the need is to maintain a high enough level of suitable dispersal habitat in the northeast region of the Wild Rogue watershed to contribute fully to connectivity needs to the adjacent watershed (USDI 1999b, p.80).

Late-successional habitat is defined here as late-successional forest that provides habitat to late-successionally affiliated species. The forest seral stages of mature and old-growth age-classes comprise late-successional habitat.

Late-successional habitat has been a topic in virtually all land management activities since the development of the Northwest Forest Plan (NFP). The NFP provided a network of Late-successional Reserves (LSR) to “maintain late successional and old growth species habitat on ecosystems on federal lands” (USDA and USDI 1994, pg B-1), providing the necessary habitat for the long term viability of affiliated species. In addition, “forests in the matrix function as connectivity between LSRs and provide habitat for a variety of organisms associated with both late-successional and younger forests” (USDA and USDI 1994, pg B-1,2). Since late successional reserves will take several years to develop all of the characteristics of late-successional habitat, activities in the matrix may result in short term (10-20 years) impacts to late-successional habitat and affiliated species.

The Wild Rogue North Watershed Analysis has identified connectivity between the Fish Hook/Galice LSR and others in southwest Oregon as a concern because of past timber harvest in matrix lands. “Once species depart this watershed to the east, they encounter the Grave Creek watershed. In the Grave Creek watershed, east-west connectivity is difficult because of timber harvest on private and federal land;” and “connections to the north are also checkerboarded and include some heavily harvested private ownerships” (USDI 1999a, pg 80). Currently the areas of connectivity within the Wild Rogue watershed appear to be functioning well, but proposed treatments may alter this.

Commercial timber harvest of late successional forest can remove or degrade habitat for those species present or affiliated with that habitat. Some treatments, such as commercial density management often benefit late-successional habitat and create merchantable timber volume as

a by-product. Road construction, underburning and other management activities have the potential for adversely affecting late-successional habitat and the plants and animals which are affiliated with older forests. Protection measures for survey and manage species often create difficulties in managing for timber, roads, fuels and other resources.

A ROD will identify whether an ACEC will be designated, and the size. One of the most important purposes of designating an ACEC is to maintain this area in a late-successional condition, thereby contributing to east-west connectivity.

1.1.4 Issue 4: Roads/Transportation System

To support access for fire response and timber harvest/silvicultural treatments, and to improve the quality of the environment, the BLM needs to maintain or improve existing roads and consider construction of new roads or closing roads.

Portions of the watershed have high road densities and others have none (Map 2). Portions of the road system were constructed for timber harvest or primary access and are no longer needed. Others need to be upgraded or repaired. Water dips properly installed can help minimize road damage from erosion that results from rain and overland water flow. New roads are needed for timber harvest and have the potential to lead to further development of the area. Many existing roads were constructed decades ago and require increased levels of maintenance, while budgets are declining. Some roads have assigned third parties with pre-existing rights (see Table 3-6). Presence or absence of roads can have effects on wildlife, soil erosion, and access for administrative or recreational purposes, and for fire fighting access (cf. Section 3.10).

Some of the public stressed the importance of maintaining areas without roads or other developments to support recreation, wildlife and aesthetic values. The FEIS area includes the Zane Grey area, once examined for potential wilderness designation and which continues to be of public interest. The BLM removed this area from further study as wilderness but many of the public still advocate wilderness designation. Regardless of the lack of a wilderness designation, during the scoping process some people commented that the area deserved to be maintained without any road construction.

The ROD will identify which roads, if any, would be constructed, decommissioned, gated or improved. A ROD will also identify whether an ACEC would be designated, which would further affect road development.

1.1.5 Other Issues

Forest Health

Thinning forest stands is needed within Late Successional Reserve lands, where stewardship and forest health are a primary focus, to reduce risk of catastrophic stand replacing wildfire, promote retention, and enhance late-successional forest habitat characteristics. The purpose of the actions related to thinning includes increasing the diameter growth of residual trees to promote development of larger diameter trees, snags and coarse woody debris, reducing competitive stress to larger diameter trees, and reducing ladder fuels.

Land Use Allocation

The Medford District Resource Management Plan (RMP) identifies the need to protect important values, preserving native species composition and ecological process of biological communities, and developing site-specific management plans for special areas as needed (USDI 1995, pg 56). Since the completion of the RMP, a potential plant group has been found to fill a heretofore unfilled plant cell in the Oregon Natural Heritage Plan. The area representing a sample native plant community consists of 91 acres surrounded by steep terrain within the East Fork Whiskey Creek subwatershed.

A ROD will identify whether an Area of Critical Environmental Concern (ACEC) would be designated, and whether a research natural area will be established.

Water Source

There are a few water sources in the planning area which provide a unique habitat type. These are relatively rare due to the steep terrain, which makes them all the more valuable as a scarce resource. Some of these sites no longer hold water or are only filled during a short time of the year. There is a need to improve the water-holding capacity of these ponds to make them more effective in providing wetland habitat. Proposals for enhancing the habitat features at these sites are included in all the action alternatives.

Zane Grey Area

During both project scoping and in comments on the Draft EIS, the public provided numerous comments that supported the protection of an area that the public commonly refer to as the Zane Grey Roadless Area. The comments were varied in that they supported or requested the designation of wilderness area within the National Wilderness Preservation System for approximately 46,646 acres, supported or requested formal designation as a National Roadless Area, and/or requested that no logging or road building occur in any of this area pending future legislative protection.

This support for additional protection to this large tract of land has a long history and was examined in greater detail in 1980. At that time, taking into account the requirements of the O&C Act, approximately 18,000 acres were inventoried for wilderness values by the Bureau of Land Management under the requirements for a statewide wilderness inventory specified in section 603 of the Federal Lands Policy and Management Act. There were several considerations in choosing the area to be inventoried. The O&C Act identifies lands to be used for permanent timber production. After completion of the inventory the Zane Grey unit (11-16) was found to lack sufficient wilderness characteristics and was removed from further study. The Oregon Wilderness Coalition filed a protest of this decision in 1980 and an appeal in 1981. The Interior Board of Land Appeals (IBLA) denied the appeal February 2, 1983 (IBLA 81-626).

To propose and then analyze the impacts of designating a wilderness area is of a much larger and far reaching scope than the relatively minor RMP amendments considered in the EIS to designate an ACEC.

In Title II of FLPMA (section 201), the BLM has the mandate to propose and maintain inventories of public land resources (including wilderness). This does not, however, require BLM to automatically reinventory all roadless areas that had not been previously designated as a Wilderness Study Area (WSA). In section 202, the BLM has the discretion and authority to conduct new wilderness studies and submit recommendations to the Secretary of Interior. In this planning effort, wilderness inventories of previously inventoried land were not conducted in conformance with Bureau guidance.

The Oregon Wilderness Coalition has prepared a proposal for new wilderness in Oregon. This would include 46,646 acres identified as the Zane Grey portion of the Wild Rogue Wilderness. As of this date, no such wilderness bill has been introduced to Congress.

Nothing has occurred which might alter the rationale that was used in identifying the area's wilderness potential in 1980. There has, however, been the addition of Late Successional Reserves which limits many types of activities, including scheduled timber harvest, permanent road construction, etc. The guidance for BLM that is currently in place for this area is to manage as Late Successional Reserve under the Northwest Forest Plan, manage riparian reserves, connectivity blocks, owl activity centers, and to manage for permanent timber production (O&C Act).

Any initiation of Wilderness study is identified as beyond the scope of this EIS and will be deferred.

1.2 Proposed Action and Alternatives

This FEIS is specific to Public Land management (Map 2) and will address activities on private and other non-federal lands within and near the planning area only insofar as they relate to cumulative impacts. Three action and the no-action alternatives were analyzed in detail. Each of the three action alternatives emphasizes a variety of concerns and issues identified through internal and external scoping and project development. The legal requirements and directives governing the planning process were considered in determining the range of management alternatives. Implementation of any one of the action alternatives could occur over several years.

The action alternatives are presented with Project Design Features (PDF) for a range of management treatments. The actions proposed include timber harvest, road decommissioning, road construction, fuels treatments, forest health treatments, wildlife habitat enhancement projects, and a proposal to amend the Medford District Resource Management Plan to include designation of a new Area of Critical Environmental Concern (ACEC) or a Research Natural Area (RNA). Direct, indirect and cumulative effects are described relative to issue and alternative.

A Record of Decision (ROD) will:

- 1) identify whether fuels treatments would be implemented, where they would occur, the means by which the fuels would be treated and the time frame for implementation,
- 2) address whether to designate an Area of Critical Environmental Concern, how large, and any associated management direction,
- 3) address whether to modify timber sale proposals or fuels treatments to reduce impacts to late-successional habitat and species,
- 4) identify where and how timber would be harvested in the planning area over the next several years,
- 5) identify whether fuels treatments and treatments to promote late-successional habitat would be implemented.

1.3 Management Common to all Alternatives

There were several other important issues raised during scoping which are of concern to the public, but which have been addressed in the Medford District's RMP, or are governed by existing laws and regulations. Because management of these issues has already been determined, management alternatives for those issues are not presented in depth in this EIS. These issues are discussed in further detail in the "Management Common to All Alternatives" section in Chapter 2.

- Management of Noxious Weeds
- Management of the Wild Rogue Wilderness Area
- Management of Fire Suppression Activities
- Management of Prescribed Fire
- Management of Archeological Sites
- Management of Special Use Activities
- Management of Riparian Areas consistent with the Aquatic Conservation Strategy
- Management of Fish and Wildlife (including hunting and fishing) by the State of Oregon
- Management of the Rogue Wild and Scenic River Corridor
- Management of Acquired Lands

1.4 Planning

Public Scoping

An interdisciplinary planning team was formed in the Summer of 1999 to begin an inclusive planning process designed to develop management proposals for the project area. The public scoping period began with publication of the Notice of Intent to produce an EIS, Federal Register Volume 64, No.108, Pg.30353, June 7, 1999. Two information mailings and three public meetings were held to help identify significant issues. A complete outline of the scoping process may be found in Chapter 5.

Draft Environmental Impact Statement (DEIS)

The DEIS was made available to the public for a 90 day comment period beginning April 12, 2002 and ending July 12, 2002. The EPA Federal Register Notice of Availability appeared in Volume 67, Number 71, page 17993-17994, April 12, 2002. An errata sheet was mailed to the public on April 18, 2002. Comments were received during the 90 day comment period (144 letters and e-mails). Those comments were used in revising the EIS text, and were compiled (available at www.or.blm.gov/Medford under planning documents) and responses developed (see Appendix 15). Comments were consolidated and responses were made to the consolidated comment.

Final Environmental Impact Statement (FEIS)

Availability of this Final EIS is to be announced in the Federal Register and in local media. Publication of the Notice of Availability will open the 30 day protest/ and comment period for the public.

Planning Criteria

Planning criteria ensure that plans are tailored to identified issues and ensure that unnecessary data collection and analysis are avoided. The criteria are the standards, rules and measures used for data collection and alternative formulation to guide the final decisions. They are based on applicable law and regulations, BLM manual sections, policy directives, public comments, and coordination with other Federal, state and local governments, and Native American Indian tribes.

Criteria used in developing the Kelsey Whiskey EIS:

- The EIS would be completed in compliance with FLPMA and all other applicable laws, regulations, and Bureau of Land Management policies.
- The Kelsey Whiskey EIS Interdisciplinary Team would work cooperatively with the State of Oregon, tribal governments, county and municipal governments, other Federal agencies, and all others interested groups, agencies and individuals.
- The planning process would include an Environmental Impact Statement that would comply with National Environmental Policy Act standards.
- The EIS would emphasize ecological and science-based management of the resources within the EIS area. It would also identify opportunities and priorities for research and monitoring related to key resource values.
- The EIS would recognize valid existing rights within the planning area.
- The EIS would address transportation and access, and would identify where better access is warranted, where access should remain as is, and where decreased access is appropriate to protect and manage resources.

- The EIS would identify plant communities and address their health and possible restoration.

1.4.1 Oregon and California (O&C) Act of August 28, 1937

The alternatives presented in this FEIS have been formulated in compliance with the O&C Act, which requires the Secretary of the Interior to manage O&C lands for permanent forest production, and in accordance with sustained-yield principles. Further, the Act requires that management of O&C lands protect watersheds, regulate stream flow, provide for recreational facilities, and contribute to the economic stability of local communities and industries. Lands administered under the O&C Act must also be managed in accordance with other environmental laws such as the Endangered Species Act and the Clean Water Act.

1.4.2 Federal Land Policy and Management and National Environmental Policy Acts

This FEIS has been prepared in compliance with the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 et seq) and the Federal Land Policy and Management Act (FLPMA) of 1976, as amended, section 202 (C). As required by FLPMA and NEPA, the BLM has used an interdisciplinary approach and has provided, and will continue to provide, opportunities for public involvement and interagency coordination. In addition FLPMA requires land use plans to:

- Consider multiple uses of resources with a sustained yield objective.
- Give priority to the designation and protection of Areas of Critical Environmental Concern.
- Consider the present and potential uses of public lands
- Consider scarcity of values involved
- Rely on public land inventories
- Comply with pollution-control laws

1.4.3 Endangered Species Act of 1973

Consultation with the US Fish and Wildlife Service was conducted under Section 7, of the Endangered Species Act of 1973. Two programmatic consultations provided terms and conditions.

- USDI and USDA. 2001. Rogue River/South Coast FY 01/02/03 Timber Sale Projects for Medford District, BLM, and Rogue River and Siskiyou National Forests, Biological Assessment 18 July, 2001, and Biological Opinion 12 October, 2001. Portland, OR.
- USDI and USDA. 1996. Rogue River/South Coast biological assessment for FY97/98 timber sale projects, and FY97-05 for all other projects. Grants Pass, OR.

A letter of concurrence from NOAA Fisheries and the Biological Assessment is included as Appendix 16 and addresses impacts to Southern Oregon/Northern California coho salmon.

1.4.4 Archaeological and Historic Acts

All archaeological resources are protected and preserved by the Bureau of Land Management under the following federal laws: The Federal Land Policy and Management Act of 1976, National Historic Preservation Act of 1966, Antiquities Act of 1906 and the Archaeological Resources Protection Act of 1979, the Reservoir Salvage Act of 1960, the American Indian Religious Freedom Act of 1978, the National Environmental Policy Act of 1969, and the Native American Graves Protection and Repatriation Act of 1990 (NAGRPA). NAGRPA protects Native American burial sites and human remains, sacred objects of cultural patrimony on federal and tribal lands.

A landscape type survey was completed in the Kelsey/Whisky area in summer of 2000 which served to further the BLM's knowledge of archaeological sites in this area. This serves to expand the understanding of the environmental and cultural aspects of the Wild Rogue Watershed.

1.5 Relationship of the Final EIS to BLM Policies, Programs, and Other Plans

The guidelines outlined in BLM NEPA Handbook, H-1790-1, provided the framework for this FEIS. The alternatives were developed with reference to, and in compliance with, the forest management standards and guidelines of the Medford District Resource Management Plan (RMP), 1995. Many impacts associated with managing BLM lands were previously analyzed in the RMP/EIS. This FEIS tiers to that analysis, and provides more site specific analysis as needed. More detailed references to specific tiering will be made under individual sections of the FEIS.

The RMP, FLPMA, NEPA, and other mandates provide the direction for the preparation of this Landscape Management Plan. Within this guidance, many decisions still remain about how best to maintain, protect, restore or enhance relevant and important values within the planning area and address major issues surrounding management.

This FEIS is tiered to the Medford District Resource Management Plan (RMP). Two of the alternatives would require an RMP amendment to fully approve and implement. If changes in land use allocations or management direction occurs as a result of this EIS, this analysis and decision making process would meet requirements of the Bureau's regulation for RMP amendments found in 43 Code of Federal Regulations 1610.5-5. Since the authority to approve RMP amendments cannot be re-delegated to the field or district manager levels, any proposed changes in the RMP must be elevated to the OR/WA State Office for review and approval by the State Director.

This FEIS is tiered to the U.S. Department of the Interior, Bureau of Land Management, Western Oregon Districts Transportation Management Plan, 1996, updated 2001.

In 1998, BLM Medford District completed a decision record (DR) for its Integrated Weed Management Plan (EA OR-110-98-14) which was tiered to the Northwest Area Noxious Weed Control Program EIS (March 1987). The Kelsey Whisky EIS is tiered to both and decisions made in the Decision Record for EA OR110-98-14 are not readdressed in this document.

This FEIS is tiered to BLM's 1989 Western Oregon - Management of Competing Vegetation EIS for analysis of impacts of vegetation management activities on human health, and all other impacts from the use of herbicides, in management programs other than noxious weed control. The decisions made in that ROD are not readdressed in this document.

