



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
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MEDFORD, OREGON 97504

## *ROGUE NATIONAL WILD AND SCENIC RIVER HELLGATE RECREATION SECTION HAZARDOUS FUEL REDUCTION PROJECT*

### **DECISION RECORD / RATIONALE**

#### **I. INTRODUCTION**

This Hazardous Fuel Reduction Project is prepared under the auspices of the President's Healthy Forests Initiative, the National Fire Plan, the Medford District Resource Management Plan, and the Northwest Forest Plan. This project was selected as one of the initial ten national pilot streamlined Environmental Assessment (EA) projects. As such, the NEPA documentation (environmental assessment and Finding of no Significant Impact (FONSI)) have been prepared based on specific Council on Environmental Quality (CEQ) guidance and review.

The EA for this project outlines the two step planning strategy for the project. The EA and this Decision Record constitute the first step by addressing issues that are common to the Hellgate Recreation Section and establishing sideboards that will be used in subsequent neighborhood level plans. These sideboards are consistent with the management guidelines and direction of the Northwest Forest Plan and the Medford District Resource Management Plan. The project is also designed to be consistent with the recently completed Hellgate Section Recreation Activity Management Plan.

As noted in the EA, the second step in the planning process is the preparation of "neighborhood plans". These plans will be prepared collaboratively with the neighbors / private land owners who are interested in jointly pursuing fuel hazard reduction work within the particular neighborhood. As noted above, neighborhood plans will be consistent with the decisions documented in this Decision Record. Each of these plans will receive additional NEPA analysis and documentation (e.g., DNA, categorical exclusion or EA) tiered to the analysis that underlies the current decision as judged appropriate for the particular neighborhood plan proposals.

#### **II. DECISION**

It is my decision to implement Alternative 3, the proposed action, as described in the Hellgate Fuel Hazard Reduction Project Environmental Assessment with the exception of what was proposed regarding the use of the slashbuster machine. Vegetation / fuels treatments using the slashbuster will be limited to the seldom seen areas in the Applegate Reach; it will not be used in

the Dunn Reach.

All of the Project Design Features described in EA Appendix B will be implemented as applicable.

As noted in the EA, fuel hazard reduction treatments will be based on the vegetative conditions and plant series found at each local site. These generalized prescriptions are found in Appendix C-1 of the EA. Site specific adaptations of these prescriptions will be made to insure that fuel hazard reduction treatments place a strong consideration on post treatment (short and long term) vegetation responses. This is to ensure that impacts and maintenance issues in the longer term are minimized. As pointed out in the EA, this means that treatments may not achieve, either in the short or long term, a fuel hazard condition class 1 or even an “ideal” fuel condition from a potential fire intensity / suppression perspective. Treatments will balance fuel reduction objectives with other resource management objectives.

In the design of the neighborhood plans, visual resource protection and protection of the river’s Outstandingly Remarkable Values will be the primary objective.

### **III. DECISION RATIONALE**

#### **A. Project Area Context**

##### **1) Alternative 1 (No Action)**

**Alternative 1 (No Action) is rejected** because it will not accomplish the goal of reducing the fuel hazard within the Hellgate Section of the Rogue Wild & Scenic River to any appreciable extent. Continued growth of the vegetation in the absence of the natural fire return frequency would mean a continued increase in fuel hazard. The potential for severe wildfire and substantial loss to property and resource values in the project area would continue to increase. The potential for loss of the outstandingly remarkable recreational and scenic values would also continue to increase. This alternative would not promote the goals of the National Fire Plan in the communities at risk within the project area.

##### **2) Alternative 2**

**Alternative 2 is rejected** because it would have only a small impact on reducing fuel hazard and improving forest stand vigor and health. While this small beneficial impact would be advantageous in its own right, I believe that more comprehensive vegetation / fuels treatment can be implemented with a greater consequent fuel hazard reduction without impacting or jeopardizing the river’s Outstandingly Remarkable Values.

##### **3) Alternative 3**

**Alternative 3, as modified, is accepted** because it is well balanced between maximizing the level of fuel hazard reduction and wildfire suppression safety (Alternative 4) and while still

maintaining the scenic quality and other outstandingly remarkable values of the river. Alternative 3 will insure a reduction in fuel hazard, the improvement of residual stand health and vigor, and maintenance of the scenic quality. It emphasizes residential / structural protection by treating most heavily in the home ignition and defense zones and restricting the treatments in the threat and general forest zones to understory vegetation and smaller diameter ladder fuels.

While of secondary consideration, this alternative will provide opportunities for forest products utilization. There is an ever increasing demand for a wide range of forest products for both personal and commercial use. Incorporating special forest product harvesting into the forest stand treatments will mesh local economic needs with forest stand treatment objectives. In some instances, special forest product contracting may be the best strategy to accomplish stand management goals. Many treatment areas may, for example, require more than one treatment (e.g., thinning and density reduction) in order to reach the management goals for healthy stands. Providing these opportunities will contribute to the local economy and provide jobs in the local community.

With the 0 - 12" diameter class thinning in the defense zone, the volume of biomass material that will need to be removed will be less, the consequent need for heavy equipment use will be lower, and the overall stand disturbance will be less as compared to Alternative 4.

Alternative 3 will best provide the latitude to design neighborhood plans to meet the overall project objectives and neighborhood specific objectives and preferences while ensuring consistent protection of the Wild & Scenic River's values throughout the project area.

As noted above, the project design features described in the EA Appendix B are to be treated as integral parts of the proposed action and are to be implemented. Implementing these PDFs will ensure that the adverse environmental impacts will be minimized and that resource objectives will be met while accomplishing the fuel hazard reduction and forest health objectives.

This alternative is modified to clarify the potential use of the slashbuster machine. Based on the comments received, its use appeared to be the most sensitive aspect of the proposal. Specifically clarifying its use at this time should help address this concern. The overall slashbuster use that would have ultimately emerged from the neighborhood plans in the Dunn Reach, once more site specific considerations of access, economics due to treatment unit size, and constraints to ensure the impacts in the CHU were incorporated would have been less than the initially estimated 1,257 acres. Using this tool in the seldom seen areas only will reduce potential impacts to the scenic quality. While of short duration (1-2 years), the freshly chipped vegetation would potentially stand out more than where areas are treated by hand. The slashbuster does provide a more cost effective method for vegetation / fuel reduction than the hand treatments. Therefore retaining it as a potential tool in limited portions of the project area will allow the BLM to accomplish work in a more cost effective manner. All of the PDFs in the EA Appendix B would be used to insure minimal site specific impacts to habitats, water quality, and soils.

#### **4) Alternative 4**

**Alternative 4 is rejected** because, even though this alternative would result in the greatest reduction in hazardous fuel conditions in the project area, I am concerned that the degree of vegetation change is too great at this time and that a more moderate approach would be advantageous. In addition to treating surface and ladder fuels, the goal of this alternative was to reduce canopy bulk density such that the potential for fire actively crowning and sustaining itself would be largely precluded on all but the most severe weather days. Reducing canopy bulk density to the proposed degree would, however, potentially result in too great a change to the current scenic quality. Thinning the large diameter trees, while beneficial to the vigor and health of the remaining trees / stand, could result in too great of a change in the scenic quality at this time. Some comments expressed strong opposition to the cutting of older trees (trees larger than 12”), regardless of the fuel hazard reduction benefits.

## **B. Plan Consistency**

Based on the information in the Rogue National Wild and Scenic River – Hellgate Recreation Section Hazardous Fuel Reduction Project’s Environmental Assessment, in the record, and from comments received to date from the public about the project, I conclude that the decisions documented in this Decision Record are consistent with the Medford District Resource Management Plan, the *Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*, the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, and the *Final EIS for the Rogue National Wild and Scenic River: Hellgate Recreation Area Management Plan*. They are also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations, and Executive Order 12898 regarding Environmental Justice. They will not, per Executive Order 13212, impact energy development, production, supply and/or distribution.

## **C. BLM’s Strategic Plan Context – Decision Rationale**

The decision will implement a range of activities that will promote a number of the goals of the BLM’s Strategic Plan for FY2000 - 2005:

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

The diameter thinning range of Alternative 3 will result in the cutting and thinning of trees that potentially have commercial value as small sawlogs, fuelwood or biomass. The decision will allow utilization of this material when cutting and removal is consistent with the primary objectives of fuel hazard reduction and protection of the Outstandingly Remarkable Values. Utilization could be through direct sales or stewardship (goods for services) options.

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

This project will reduce fuel hazard and, in turn, provide better protection of property and

resource values. It will allow fire suppression work to be accomplished more safely and effectively than is the case with no action. Fire behavior and suppression difficulties experienced during recent fires in southwest Oregon (e.g., the Biscuit Fire) clearly demonstrate local fuel hazard conditions and the need for proactive fuel hazard reduction work that will reduce threats to public health, safety and property.

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

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

This vegetation thinning / hazardous fuel reduction project will result in an overall reduction in fuel loadings. It will also reduce the level of vegetative competition which will contribute to more vigorous and healthy residual forest stands. It will also restore and reinvigorate a variety of habitats (e.g., oak woodlands and chaparral).

#### **D. National Fire Plan Context – Decision Rationale**

The National Fire Plan, a collection of various reports, (*i.e.*, Managing the Impacts of Wildfires on Communities and the Environment, Integrating Fire and Natural Resource Management – A Cohesive Strategy for Protecting People by Restoring Land Health), accompanying budget requests, Congressional direction, and resulting strategies, plans, projects, and other activities have set the stage and provided impetus for an increased application and management of prescribed fire and various other fuel treatments on federally managed lands. This is further reinforced by the 1995 Federal Wildland Fire Management Policy along with its accompanying 2001 review and update.

The project area encompasses portions of three designated “Communities at Risk” (under the National Fire Plan (Federal Register Vol. 66, No. 3). Consequently, special regional and national attention is placed on this area as a wildland/urban interface community within the vicinity of federal lands that are at high risk from wildfire.

Much of the project area has high risk fire regimes and is classified as fire condition classes two or three under the Department of the Interior’s “Cohesive Strategy.” The fire regimes in these condition classes have been moderately to significantly altered from their historical fire frequencies. To restore their historical fire regimes, these lands require some level of restoration through mechanical and prescribed fire treatments (Integrating Fire and Natural Resource Management – A Cohesive Strategy for Protecting People by Restoring Land Health, DOI, March 2001 Draft). The purpose of this project is to reduce the high wildfire potential on Federal lands and the wildfire threat to private property in the Hellgate Section of the Rogue Wild & Scenic River.

#### **IV. CONSULTATION AND COORDINATION**

Pursuant with the Endangered Species Act (ESA), consultation was completed with the US Fish and Wildlife Service (USFWS) regarding the potential impact of the project on the northern

spotted owl and Gentner's fritillary, the two ESA listed species in the project area that the BLM identified as being potentially impacted. The USFWS, in their May 28, 2003 Letter of Concurrence, agreed with the BLM's finding that the project "may effect, but is not likely to adversely affect" either the northern spotted owl or Gentner's fritillary. The USFWS noted that there is a high likelihood that the project "will, in time, have a positive effect by improving habitat conditions and reducing the risk of catastrophic wildfire in treated areas".

In accordance with the ESA and the Magnuson- Steven's Act (MSA), the BLM consulted with NOAA Fisheries regarding the potential impact of the project on the ESA listed coho and the essential fish habitat. NOAA – Fisheries, in their July 30, 2003 Letter of Concurrence, agreed with the BLM's determination that the proposed project is not likely to adversely affect the relevant species stating that "the proposed project is not reasonably certain to cause incidental take of OC coho salmon". They further state that "conservation measures that the BLM included as a part of the proposed action to address ESA concerns are also adequate to avoid, minimize, or otherwise offset potential and adverse effects to designated essential fish habitat" and that consultation under the MSA was concluded.

No adverse impacts to the sites of cultural or historical significance were identified during project planning. The State Historic Preservation Office (SHPO) was informed of the BLM's finding in accordance with 36 CFR 800.5(b). The fuel hazard reduction around the two National Historic Register Sites will reduce the potential for loss or damage to the sites due to wildfire but will not alter the historic nature of the sites. Project design features will insure that historic and prehistoric sites will be identified and protected as a part of the neighborhood plan preparation and implementation.

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

## **V. PUBLIC INVOLVEMENT**

Public notification and involvement for the Hellgate Fuel Hazard Reduction Project was initiated in early February 2003 with the mailing of a scoping notice to 470 individuals, guides and outfitters that operate on the river, organizations which had previously requested to be notified of such projects, Josephine County officials, Native American tribes, landowners of record (county tax rolls) for private land in the project area and scenic easement holders. A notice announcing the scoping period was also published in the Grants Pass Daily Courier.

Two scoping open houses were held in February 2003. One was held in Galice and one in Grants Pass. The purpose of these open houses was to present the planning framework, the key issues the BLM's interdisciplinary team had identified, and general concepts that would guide development of the plan. Extensive discussions with individuals interested in the projects were held throughout the planning process.

A formal public comment period for the EA was provided during August - September 2003. The

public was notified of this via a newspaper notice and letters to individuals, Tribes, organizations and government entities. As a part of the public comment period, an open house was held in Grants Pass on September 9, 2003. This provided an opportunity for the public to meet with the planning team, to ask questions and discuss the proposed action and alternatives. Four individuals from the public attended.

Comment letters regarding the EA were received from three individuals and four organizations. Commenters expressed general support for the project's goals although sometimes with reservations about some aspects of the proposed alternatives. Some commentors indicated a sense of desired urgency to move forward with implementation.

The primary issues raised included the following (a more extensive discussion of the comments is available upon request or can be viewed on the Medford District's website):

a. One commenter counseled great caution in the use of underburning due to the inherent risk of this tool and how it is often implemented. Hand treatments were preferred.

b. One letter raised questions about the absence of specific archeological survey information in the EA and wanted to insure that the many archeological sites in the river corridor were adequately protected during implementation. In response, I would point out that many surveys have been completed in the project area as a part of this project or earlier investigations. Additional surveys will be completed as needed during the course of neighborhood planning. It is not our practice to include information about such sites in the public record as it often leads to illegal damage and loss of the site. Excluding this type of information from the public record is permissible under the ARPA.

c. One letter pointed out apparent discrepancies in the acreages of potentially impacted northern spotted owl habitat stated in the EA vs. the Biological Assessment. We closely reviewed the information and discovered an error in the EA (p. 13). The post project northern spotted owl (NSO) habitat acreage is 415 acres of foraging habitat in the designated NSO Critical Habitat Unit (CHU), not dispersal habitat as stated. Thus while the project will treat vegetation / fuels in the CHU, it will not be in a manner that will result in a loss of the foraging functionality of the habitat in the CHU. This correction is discussed further in the September 24, 2003 Errata (attached).

d. One letter noted that the BA submitted to the USFWS indicated that there would not be any roads built while the proposed action and project design features indicated that some temporary spur roads might be constructed. We do not anticipate any new road construction as a part of this project. If neighborhood planning finds that temporary spur roads are needed, this will be discussed in the neighborhood plan level NEPA documents. At that time a determination will be made regarding the need to reinitiate consultation with NOAA – Fisheries or the USFWS regarding that action.

e. Three letters stated opposition to the use of the slashbuster machine to treat the vegetation / fuels. They expressed the view that the machine results in undesirable adverse impacts, that there is inadequate information about the environmental impacts of this method of

treatment, and that the potential impacts have not been adequately considered. The BLM is well aware of the relative newness of the slashbuster treatment method and has extensively considered the potential impacts. The EA includes a lengthy list of project design features directed at minimizing potential adverse impacts of the slashbuster. We have reviewed these project design features to insure that they are adequate based upon what is known about the slashbuster treatments themselves and other types of forest management activities that have similar impacts (e.g., the use of heavy equipment, vegetation removal by hand or by fire). We have also reviewed the areas identified in the EA (Map 5a and b) as potential slashbuster treatment areas. These areas were earlier delineated based on limitations such as slope and vegetation type (EA Appendix A, Table A2). As a result of this review and because of my desire to insure that the scenic quality is not adversely impacted, the slashbuster will be further limited as noted earlier in the DR. With these additional criteria included, 285 acres were identified as potential slashbuster treatment areas.

f. Three letters stated that inadequate attention had been placed on protecting special status species, evidenced by the fact that only a portion of the project area had been surveyed for these species. Since the EA was prepared, more surveys have been completed and will continue as a part of neighborhood planning to ensure proper protection as set forth by the project design features, the NWFP and RMP requirements, and recommendations of scientists knowledgeable of the different species.

g. One letter was concerned about the potential impact on what the commenter characterized as the uninventoried roadless area in the Dunn Reach. The BLM's RMP does not include the designation of roadless areas or direct specific management actions in areas that are without roads. Rather, it relies on land allocations with particular management objectives. The referenced area in the Dunn Reach is within a Late-Successional Reserve (LSR). The fuel hazard reduction project is consistent with the management objectives of the LSR. I would also point out that roads (e.g., the Galice to Grave Creek road and access roads to patented mining claims) and recreation sites do exist within this part of the Dunn Reach.

h. One letter expressed the view that insufficient attention was being paid to the vegetative response of the proposed treatments and that the long term result would be a higher fuel hazard than currently exists. The potential for this has been a consideration throughout the BLM's project planning and the vegetation / fuel treatment prescriptions have been crafted based on this concern. Neighborhood plans will employ a variety of strategies to address regrowth potential of the different vegetation types. For example, an approach suitable for some areas may be a moderate staged treatment strategy that retains certain levels of overstory canopy to reduce potential understory regrowth rates. How sprouting trees are cut / thinned is another treatment option for avoiding undesired post-treatment vegetation responses that would otherwise

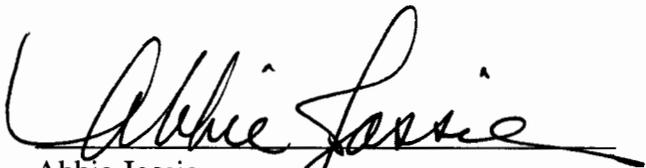
exacerbate fuel hazard levels in the long term. Neighborhood plan treatment prescriptions will speak to the potential for future maintenance treatment needs.

## VII. ADMINISTRATIVE REMEDIES

Administrative remedies may be available to persons who believe that they will be adversely affected by this decision. Persons wishing to seek administrative recourse must do so in accordance with BLM regulations and the procedures and requirements of 43 CFR § 5003 - Administrative Remedies and 43 CFR Subtitle A, Part 4, Subpart E, both as modified by the Federal Register Notice on June 5, 2003 (Vol. 68, No. 108).

This wildfire management decision is issued under 43 CFR Part 5003.1 and is effective immediately following the completion of the protest period or protest review and response period. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire. The BLM has determined that the hazardous fuel buildup in the project area and the consequent substantial risk of wildfire to the residential, business and river values in the project area call for expeditious implementation of this decision to facilitate the preparation of neighborhood plans and subsequent implementation of hazardous fuel reduction work (43 CFR § 5003.1(b)).

In accordance with the BLM Forest Management Regulations 43 CFR § 5003.2 (a & c), a Notice of Decision will be published in The Grants Pass Daily Courier. The publication date of this notice will initiate the 15-day protest period provided for under 43 CFR § 5003.3. If no protests are received, this decision will become effective upon the conclusion of the protest period. If a timely protest of the decision is received, this decision will become effective upon the BLM's completion of its review and response to the protest. Notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. The Interior Board of Land Appeals will, however, decide an appeal within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed (43 CFR § 4.416)

  
Abbie Jossie  
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Medford District, Bureau of Land Management

  
Date



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## ROGUE NATIONAL WILD & SCENIC RIVER HELLGATE RECREATION SECTION HAZARDOUS FUEL REDUCTION PROJECT

### ENVIRONMENTAL ASSESSMENT

#### ERRATA

9/23/03

#### 1. Page 13

The embedded Northern Spotted Owl Habitat table is corrected to read:

Changes in Northern Spotted Owl Habitat - Alternatives 2, 3, and 4						
Land Designation	Current Habitat Acres			Post-Project Habitat Acres		
	Suitable Nesting	Foraging	Dispersal	Suitable Nesting	Foraging	Dispersal
Within CHU Only	0	415	0	0	415	0
Within CHU & LSR	136	0	0	136	0	
Within CHU or LSR	0	0	1,215	0	0	1,215
Outside CHU & LSR	0	639	0	0	0	639

(Explanation of correction: The post-project habitat acreage within the CHU was incorrectly stated to be 415 acres of dispersal habitat and 0 acres of foraging habitat. The post-project habitat acreage is 415 acres of foraging habitat and 0 acres of dispersal.)

#### 2. Page 15

The paragraph regarding wildlife is clarified to read:

“This project would not result in any substantive additional adverse impacts to the overall function of the late-successional forest habitat within the watershed due to the relatively small changes that would occur in this habitat within the project area. Changes in habitats would occur from all projects in the watershed. None of the present project’s alternatives would have an additional adverse impact on overall species persistence or dispersal patterns in the watershed. A high level of vegetation and habitat diversity would continue. This project, with others in the watershed, would not adversely impact any listed species or cause any species to become listed. Changes within the designated NSO critical habitat would occur but are not expected to result in adverse modification to the critical habitat and the CHU would continue to function as intended.