

**Decision Record
for the
Klamath River Canyon Oak Thin
and Big Bend Fuels Reduction
EA # OR 014-06-02**

Introduction

The Bureau of Land Management Lakeview District, Klamath Falls Resource Area (BLM), has completed an environmental assessment (EA) that analyzed alternatives for proposed treatments in the Klamath River Canyon. The Klamath River Canyon Oak Thin and Big Bend Fuels Reduction Environmental Assessment (#OR-014-06-02) was developed by the Klamath Falls Resource Area Interdisciplinary Team based on the current conditions within the project area to meet the directions and objectives set forth in the Klamath Falls Resource Area Resource Management Plan (RMP). These treatments include: thinning approximately 210 acres of Oregon White Oak and California Black Oak by manual cutting, conducting a prescribed burn on approximately 900 acres, and reseeding approximately 275 acres of the burned area with native seeds.

The overall objectives of the proposed treatments are to: reduce oak density and allow the remaining trees to produce an increased overall mast (acorn) production to benefit wildlife, reduce fuel loads in the canyon, and reduce noxious weed populations in the prescribed burn area by reintroducing native seeds.

Decision

My decision is to implement the Proposed Action, including all “Project Design Features” described in the Klamath River Canyon Oak Thin and Big Bend Fuels Reduction EA. This alternative will consist of the thinning of oaks; followed by piling the cut oaks and burning the piles, conducting a prescribed burn and dispersing native seeds in the burned area.

Public Involvement

The Klamath River Canyon Oak Thinning project has been identified in the Klamath Falls Resource Area Planning Update since the Summer of 2004. The EA was made available for public review in July 2006. No comments were received during the 30-day comment period.

Consultation and Coordination

Pursuant to the Endangered Species Act (ESA), species protected under the ESA were evaluated for potential impacts from the proposed project. A “No Effect” Determination was made for all Listed, Proposed, and Candidate species from the proposed project.

Cultural Resource surveys were conducted as required by the Oregon BLM-SHPO protocol. All identified cultural resources will be avoided during project activities. The State Historic Preservation Office (SHPO) will be notified of the project in accordance with 36 CFR 805.5 (b).

Decision Rationale

The decision to implement the Proposed Alternative meets the purpose and need as identified in the Klamath River Canyon Oak Thin and Big Bend Fuels Reduction EA and furthers the implementation of the Klamath Falls RMP.

No public comments were received for the proposed action and I believe this EA provides a thorough site-specific analysis of the proposed project and the potential impacts to affected species and habitats.

Based on the information in the Klamath River Canyon Oak Thin and Big Bend Fuels Reduction EA, I conclude that none of the alternatives analyzed constitutes a significant impact affecting the quality of the human environment greater than those addressed in the Final Klamath Falls Resource Area Management Plan and Environmental Impact Statement (EIS), September 1994, and other analysis documents. The cumulative effect of this decision combined with other actions for vegetation treatments fall within the range of effects analyzed in the RMP EIS. As such, in conjunction with this decision, I have signed a Finding of No Significant Impact.

This decision is also consistent with the Endangered Species Act, the Native American Religious Freedom Act and cultural resource management laws and regulations. It is also consistent with Executive Order 12898 on Environmental Justice, and will not have any adverse impacts to energy development, production, supply and/or distribution per Executive Order 13212.

Administrative Remedies

Any party adversely affected by this decision may appeal within 30 days after receipt of the decision in accordance with the provisions of 43 CFR Parts 4.4. The notice of appeal must include a statement of reasons or file a separate statement of reasons within 30 days of filing the notice of appeal. The notice of appeal must state if a stay of the decision is being requested and must be filed with the Field Manager at:

Klamath Falls Resource Area
Bureau of Land Management
2795 Anderson Ave., Building 25
Klamath Falls, OR 97603.

A copy of the notice of appeal, statement of reasons, and other documents should be sent to:

Regional Solicitor - Pacific Northwest Region
U.S. Department of the Interior
Lloyd 500 Building, Suite 607
500 N.E. Multnomah Street
Portland, OR 97232.

If the statement of reasons is filed separately it must be sent to:

Department of the Interior Board of Land Appeals
Office of Hearings and Appeals
801 North Quincy Street, Suite 300
Arlington, VA 22203.

It is suggested that any notice of appeal be sent certified mail, return receipt requested.

Before deciding to file an appeal, I encourage you to contact me to determine if your concerns might be met in some way other than via an appeal, or to assist you in the appeal process if it is appropriate. Thank you for your continued interest in the multiple use management of your public lands. This notice constitutes the decision notification for purpose of protests under 43 CFR subpart 5003 B Administrative Remedies.

/s/ Heather Bernier, for
Barbara Machado, Acting Manager
Klamath Falls Resource Area

9/6/06
Date

FINDING OF NO SIGNIFICANT IMPACT (FONSI)
for the
Klamath River Oak Thin and Big Bend Fuels Reduction
Environmental Assessment #OR-014-06-02

The Bureau of Land Management (BLM), Lakeview District, Klamath Falls Resource Area (KFRA), has completed an Environmental Assessment (EA) and analyzed a proposal to conduct the Klamath River Oak Thin and Big Bend Fuels Reduction (prescribed fire treatments) on BLM lands within a portion of the Klamath River Canyon. The EA analyzed two alternatives, the Proposed Action Alternative and the No Action Alternative. Treatments included in the Proposed Action Alternative, described in detail in the EA, are summarized as follows:

Oak Thin

The proposed oak thinning would occur on approximately 200 acres. The stands proposed for treatment are very dense stands of Oregon white oak with a lesser component of California black oak. These stands would be thinned using chainsaws. The cut material would be lopped and then piled in preparation to be burned at a later date. The remaining oaks would be spaced at a variable width of 15-20 feet between leave trees. The majority of the oaks range between one inch and eight inch diameter at breast height (DBH). Those trees greater than 12 inch DBH would be reserved from cutting. The piles would be covered and burned in the late fall or winter after the piles had cured.

Prescribed Fire

The proposed prescribed burn would occur on approximately 890 acres within the Klamath River Canyon. No mechanical pretreatment of the burn unit is planned. Portions of the unit would require fire line to be dug by hand to minimize the risk of the fire moving outside of the unit boundaries. Ignition of the unit would be completed by personnel on the ground, primarily using drip torches. Following the Big Bend prescribed burn approximately 274 acres of the burn area would be seeded with native perennial grass species.

The proposed action was analyzed for significant effects as per the Council on Environmental Quality (CEQ) Regulations - 40 CFR § 1508.27. The following criteria listed under 40 CFR § 1508.27(b) were considered and found to be not applicable to this action: significant beneficial or adverse effects; significant effects on public health or safety; effects on the quality of the human environment that are likely to be highly controversial; anticipated cumulatively significant impacts; highly uncertain or unknown risks; and precedents for future actions with significant effects.

The following unique characteristics (Critical Elements of the Human Environment), listed in 40 CFR § 1508.27(b)(3), are not present and will not be affected: prime or unique farmlands; floodplains; wilderness; solid or hazardous waste. Two elements from that list [40 CFR § 1508.27(b)(3)] that are present and would be affected are Areas of Critical Environmental Concern (ACEC) and Wild and Scenic rivers. The proposed action is considered to be a part of the special management attention to maintain and restore the wildlife populations and habitat relevant and important values in the ACEC, including the Wild and Scenic portion. Proposed treatment activities would have minimal negative affects on scenic/visual resources. Scenic resources would likely be positively affected and protected by the proposed treatments by reducing the likelihood of catastrophic wildfire and by maintaining a healthy, multi-aged, and diverse forest and woodland landscape.

In regard to 40 CFR § 1508.27 (b)(8), no adverse impacts are expected to cultural, scientific, or historical resources. Surveys for cultural resources were conducted and known sites will be avoided.

There will be no significant impacts to any special status species or habitat that has been determined to be critical under the Endangered Species Act [40 CFR § 1508.27 (b)(9)]. Surveys of the proposed treatment

area were conducted for special status species, including Survey and Manage species and Threatened and Endangered species. There are no known sites of special status plants within the treatment unit boundaries. No Designated Critical Habitat occurs within the proposed project area. Implementation of mitigations and project design features (Appendices A and B of the EA) as part of the proposed action would be sufficient to avoid significant impacts to habitat for special status species.

With respect to Air Quality (listed in 40 CFR § 1508.27(b)(3)), prescribed burning would comply with the guidelines established by the Oregon Smoke Management Plan (OSMP) and the Visibility Protection Plan. All ignitions will comply with direction found in the Smoke Management Forecast. Prescribed burning is not expected to affect visibility within nearby smoke sensitive Class I areas.

The proposed action is expected to promote native vegetation and reduce noxious weeds (listed in 40 CFR § 1508.27(b)(3)), with the prescribed fire and subsequent native seeding. No ground disturbing equipment would be used to thin the oak communities; the project would not result in the physically disturbed conditions under which many noxious weed species have a competitive advantage relative to other species. Application of prescribed fire is expected to reduce the cover and density of the yellow star thistle populations and the subsequent seeding of native grasses should bolster native populations.

As per 40 CFR § 1508.27(b)(10), this action conforms with all applicable Federal, State, and local laws and regulations.

The action is consistent with Executive Order 12898 which addresses Environmental Justice. No potential impacts to low-income or minority populations have been identified internally by the BLM or externally through public notification and involvement. Correspondence with local tribal governments has not identified any unique or special resources providing religious, employment, subsistence or recreation opportunities. Employment would involve local contractors who engage in similar types of work throughout Klamath County and the state of Oregon.

Pursuant to Executive Order 13212, the BLM must consider effects of this decision on National Energy Policy. There will be no known adverse effect on National Energy Policy. Within the project area there are no known energy resources with commercial potential and no pipelines, electrical transmission lines, energy producing or processing facilities (EA, p. 9). Two electrical transmission lines are adjacent to the treatment units but should not be negatively affected. A power generating facility is also adjacent to the treatments units but any impacts to that operation should be minimal to non-existent.

The project will contribute to meeting the Management Action/Direction and Objectives of the Klamath Falls Resource Area RMP. Based on the information in the EA, it is my determination that neither alternative analyzed constitutes a significant impact affecting the quality of the human environment greater than those addressed in the following:

- Final - Klamath Falls Resource Area Management Plan and EIS (FEIS), 1994
- Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary, 1995 (KFRA ROD/RMP)
- Klamath Falls Resource Area Integrated Weed Control Plan Environmental Assessment, July 21, 1993
- Range Reform FEIS, August 1995
- Final Environmental Impact Statement, Vegetation Treatment on BLM Lands in Thirteen Western States, 1991
- Aquatic Conservation Strategy Supplemental Environmental Impact Statement/Record of Decision 2004 (ACS/ROD)
- 2001 Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines (2001 ROD)

- 2003 Annual Species Review for the 2001 Record of Decision and Standard and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines (2003 ASR)
- Topsy/Pokegama Landscape Analysis, July 1996

Based on the analysis of potential environmental impacts contained in the environmental assessment, I have determined that this action will not have any significant impact on the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969, and an environmental impact statement is not required. I have further determined that the proposed action conforms to management direction from the Klamath Falls Resource Area Record of Decision and Resource Management Plan from June of 1995.

Therefore, an Environmental Impact Statement, or a supplement to the existing RMP or Environmental Impact Statement, is not necessary and will not be prepared.

Signed: Heather Bernier for
Barbara Machado, Acting Field Manager
Klamath Falls Resource Area

Date: 9/6/06