

Decision Record #1
For
Klamath River Canyon Vegetation and Road Treatment EA #OR-014-08-02

INTRODUCTION

The Bureau of Land Management (BLM), Lakeview District, Klamath Falls Resource Area (KFRA), completed the Klamath River Canyon Vegetation and Road Treatment Environmental Assessment (EA) analyzing a proposal to implement treatments within the Klamath River Canyon to address the following needs:

- protect and enhance the Outstanding Remarkable Values (ORVs) for which the Wild and Scenic Klamath River was designated
- reintroduce fire to plant communities that developed with fire as an integral part of their evolution to transition these communities toward their historical structure
- reduce the hazardous fuel load in the Klamath River Canyon to reduce the associated risk of high intensity wildfire and increase initial attack effectiveness
- promote forest health and enhance oak woodland habitat in the planning area to benefit associated wildlife species
- reduce road density in riparian reserves and manage roads to meet objectives of the Resource Management Plan (RMP)

DECISION

It is my decision to authorize the implementation of a portion of the proposed action analyzed in EA #OR-014-08-02. Specifically, this decision will result in the following:

- thinning, prescribed burning of piles and/or subsequent underburning in approximately 600 acres of oak woodlands and 161 acres of mixed conifer forest
- prescribed underburning on approximately 558 acres
- construction of 240 feet of new road and closure of 1.4 miles of existing road through obliteration, decommissioning, or blocking
- maintenance of approximately 3.2 miles of existing road including installation of eight improved water crossings (two 36" culverts and six natural rock fords)

Implementation of proposed actions will adhere to the Best Management Practices and Project Design Features as described in the EA. The attached maps show treatments authorized by this decision. Treatment of remaining prescribed burn units will be authorized in subsequent decisions.

DECISION RATIONALE

Implementation of the Proposed Action Alternative, as described, meets the purpose and need identified in the EA and would be consistent with objectives and potential impacts analyzed in the EA and the KFRA RMP. The No Action Alternative is rejected because it does not meet the purpose and need for action identified in the EA.

Consultation and Coordination

There is some northern spotted owl suitable habitat, but no known nest sites or designated critical habitat, within the project area. The BLM determined that the proposed action with all project design features incorporated "May Affect, Not Likely to Adversely Affect" the northern spotted owl due to thinning and prescribed burning within suitable habitat. All spotted owl suitable and dispersal habitat would be maintained. The proposed project area would be within Lost River

sucker and shortnose sucker critical habitat. Based on the assessment of the proposed action, the BLM determined that the project “May Affect, Not Likely to Aversely Affect” the Lost River and shortnose suckers. No in-water work would occur and the proposed burning and thinning would not adversely affect water quality for suckers. The U.S. Fish and Wildlife Service concurred with this determination.

The Klamath Tribes have been consulted regarding this project, and no issues arose during this discussion.

Finding of No Significant Impact

No significant impacts were identified. No impacts beyond those anticipated in the KFRA RMP Environmental Impact Statement (EIS) would occur. (Refer to the Finding of No Significant Impact for EA #OR-014-08-02.)

Public Involvement

A legal notice announcing the availability and a 30-day public comment period of the Klamath River Canyon Vegetation and Road Treatment Environmental Assessment was published in the Klamath Falls Herald and News newspaper on May 21, 2008. Also, notification was mailed or e-mailed to approximately eighty individuals, agencies, and organizations who had expressed interest in public land management in general or the Klamath River Canyon in particular. Two written comments were received. One commenter was generally in support of the proposed action. The other commenter raised the following issues:

Issue: “*The EA says that 1065 acres of Northern Spotted Owl NRF habitat will be treated but fails to say which will be treated with fire and which with chainsaws. The EA ... fails to specify the what, where, when, and how.*”

Response: The majority (approximately 904 acres) of the spotted owl habitat would be treated with prescribed fire. The remainder of the area (approximately 161 acres) will be part of the mixed conifer thinning. The oak stands proposed for treatment are not classified as spotted owl suitable or dispersal habitat. As stated on page 19 of the EA, the proposed action includes project design features (page 30 of the EA) that will maintain spotted owl habitat. No spotted owl habitat will be downgraded from the proposed action. These types of treatments have been conducted in the past in similar habitat and with the same project design features and have been considered successful in both reducing fuel and maintaining habitat. The U.S Fish and Wildlife through Section 07 consultation (page 29 of the EA) has concurred with this assessment and that the proposed project with the project design features will maintain spotted owl habitat.

Issue: “*The EA says that stumps will be cut to less than 4" for scenic purposes, but we urge BLM to girdle trees to create snags and high-cut some conifer stumps to provide snag habitat. Scenic values can include habitat features that might attract wildlife.*”

Response: The BLM agrees that snags are an important habitat component for wildlife; however, small diameter (less than 12”) snags do not provide large enough cavities for nesting and limited foraging habitat for the wildlife species this project is targeting. The Klamath River Canyon has a diverse snag component throughout the project area. Snag recruitment continues throughout the canyon, especially in the larger size classes of ponderosa pine.

Issue: “*The EA uses fire-regime condition-class (FRCC) to assess fire hazard but this may not be an appropriate tool to describe fire hazard...*”

Response: National Fire Fuel Laboratory (NFFL) fuel models and the First Order Fire Effect Model were used in the EA to assess fire hazard and predict tree mortality.

Issue: *“Will the oaks just resprout and create future surface and ladder fuels? Might it be better to have those canopies higher off the ground?”*

Response: The stands of oak where treatment will occur are primarily very dense with small diameter (less than 8”) trees. In these stands, wildfire would be expected to cause top-kill and resprouting of oaks. The prescribed thinning will provide openings between the oaks and provide a break in the continuity of this fuel type. Not all the oaks resprout, but those that do will need future treatment to maintain a more open growing stand. These future treatments (prescribed fire) are part of the proposed action. Pages 6 and 7 of the EA clearly state that subsequent treatments will occur to maintain a more open growing oak stand. The proposed actions, including subsequent treatments, are designed to create more open oak stands and promote growth of trees with larger canopies.

CONCLUSION

Based on the information in the EA and project record, I conclude that this Decision Record is consistent with the Klamath Falls Resource Area Record of Decision and Resource Management Plan (June 1995).

This decision is 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 availability 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:

Manager, 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 the:

Regional Solicitor, Pacific Northwest Region
U.S. Department of the Interior
Office of the Regional Solicitor
805 SW Broadway, Suite 600
Portland, OR 97205

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

Board of Land Appeals, Office of Hearing and Appeals

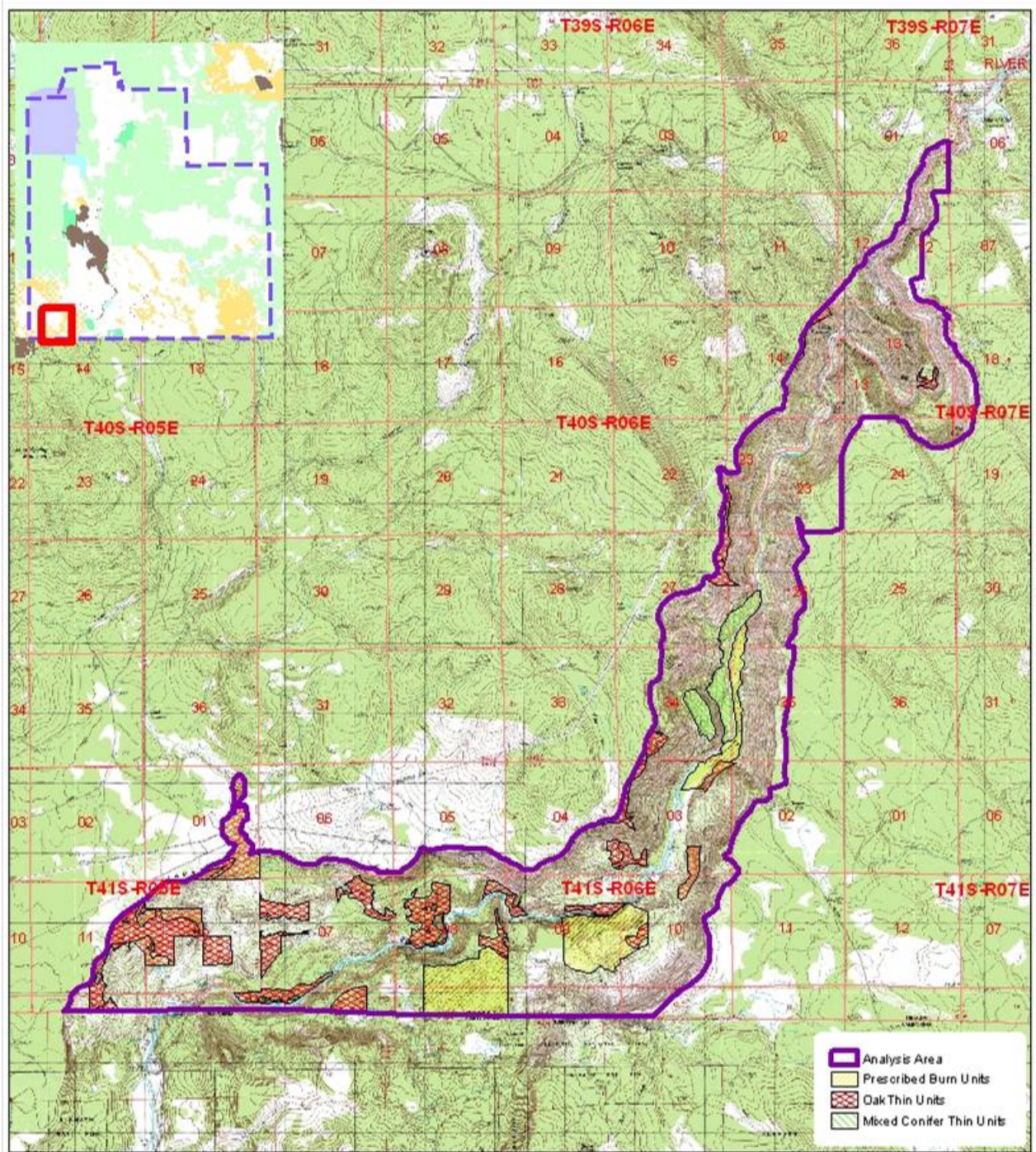
4015 Wilson Boulevard
Arlington, VA 22203

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 other way, 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 CFS subpart 5003 B Administrative Remedies.

/s/ Donald J. Holmstrom
Donald J. Holmstrom, Manager
Klamath Falls Resource Area

7/01/08
Date

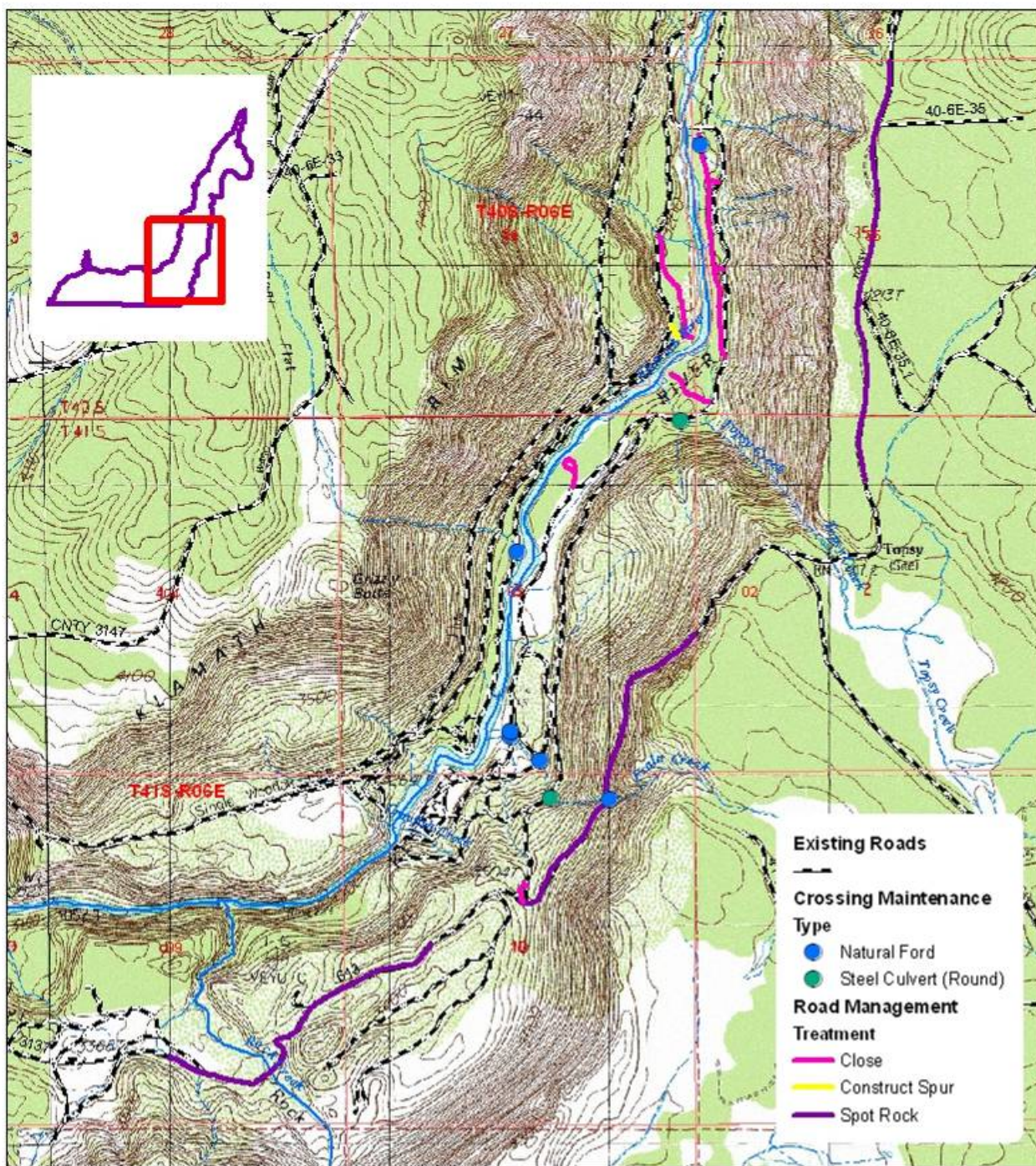


Klamath River Canyon Proposed Vegetation Treatments



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Klamath River Canyon Proposed Road Treatments



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Map P-4220 was produced by the Bureau of Land Management, Klamath River Canyon, Oregon. Prepared by: M. J. Clark. Current Date: 06/01/2000 (10/10/04)