

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Klamath Falls Resource Area

**DECISION RECORD FOR  
NEW HAYDEN FOX ENVIRONMENTAL ASSESSMENT  
#DOI-BLM-ORWA-L040-2015-0015-EA**

**INTRODUCTION**

The potential effects of multiple proposed actions are analyzed in the New Hayden Fox Environmental Assessment (EA) #DOI-BLM-ORWA-L040-2015-0015. The proposed actions included commercial timber sale, small diameter thinning (understory and plantation), tree planting, hazardous fuels reduction treatments, brush mowing, juniper removal, and invasive weed (medusahead rye) treatment.

The Klamath Falls Resource Area (KFRA) interdisciplinary team analyzed the proposed actions based on: (a) current resource conditions in the project area, (b) the results of monitoring previous activities within and surrounding the project area, (c) meeting the purpose and need as identified in the New Hayden Fox EA, (d) implementation of the management action and direction stipulated in the 1995 Klamath Falls Resource Area Resource Management Plan (RMP), and (e) comments from the public. The proposals presented and evaluated in the EA reflect what the interdisciplinary team determined to be the best balance and integration of resource conditions, resource potentials, competing management objectives, and expressed interests and concerns of the public.

**DECISION**

It is my decision to implement Alternative 2 in all units with the exception of the District Designated Reserve (DDR) Unit 31-3. My decision is to implement Alternative 1 (no treatment) in the DDR, so there will be no thinning, no prescribed burning, and no weed treatment on these 107 acres. As part of the Decision to authorize these actions, applicable project design features (PDFs) and best management practices (BMPs) listed on pages 9-14 of the EA will be applied. This Decision will result in the implementation of the actions described on pages 6-8 in the EA, summarized below, and shown on the attached Decision Record Map.

- **Green Leftovers Timber Sale** - Trees of all size classes will be thinned using uneven-aged silvicultural prescriptions on approximately 1,034 acres.
- **Mistletoe Trees** - Mistletoe will be retained in clumps and individual trees with desirable mistletoe structure for wildlife will be reserved from harvest.
- **Small Diameter Thinning** - Trees less than 20" DBH will be removed as understory thinning, plantation thinning, and juniper removal on a total of approximately 204 acres, including 172 acres of plantations.
- **Northern Spotted Owl Designated Critical Habitat** - Commercial timber harvest using a partial cutting prescription and plantation thinning will be implemented on approximately 330 acres within Designated Critical Habitat for the northern spotted owl (NSO). My decision includes direction specific to Unit 23-1 and 27-1 to retain 80 sq. ft./ac of basal area as a minimum unit average. The intent is to maintain at least 40% canopy closure as a

minimum unit average in order to maintain spotted owl dispersal habitat conditions within this piece of designated spotted owl critical habitat.

- **Riparian Reserves** - No timber harvest will be conducted in riparian reserves (RR). There will be no skidding in RR in Unit 11-1
- **Conifer Planting** - Areas that are understocked (i.e. group selection areas) or where natural seeding is expected to be inefficient may be planted with pines, Douglas-fir or incense cedar seedling trees.
- **Brush Mowing** - Mechanical mowing (mastication) of brush (*Ceanothus* spp.) will be implemented on approximately 97 acres to improve forage conditions for deer and other wildlife species.
- **Hazardous fuels treatments** - Fuels treatments will be conducted in all proposed timber sale units (1,034 acres) including full (inner and outer) RR (42 acres). Manual cutting, piling and burning will be implemented on 32 acres (including 26 acres of RR) in order to reduce the amount of conifer vegetation encroaching into a riparian meadow area in Unit 33-3.
- **Medusahead rye treatment** - Noxious weed treatments will be implemented in several units, (with the exception of the DDR Unit 31-3), totaling approximately 57 acres.

## **DECISION RATIONALE**

I am confident that the New Hayden Fox EA plus the supplemental information, including public comments on the EA and BLM responses to those comments, in addition to the comprehensive analysis done in the Klamath Falls Resource Area RMP/EIS to which the EA is tiered, represents a thorough analysis of potential effects associated with actions identified in the EA.

I have chosen this combination of Alternatives 1 and 2 for the New Hayden Fox proposed actions because these treatments best meet the purpose and need identified in the EA (pages 2-3), and the direction established in the Klamath Falls Resource Area RMP for the following reasons:

- I have chosen Alternative 2 instead of Alternative 3 because there would be no difference in the effects to NSO populations, as stated on page 34 of the EA “None of the three alternatives would affect the spotted owl population at any scale because there are no sites in or near the project area. No sites or individual owls would be affected by implementation of any one of, or a combination of, the three alternatives.”
- Alternative 2 best meets the purpose and need for the project as described in the EA. Alternative 2 also provides a greater volume of timber for harvest with no substantial difference in effects to other resources than does Alternative 3.
- I have selected Alternative 1 (the No Action Alternative) for Unit 31-3 in order to retain from treatment all 107 acres of the Hayden Creek District Designated Reserve. This will best meet the DDR objective as described on page 2 of the EA “In District Designated Reserves (DDRs)/Late Successional Reserves (LSRs), treatments are designed to protect and enhance conditions of late-successional and old growth forest ecosystems, which serve as habitat for late-successional and old growth forest-related species including the northern spotted owl,” and will also be consistent with the 2011 Northern Spotted Owl (NSO) Recovery Plan and the 2012 Designated Critical Habitat rule.
- Although my selection of Alternative 2 for all other units will downgrade some scattered patches of NRF habitat to dispersal habitat, the treatments proposed and the reduction of

habitat will not substantially change the current condition of not supporting resident owls (see Table 16, EA pg. 46). The NRF habitat within project area is scattered in small parcels and patches and does not provide large enough blocks of habitat to provide for resident owls. Due to the general lack of high quality NSO habitat across the project landscape and the checkerboard landownership pattern, the amount and configuration of the NRF habitat within the project area will not support resident or nesting spotted owls pre- or post-treatment. Therefore, there would be no substantial benefit to retaining the NRF habitat for the northern spotted owl in this project area.

## **CONSULTATION AND COORDINATION**

### **Endangered Species Act (ESA) Consultation**

Consultation with the U.S. Fish and Wildlife Service was initiated in 2012 when analysis began for the original Hayden Fox project. The BLM made a “Not Likely to Adversely Affect” (NLAA) determination on the spotted owl and designated critical habitat, and the USFWS concurred with that determination (# 08EKLA00-2014-1-0014). The impacts from the New Hayden Fox project on spotted owls and designated critical habitat are less than those already consulted on, so no re-initiation of consultation was necessary. There are no other threatened or endangered listed, proposed, candidate species or designated critical habitat under the Endangered Species Act (as amended USDI Fish and Wildlife Service (USFWS) 1973) that occur within the project area or that would be affected by project activities.

### **Tribal Consultation**

Consultation with the Klamath Tribes has been on-going since March 2012 starting with the original Hayden Fox EA) and no concerns have arisen.

## **PUBLIC INVOLVEMENT**

Public scoping input and EA comments were considered in development and refinement of the proposed action, alternatives, and in this Decision.

### **Scoping Issues and Comments**

The New Hayden Fox proposal was mailed to adjacent landowners, permittees, agencies, and other interested citizens on June 10, 2015, and a news release appeared in the *Klamath Falls Herald and News* on June 23, 2015. The BLM received four letters as a result of public scoping. All scoping comment letters and emails received can be found in the New Hayden Fox EA project file. The interdisciplinary team reviewed the scoping responses and used the relevant comments in developing alternatives and project design features. The original Hayden Fox scoping letter was mailed on January 25, 2013 and BLM received five letters of comment. In addition, the original Hayden Fox EA was made available for a 30-day public review and comment period on April 23, 2014 and BLM received one letter of comment on the EA. Those same comments were resubmitted as scoping comments on the New Hayden Fox EA by Klamath Siskiyou Wildlands Center.

### **Consideration of Public Comments on the EA**

The New Hayden Fox EA and corresponding draft Finding of No Significant Impact (FONSI) were available for review during a 26-day comment period from November 25 to December 21, 2015. The EA was posted on BLM’s ePlanning website, mailed to interested parties, and a legal notice of the EA availability was published in the *Herald and News* on November 25, 2015.

The BLM received two letters of comment on the New Hayden Fox EA. Public comments on the EA were reviewed and issues were discussed with the interdisciplinary team. The comments received do not provide any substantially new information or new analysis, nor do they identify substantial new data gaps that indicate additional analysis is needed. Finally, the comments do not identify any significant new data which would alter the effects described in the EA. A summary of comments and BLM responses was mailed to the commenters along with this Decision Record.

### **Plan Conformance and Consistency with other Direction**

The Klamath Falls Resource Area initiated planning and design for this project to conform with and be consistent with the 1995 Klamath Falls Resource Area Resource Management Plan and the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines. The actions selected from a combination of alternatives will help to move this portion of the landscape towards the desired future condition considered in development of the RMPs. The actions will comply with the Endangered Species Act, the Native American Religious Freedom Act, cultural resource management laws and regulations, and Executive Order 12898 (Environmental Justice). This decision will not have any adverse effects to energy development, production, supply and/or distribution (per Executive Order 13212).

### **Finding of No Significant Impact**

No significant impacts were identified. No impacts beyond those anticipated in the KFRA RMP/EIS will occur. Refer to the accompanying Finding of No Significant Impact.

### **CONCLUSION**

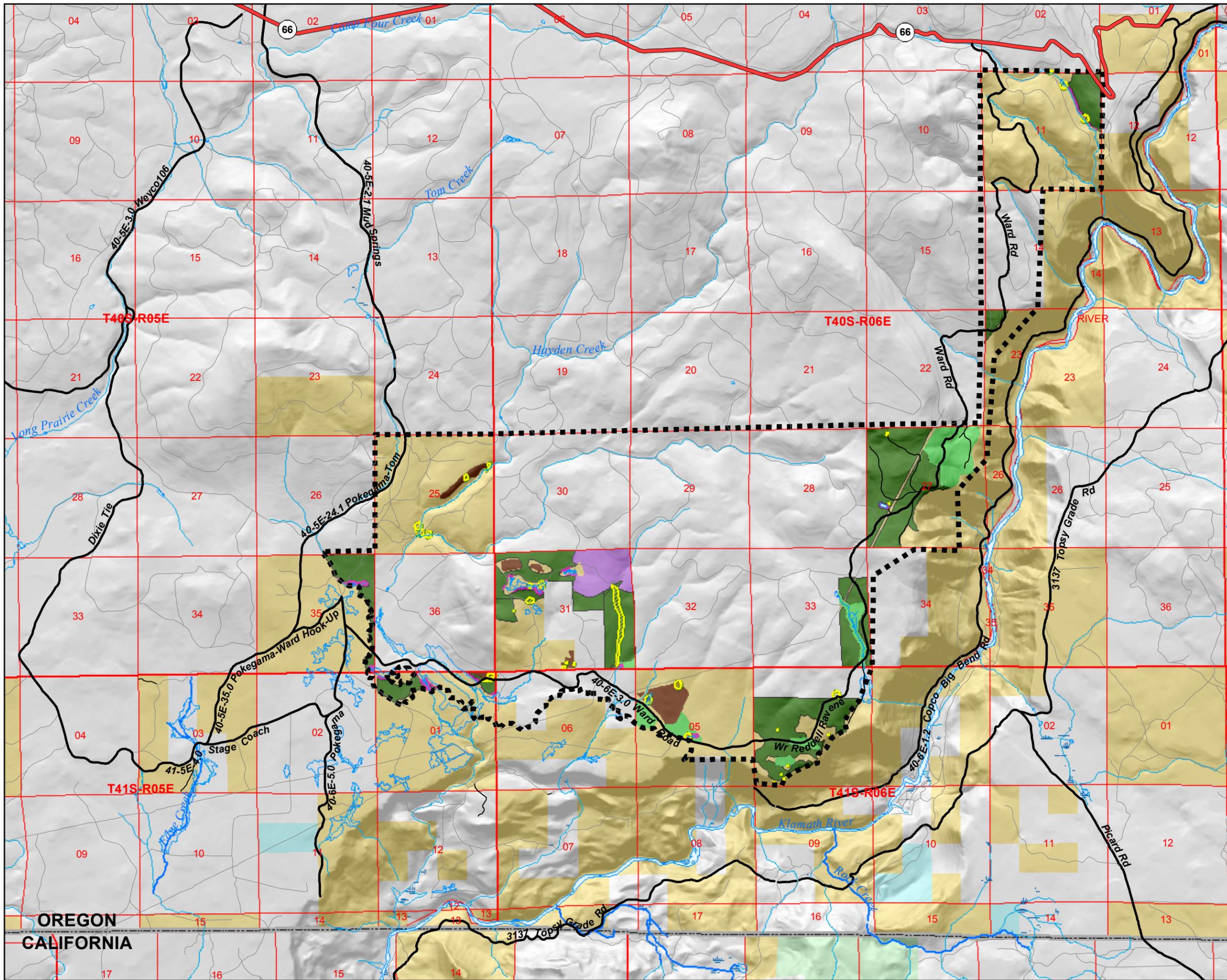
In consideration of public comments, the consistency with the RMP, and the finding that there will not be any significant impacts, this decision allows for activities mentioned within this document and included in the New Hayden Fox EA.

A Notice of Decision for these forest management actions will be published on **January 13, 2016** in the Klamath Falls *Herald and News*. This notice will constitute the decision date and as outlined in 43 CFR § 5003, Administrative Remedies at § 5003.3 (a) and (b), protests may be made within 15 days of the publication date of the Notice of Decision. Protests shall be filed with the authorized officer and contain a written statement of reasons for protesting the decision. 43 CFR 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail or facsimile protests. Only written and signed hard copies of protests that are delivered to the Klamath Falls Resource Area office will be accepted.

/s/ Donald J. Holmstrom  
Donald J. Holmstrom, Field Manager  
Klamath Falls Resource Area  
Lakeview District, Bureau of Land Management

01/13/2016  
Date

# New Hayden Fox Decision Record Map



**Legend**

New Hayden Fox Analysis\_Area

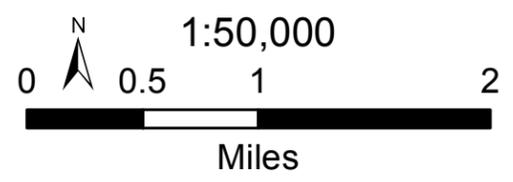
**Treatment**

- Underburn Only (42 ac.)
- Brush Mowing (97 ac.)
- Thinning - Small Diameter (204 ac.)
- Thinning - Timber Sale (1034 ac.)
- Weed Treatment ( 57 ac.)
- Hayden Creek DDR - No Treatment

**Ownership**

- Bureau of Land Management
- State Lands
- Private Lands
- U.S. Forest Service

**Klamath Falls Field Office  
Lakeview District  
Bureau of Land Management  
2795 Anderson Ave. #25  
Klamath Falls, Oregon 97603-7891  
(541) 883-6916**



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification. Acres displayed are approximate!

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**OREGON  
CALIFORNIA**