U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE

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Integrated Vegetation Management for Resilient Lands Decision Record

DOI-BLM-OR-M000-2019-0001-EA

Oregon/Washington
Bureau of Land Management
Medford District Office
3040 Biddle Road
Medford, Oregon 97504

Introduction

The Bureau of Land Management (BLM) Medford District has conducted an environmental analysis for a 10-year program of integrated vegetation management for resilient lands (IVM-RL) work. Actions are intended to promote and develop safe and effective wildfire response, fire resilient lands and fire resistant stands, and habitat for Special Status species (wildlife and plants) on certain portions of BLM-administered lands across the Medford District (and small portion of Coos Bay District administered by the Medford District). The analysis is documented in the Integrated Vegetation Management for Resilient Lands Environmental Assessment (EA) (USDI BLM 2022a). A Finding of No Significant Impact (FONSI) has been completed and the signed FONSI (USDI BLM 2022b) has been issued concurrently with this Decision Record.

Decision

As the Responsible Official, it is my Decision to authorize the implementation of Alternative C (the "Selected Alternative"), as modified, and described in this Decision Record (DR) and the EA (USDI BLM 2022a, pp. 10, 11-14, 86-94, 103-110). *Alternative C, as modified, would authorize up to 90 miles of construction of temporary roads; no permanent road construction is authorized.*

My Decision also includes all required project design features (PDFs) as described in the EA (USDI BLM 2022a, pp. 111-126). PDFs are an integral part of the project and were developed to avoid or reduce the potential for adverse impacts to resources. Where applicable, PDFs reflect Best Management Practices (BMPs) as outlined in the 2016 Southwestern Oregon Record of Decision and Resource Management Plan (SWO ROD/RMP) (USDI BLM 2016b, Appendix C) and the Northwestern and Coastal Oregon Record of Decision and Resource Management Plan (NCO ROD/RMP) (USDI BLM 2016c, Appendix C).

This DR documents the Decision to select an alternative for implementing the program of integrated vegetation management activities analyzed in the EA. Following this Decision, the BLM would implement future site-specific projects based on this DR. When designing subsequent site-specific projects, the BLM would evaluate each project to determine if the project is adequately analyzed by the EA and the 2016 Proposed Resource Management Plan/Final Environmental Impact Statement for Western Oregon (PRMP/FEIS) (USDI BLM 2016a), and whether the project conforms to this programmatic Decision for this EA. The BLM would prepare a Determination of NEPA Adequacy (DNA) worksheet (USDI BLM 2022a, pp. 295-296) to document this evaluation. To implement projects that are not adequately analyzed by this EA, the BLM would prepare additional National Environmental Policy Act (NEPA) review (e.g., a separate EA or appropriate categorical exclusion for certain treatments under 70 acres). The BLM will post completed DNAs and Decision Records to the BLM's national NEPA register known as "ePlanning." For each future treatment project, the BLM will provide for applicable administrative remedy opportunities for each site-specific decision[1].

For each site-specific project involving commercial harvest treatments, the BLM will provide an opportunity for public involvement. The level of public involvement will be subject to Authorized Officer discretion and based on project-specific circumstances, including the scope,

[1] See 186 IBLA 51, *Western Watersheds Project* v. *Bureau of Land Management* (July 21, 2015) (IBLA 2015-152).

scale, and nature of the project. Examples of public involvement include, but are not limited to public meeting(s), field trip(s), and a comment period after preparation of a DNA but prior to a decision.

My Decision is based on analysis documented in the EA, supporting information in the project record, management direction in the SWO and NCO RODs/RMPs, and in consideration of public comments. A FONSI was completed for all the activities proposed in the EA alternatives and I have determined those activities do not constitute a major federal action that will have a significant impact on the human environment. Effects are within those analyzed in the PRMP/FEIS or otherwise do not rise to the level of significance (USDI BLM 2022b, pp. 2-18). In summary, my Decision is to authorize the following actions:

- In forest plant communities, thinning of commercial trees (commercial thinning and selection harvest) to result in a stand average relative density[2] between 20 and 45 percent after harvest would occur within all land use allocations (LUAs) in the Treatment Area except for the Harvest Land Base (HLB), District Designated Reserve (DDR)-Non-Suitable Withdrawn Timber Production Capability Classification (TPCC), and DDR-Area of Critical Environmental Concern (ACEC) (Table DR-1).
- The annual maximum for commercial harvest would be 4,000 acres, to provide a range of flexibility in the timing of treatments. The 10-year maximum for commercial harvest would be 20,000 acres (17,000 acres in the late successional reserve [LSR]).
- Timber harvest that would cause the incidental take of northern spotted owl (*Strix occidentalis caurina*) (NSO) territorial pairs or resident singles would not occur (USDI BLM 2016b, p. 30).
- To provide for access:
    - Construction of up to 10 miles of *temporary* roads annually and up to 90 miles for the decade, and:
        - No net increase in road density;
        - No new temporary or permanent roads or landings in Special Recreation Management Areas/Extensive Recreation Management Areas (listed in Appendix 11 of the EA), ACECs, *Lomatium cookii* critical habitat; and
        - Temporary roads would be decommissioned after use.
    - New landing construction allowed for all commercial treatments except as noted above.
    - Road renovation, maintenance, and improvements would be allowed for all treatments.
- The 10-year maximum for small-diameter thinning would be 60,000 acres. The annual maximum would be 6,500 acres, to allow for flexibility in treatment levels annually.

[2] The SWO RMP/ROD (p. 311) defines Relative Density as "A means of describing the level of competition among trees or site occupancy in a stand, relative to some theoretical maximum based on tree density, size, and species composition. Relative density percent is calculated by expressing Stand Density Index (SDI) (Reineke 1933) as a percentage of the theoretical maximum SDI, which varies by tree species and range. Curtis's relative density (Curtis 1982) is determined mathematically by dividing the stand basal area by the square root of the quadratic mean diameter."

- Small diameter thinning treatments would generally target removing trees and shrubs ≤ 8 inches diameter at breast height (DBH), via thinning, but may treat up to ≤ 12 inches DBH.
- Treatments could occur in all LUAs in the Treatment Area (USDI BLM 2016b, p, 97).
- Removal of competing conifers and shrubs, via variable thinning and radial release ("dripline thinning") to disrupt vertical and horizontal fuel continuity.
- Retain a portion (10-30 percent of area) of dense native vegetation in variable-sized "skips" (BLM 2022a, pp. 103-104), if present and it does not pose a fire hazard to homes or communities.
- Retain and protect large and vigorous oaks by removing shrubs, conifers, and competing hardwoods within up to two times the dripline of large or vigorous oaks.
- Thin chaparral shrublands and oak chaparral to reduce continuous horizontal fuel profile in areas that pose a fire hazard to Highly Valued Resources and Assets (HVRAs).
- Thin to remove young conifers in and around grasslands (USDI BLM 2022, pp. 110).

- The prescribed fire maximum 10-year acreage would be 70,000 acres. The annual maximum acres of prescribed fire (handpile burn and underburn) would be 7,500 acres. (USDI BLM 2022a, p. 103).

    - Prescribed fire would be used to modify fuel profiles (activity and natural fuels) to reduce potential wildfire severity and behavior, emulate natural processes, stimulate native fire-dependent species, and enhance culturally significant plant populations.
    - Prescribed fire would be implemented consistent with wildlife and botanical objectives and PDFs (USDI BLM 2022a, pp. 81, 111-112, 122-126).

- Block or protect areas with structures (i.e., fences, boulders, boardwalks etc.) to protect vegetation as needed from damage by vehicles, off-highway vehicle, equestrian use, excessive foot-traffic, etc.
- Rehabilitate tire tracks or resource damage created by unauthorized use by ripping or blading and seeding with native species.

Table DR-1. Treatment Types by Land Use Allocation.

Land Use Allocation		Commercial Harvest	Small Diameter Thinning, Non-Conifer treatment, Prescribed Fire	Barrier and Boardwalk Placement
DDR-ACEC		No	Yes	Yes
DDR-TPCC	**Non-Suitable Withdrawn TPCC Classification**	No	Yes	Yes
	Other TPCC Classifications in DDR-TPCC	Yes	Yes	Yes
Riparian Reserve (RR)		Yes	Yes	Yes
Late Successional Reserve (LSR)		Yes	Yes	Yes
Harvest Land Base (HLB)		No	Yes	Yes

Additional detail of the modified Alternative C can be found in Sections 2.2 and 2.5 of the EA (USDI BLM 2022a, pp. 10, 11-14, 86-95, 103-110), which is incorporated by reference.

Decision Rationale
My Decision is based on consideration and evaluation of how well the purpose and need are met, public input, and the associated environmental consequences of implementing or not implementing the IVM-RL program of work, as analyzed in the EA and documented in the FONSI.

My Decision to authorize the Selected Alternative, as modified, as described in the Decision section above, the Selected Alternative (USDI BLM 2022a, pp. 10, 11-14, 86-95, 103-110), and the EA, best fits the purpose and need for action as presented in the EA (USDI BLM 2022a, pp. 3-8) while providing protection for resources, including Special Status species.

The EA analyzed four alternatives for the management of the BLM-administered lands in the Treatment Area, a No Action Alternative and three action alternatives (Alternatives A, B, and C). The action alternatives vary in number of acres treated per year and over 10-years, areas that can be treated, commercial and non-commercial vegetation treatment types, and fuels hazard reduction treatments (thinning and prescribed fire). All action alternatives were designed to meet the purpose and need for the project; the degree to which each alternative meets the purpose and need provides the basis for my Decision.

Response to Purpose and Need
As stated in the EA the need for this program of work and its purposes are established in the SWO ROD/RMP (USDI BLM 2016b), the NCO ROD/RMP (USDI BLM 2016c), and the supporting PRMP/FEIS (USDI BLM 2016a; USDI BLM 2022a, p. 3). The purpose of the integrated vegetation management for resilient lands program is—to remove vegetation, to apply prescribed fire, and to install protective structures in the Treatment Area to promote and develop:

- Safe and effective wildfire response and reduce wildland fire risk to Highly Valued Resources and Assets (HRVAs), (specifically, Communities at Risk, northern spotted owl 19 [NSO] [*Strix occidentalis caurina*] habitat and sites, marbled murrelet [*Brachyramphus marmoratus*] habitat and sites, special status plants, and special plant communities);

- Fire and disturbance resilient lands and fire-resistant stands;

- Habitat for Special Status Species and unique native plant communities.

I have chosen to implement a modified Alternative C because it most completely meets the identified purpose and need for the project for the reasons discussed below.

Safe and Effective Wildfire Response and Reduce Wildland Fire Risk to HVRAs.
While all action alternatives would contribute to the purpose to promote and develop safe and effective wildfire response opportunities and reduce wildland fire risk to HVRAs, a modified Alternative C best meets this objective. The optimal landscape treatment for reducing fire risk is

approximately 20-40 percent (USDI BLM 2022a, p. 36). Over 10-years, a modified Alternative C has the greatest potential for meeting this target, which would treat nearly 15 percent of the local "area based" extent (¼ mile around Communities at Risk) while Alternatives A and B would only treat up to 4 and 7 percent, respectively (USDI BLM 2022a, p. 41). Modified Alternative C best meets the objective of reducing short and long-term wildfire risk to forests. Modified Alterative C would treat up to 70,000 acres (all proposed actions combined) over 10-years, creating defensible space on up to 35 percent of "linear feature"[3] extent (USDI BLM 2022a, p. 39). This would provide for safe and effective wildfire response opportunities and reduce wildfire risk to HVRAs (USDI BLM 2022a, pp. 34-42). As described in the EA, strategically placed treatments on as little as 10 percent of the landscape (at a rate of one to two percent per year) have been shown to be effective at reducing potential wildfire severity (USDI BLM 2022a, p. 36).

In contrast, Alternatives A and B would treat up to 17,000 acres and 30,000 acres, respectively, a much smaller percentage of both the "area based" and "linear feature" extents. While these alternatives would contribute toward meeting the purpose to promote and develop safe and effective wildfire response opportunities and reduce wildland fire risk to HVRAs, they would still leave considerable acreage untreated, leaving HVRAs at increased risk to wildfires and reduced safe and effective wildfire response opportunities in comparison to a modified Alternative C (USDI BLM 2022a, pp. 40-41).

The No Action Alternative would not meet the purpose and need for this project because safe and effective opportunities to aid in wildfire response would not be created and wildfire risk to HVRAs would not be reduced (USDI BLM 2022a, pp. 37-38).

Fire-Resistant Stands and Fire and Disturbance Resilient Lands.
Treatments intended to affect stand-level fire hazard or fire resistance in fire-adapted dry forests, are designed to reduce surface, ladder, and canopy fuels to avoid within-stand torching and result in short or long-term stand-level resistance.

Among all action alternatives, the combined direct effects to the fuel profile continuity (surface and ladder fuels) resulting from small-diameter thinning and prescribed fire proposed actions would improve resistance to stand-replacement fire in dry forest and non-conifer plant communities in treated areas, compared to the No Action Alternative in the short-term. Additionally, under all action alternatives, the proposed commercial thinning actions would reduce canopy fuels (i.e., canopy bulk density and canopy connectivity). Modified Alternative C would best meet the objective of reducing stand-level fire hazard or increasing stand resistance to wildfire in fire-adapted dry forests. Modified Alternative C would result in short-term, high relative resistance to stand replacement fire for up to 10 percent of the Treatment Area, by reducing surface, ladder, and canopy fuels in comparison to about 2 percent under Alternative A and 4 percent under Alternative B (USDI BLM 2022a, pp. 27-28).

[3] For analytic purposes, the BLM represented strategic areas for wildfire containment, by using locally developed (2017 Draft) Potential Wildfire Operational Delineation (POD) boundaries. The POD boundaries (linear features) were buffered by 150 feet on either side to provide a reasonable estimate of the "eligible treatment footprint" of *strategic areas* for wildfire containment (USDI BLM 2022a, pp. 22-23).

Frequent fire-adapted dry forests have important stand attributes that improve resistance to stand-replacing fire, such as reduced surface fuel loading, lower tree density, large diameter trees of fire-resistant species and discontinuous horizontal and vertical fuels (USDI BLM 2022a, p. 20). Additionally, thinned stands with remaining large trees have been shown to have less severe fire effects when intersected by wildfires (USDI BLM 2022a, pp. 28, 136-175). Under commercial thinning prescriptions, Alternative B would retain trees ≥ 25 inches diameter and Alternative A would retain all conifer trees >30 inches DBH, and a modified Alternative C would retain large trees ≥ 36 inches and established on or before 1850. Modified Alternative C would have the greatest tree diameter growth response in residual stands of the action alternatives, with a quadratic mean diameter of 15 to 22 inches compared to 10 to 16 inches under Alternative B, and 16 inches under Alternative A (USDI BLM 2022a, p. 30). Alternatives A and B would increase average stand diameter only slightly more than the No Action Alternative (USDI BLM 2022a, p. 30).

With proposed actions to create variable openings, typically two acres or less, leave untreated skips, and apply prescribed fire, a modified Alternative C would best introduce small-scale stand heterogeneity reflective of fuel loadings and arrangements comparable to low and mixed severity fire regimes. Alternative A would minimally contribute toward patchy stand composition in vegetation or fuel patterns with legacy tree culturing and application of prescribed fire. Alternative B would create small openings (up to one acre), leave skips and apply prescribed fire, which would start to move vegetation patterns, species composition, and fuel loadings and arrangements toward conditions associated with frequent fire, and dry forest low and mixed severity fire regimes, but not as effectively as modified Alternative C.

Modified Alternative C has the most opportunity to increase open forest conditions across the Treatment Area and decrease the overabundance of closed forest conditions; however, other objectives under the EA (e.g., increasing heterogeneity, maintaining NSO habitat, treating for fuels emphasis) would use prescriptions other than the open ecosystem resilience harvest prescriptions (USDI BLM 2022a, p. 104) limiting the areas of open forest condition created. This is consistent with PRMP/FEIS analysis that concluded with implementation of the PRMP/FEIS and alternatives, there would only be modest shifts in seral stage distribution and there would continue to be an overabundance of mid-seral closed forest (USDI BLM 2016a, pp. 236, 242; USDI BLM 2022a, p. 132). Alterative A would not increase open stands and Alternative B would only create more open conditions on up to 305 acres, and only in Jeffrey pine (*Pinus Jeffreyi*) and Oregon white oak (*Quercus garryana*) Potential Vegetation Types (PVTs) (USDI BLM 2022a, pp. 18-19). However, a modified Alternative C, which includes a variety of treatment prescription options would provide for the greatest flexibility for treating stands and treatment areas, due to the number of acres available for treatment and the flexibility in treatment prescriptions allowed (USDI BLM 2022a, pp. 11-14, 86-94, 103-110). Modified Alternative C prescriptions outlined in Table 31 (in Appendix 1 of the EA) allow the flexibility to apply an open, intermediate, or closed prescription type, as indicated by site conditions (potential vegetation type, slope position, insolation) and treatment objectives (maintain NSO habitat function, fuels emphasis prescription, ecosystem resilience, etc.). Maintaining/developing a balance of open and closed forest conditions helps perpetuate the diversity of forest types and conditions more reflective of the natural range of variability and achieve greater resilience to

insect infestations and drought on elevations and slope positions more vulnerable to mortality (USDI BLM 2022a, p. 104).

It is recognized that most treated areas would require future maintenance to maintain *low-moderate* load surface fuel profiles and raised canopy base heights. Modified Alternative C would require the greatest amount of maintenance in comparison to Alternatives A and B primarily due to the larger acreage treated (USDI BLM 2022a, p. 33). However, a modified Alternative C would also provide increased opportunity for conducting maintenance, as more area of high stand-level fire resistance would be created and available to be maintained by prescribed fire or wildfire, compared with the limited treatment acreage and design of the other action alternatives (USDI BLM 2022a, p. 33).

The No Action Alternative would not meet the purpose and need for this project because vegetation management activities would not occur. Vegetation growth rates, stand densities, fuel conditions, and ratio of open and closed forest would continue to change based on current existing forces and disturbance, or lack thereof (USDI BLM 2022a, pp. 18, 27). Stand-level fire resistance would not improve, which would remain *low* for 80 percent of the area and *moderate* across 20 percent (USDI BLM 2022a, p. 26).

The No Action Alternative would not meet the purpose and need for this project because non-nesting-roosting habitat for NSOs would not be treated to develop nesting-roosting habitat (USDI BLM 2022a, pp. 56-64).

Promotion and Development of Habitat for Special Status Wildlife Species.
All action alternatives would contribute to the purpose to promote and develop Special Status wildlife species habitat, including NSO nesting-roosting habitat and marbled murrelet nesting habitat. However, the modified Alternative C provides the best ability to promote and develop a variety of special status wildlife species habitats because the alternative would treat more acres, allow for a wider range of prescriptions, and target treatments to strategic locations.

The modified Alternative C has the greatest ability to develop NSO nesting-roosting habitat because: 1) the potential acres of treatment in non-nesting roosting (NR) habitat (foraging, dispersal-only; and capable habitat) is higher than Alternatives A and B; and 2) more stands would be treated at a lower relative density index (RDI) target, which reduces competition mortality and increases sunlight to the forest floor contributing to establishment of young trees, leading to canopy layering, and increased stand complexity in comparison to Alternatives A and B (USDI BLM 2022a, pp. 52-56). Treatments in Alternative B would retain more canopy, which would limit young tree establishment, and development of layering and stand complexity. Alternative A would be further limited because treatments would only occur in operationally strategic areas for wildfire containment or within ¼ mile of Communities at Risk and plantations under 60-years old (USDI BLM 2022a, pp. 53-55, 56-64). The modified Alternative C would also create stand and habitat heterogeneity through comparatively larger group selection openings, skips and gaps (including thinning around certain large or old trees) than Alternatives A and B (USDI BLM 2022a, p. 11). The proposed modified Alternative C Long-Term NSO relative density (RD) prescriptions in NSO high Relative Habitat Suitability (RHS) in foraging, dispersal-only, and capable habitat also follow recommendations in the 2012 NSO Final Critical

Habitat Rule and the 2011 NSO Revised Recovery Plan by treating single-story, uniform forest stands to promote the development of multistory structure and nest trees (USDI BLM 2022a, p. 198).

The modified Alternative C is ecosystem based and targets commercial treatments more precisely by moist and dry forest types, abiotic factors (such as slope and aspect), and current NSO habitat conditions (USDI BLM 2022a, p. 11). Treated stands in non-NR NSO habitat with the objective to develop NSO NR habitat would occur in areas of cooler aspects and mid to lower slopes, which would be in areas more likely to support occupancy in the future due to the preferred location on the landscape for NSO. These areas are generally in the lower third of the slope, north-facing, and represent areas where owls typically nest (USDI BLM 2022a, p. 45).

The increased amount of NSO NR habitat development in the modified Alternative C would help other older forest dependent species because structurally complex forests also provide important habitat for the federally-listed marbled murrelet, and coastal marten *(Martes caurina humboldtensis*), as well as other special status species, such as fisher (*Pekania pennanti*), bald eagles (*Haliaeetus leucocephalus*), and golden eagles (*Aquila chrysaetos*). Commercial thinning in the modified Alternative C would improve murrelet nesting conditions in the future (USDI BLM 2022a, p. 280) and would promote development of fisher habitat by accelerating the growth of non-denning habitat to denning habitat (USDI BLM 2022a, p. 273). The proposed actions in the modified Alternative C would result in an increased diameter tree growth, which would improve nesting conditions for bald and golden eagles by providing suitable nest trees in the future (USDI BLM 2022a, p. 286).

The modified Alternative C also provides the best ability to promote and develop special status and other wildlife species (pollinator species, birds, deer, elk, etc.) associated with non-conifer habitats (meadows, grasslands, oak woodlands, and chaparral habitats). The proposed action would improve and restore meadow habitat by thinning encroaching conifers, hardwoods, and shrubs, as well as implementing prescribed fire. When compared to Alternatives A and B, the modified Alternative C has the greatest opportunity for meadow and grassland, oak woodland/chaparral habitat restoration, and special status species habitat improvement because more acres and treatments would occur throughout the Treatment Area (USDI BLM 2022a, pp. 273, 274, 277, 286-287). Alternative A would improve the least amount of habitat for special status species because non-conifer treatments would only occur in strategic locations, within ¼ mile of Communities at Risk (CARs), or within plantations, and no gaps would be created in forested stands. The modified Alternative C would improve the most habitat for pollinators, such as the Franklin's bumble bee (*Bombus franklini*), because the BLM would implement the most acres of non-conifer treatments and would have thinning prescriptions with larger gaps in forested stands to allow optimal conditions for flowering trees, shrubs, and herbaceous species that will benefit pollinator species (USDI BLM 2022a, p. 288).

The No Action Alternative would not meet the purpose and need for this EA and the management direction in the SWO RMP/ROD because it would not develop nesting-roosting habitat (USDI BLM 2022a, pp. 48-49). Under the No Action Alternative, the Medford District would not be contributing to treating at least 17,000 acres of LSR per decade and LSR treatments would be limited to projects planned outside of the EA. Additionally, at the stand level, as RD

targets increase (> 55 percent RD) without treatment or disturbance intervention, regeneration and potentially layering would not develop in some stands, which would decrease the likelihood of developing multi-layering structure in the future which is important to nesting-roosting habitat (USDI BLM 2022a, p. 49).

The No Action Alternative would not meet the purpose and need of promoting and developing habitat for other special status species. The same effects described above for the No Action Alternative for NSOs, would be similar for murrelets, coastal martens, fishers, eagles, and other species dependent on the development of older forests. Additionally, the No Action Alternative would not meet the purpose and need of promoting and developing non-conifer habitat for species dependent on meadows, grasslands, oak woodlands, and chaparral habitats. The BLM would not conduct treatments to reduce conifer encroachment and reduce brush and shrub densities to create more open habitat.

Affect the Development and Promotion of Special Status Plant Habitat and Unique Native Plant Communities.

While a wide variety of proposed treatments under all action alternatives would improve and promote the development of Special Status plant habitat, Alternative C, as modified, best provides for the development and promotion of Special Status plant habitats because it is the most flexible in what treatments may be used and where they may occur. The modified Alternative C footprint includes the most acres of all plant communities and proposes the greatest amount of improvement on an annual and decadal basis It includes the most Special Status plant sites and habitat, including Cook's lomatium *(Lomatium cookii)* critical habitat and Fritillaria Management Areas.

The treatments under the program of work in Alternative C as modified (e.g., thinning trees and shrubs, applications of prescribed fire) would restore closed canopy non-conifer habitats to more open canopy conditions in which many Special Status species evolved. Reducing tree and shrub densities would remove competing vegetation and create more space and light, freeing up water and nutrients for Special Status vascular plants and other native understory vegetation. Prescribed burning would remove the buildup of thatch and fine fuels and kill smaller conifers that have encroached into Special Status plant non-conifer or mixed hardwood-conifer habitats. Burning would benefit fire-adapted species (e.g., Baker cypress, [*Hesperocyparis bakeri*] Neil Rock checkerbloom [*Sidalcea hickmanii* ssp. *Petraea*]) that regenerate more abundantly after fire has removed competing vegetation (USDI BLM 2022a, pp. 68-75). Thinning conifer stands to reduce tree densities and surface and ladder fuels, burning slash piles, and underburning would reduce the risk of stand replacement events from wildfire, improving habitat for forest-associated Special Status plants. Risk of loss of host trees and damage to above or below ground plant parts, mycorrhizae, roots, or seeds during high severity wildfire would be reduced. Thinning stands would also create openings for forest-associated Special Status plant species that require more light. Installing protective barriers or boardwalks and repairing damage where unauthorized uses create ruts or soil disturbance or disrupt hydrological flow would also improve conditions in native plant communities and for Special Status plant sites and habitats.

All three action alternatives provide opportunities to develop and promote Special Status plant habitat and unique plant communities, but Alternatives A and B are limited in where the

treatments could occur and what tools could be used. Treatments in Alternative A would improve Special Status plant habitat only in limited areas Potential Wildfire Operational Delineation (PODs) and within ¼ mile of CARs. Installing protective barriers or boardwalks and repairing damage where unauthorized uses create ruts or soil disturbance or disrupt hydrological flow would also be limited geographically under Alternative A to within PODs or within ¼ mile of CAR (USDI BLM 2022a, p. 73). Since the focus in these areas is to reduce dense trees and shrubs, these locations are not likely to be in meadow or grassland communities where unauthorized uses have damaged resources and where protection and repair is needed.

Alternative B includes more acres and areas of Special Status plant habitat and unique habitats where treatments could occur, but not all treatments could not be used in all habitats. Thinning and prescribed fire would not occur in conifer stands over 120 years, in chaparral plant communities (except in PODs and within ¼ mile of CARs), and meadows could not be thinned before applying prescribed fire, which may preclude burning if trees and shrubs are dense.

Modified Alternative C includes the most acres of the three action alternatives that could be treated and all treatments could be used in all plant communities, including in forest stands over 120 years, in all chaparral communities, and in meadows. Modified Alternative C provides the most flexibility to promote and develop suitable habitats for Special Status plant sites and habitats and for unique plant communities.

The No Action Alternative would not meet the purpose and need because no thinning or prescribed burning would occur in non-conifer plant communities to reduce stand densities, reestablish more open structure, and increase fire resistance. The BLM would not conduct treatments to promote or develop suitable habitat for the recovery and conservation of Special Status plants, including in Cook's lomatium critical habitat or Fritillary Management Areas and habitats would not be improved or increased where existing populations could expand or where new populations could be established. Unauthorized access and use of Special Status plant meadow habitats would continue at random sites and suitable habitat for Special Status plants would be removed or degraded (USDI BLM 2022a, pp. 72-73).

Affect the Promotion and Development of Habitat in Special Plant Communities or Native Plant Communities, Including Those in Areas of Critical Environmental Concern (ACEC). The IVM-RL project proposes treatments in special plant communities (e.g., oak woodlands, meadows, and chaparral) and in ACECs to promote the development of habitat for species that occur within them. Modified Alternative C best meets the objective for maintaining and restoring these plant communities, and maintaining, enhancing, or restoring relevant and important values in ACECs because it provides the greatest latitude to tailor specific treatments for specific plant communities and to treat the greatest number of acres and plant communities on an annual basis and over a 10-year period (USDI BLM 2022a, p. 77). Under Alternative A, treatments would occur only in limited areas along operationally strategic areas for wildfire containment (PODs), within ¼ mile of CARs, and in plantations less than 60 years old. Alternative B provides for greater latitude in treatment types, but has some limitations that are not part of modified Alternative C. For example, thinning and prescribed fire would not occur in chaparral or oak chaparral plant communities under Alternative B, except along PODs and CARs; trees and

shrubs would not be thinned in meadows, which could preclude use of prescribed fire (USDI BLM 2022a, p. 74).

Modified Alternative C provides the most opportunities, tools, and flexibility of the action alternatives to promote and develop habitat in native plant communities. Modified Alternative C allows for the most acres of habitat to be treated per year and over 10-years and includes 100 percent of the special plant communities and ACECs within the eligible footprint. Additionally, all tools could be used in all plant communities, for example thinning and prescribed fire could be used to improve habitat conditions in non-conifer plant communities and prescriptions for conifer forests allow treatment of stands to lower SDI over more acreage, larger group selection openings to create more open stand conditions that favor ponderosa, Jeffery, and sugar pine regeneration, growth and persistence on the landscape (USDI BLM 2022a, pp. 81-82). The higher diameter limit also allows more opportunity for cutting more trees around shade intolerant pine species and oak to provide more space, light, and nutrients to increase growth and vigor (USDI BLM 2022a, p. 81).

The No Action Alternative would not meet the purpose and need because no thinning or prescribed fire would be implemented and habitat conditions would continue to decline in ACECs, non-conifer communities, or pine PVTs within the Treatment Area (USDI BLM 2022a, p. 73). Fuel loads would continue to create conditions susceptible to damage from high severity wildfire (USDI BLM 2022a, pp. 73-74). Relevant and important values of native plant communities in ACECs would not be maintained or enhanced and habitat conditions would continue to decline and would not support the full suite of plant and wildlife diversity the ACECs were designated to protect. (USDI BLM 2022a, p. 78).

The BLM considered numerous other issues for analysis, but did not analyze them in further detail for a variety of reasons. Appendix 10 of the EA documents the BLM's rationale for not analyzing these issues in detail (USDI BLM 2022a, pp. 223-291). I have determined the effects will be within those analyzed in the PRMP/FEIS or are otherwise insignificant.

Land Use Plan Conformance

My Decision is in conformance with the SWO ROD/RMP (USDI BLM 2016b) and the NCO ROD/RMP (USDI BLM 2016c). The IVM-RL program of work is designed to implement BLM's resource management plans (USDI BLM 2022a, pp. 3-8) and is tiered to these documents (USDI BLM 2022a, p. 1) as permitted by the NEPA (40 CFR 1502.20 [1978]).

The project is also consistent with the *Revised Environmental Assessment for Integrated Invasive Plant Management of the Medford District* (USDI BLM 2018a) and the *Decision Record for Integrated Invasive Plant Management for the Medford District* (USDI BLM 2018b).

Public Involvement

The BLM conducted extensive public outreach between 2019 and 2020. Formal public scoping started on July 3, 2019. Scoping notices were sent to approximately 171 individuals, organizations and agencies via letter and email. The objective of public scoping was to provide from public with preliminary information on project, and seek public input on potential issues, impacts, and reasonable alternatives to accomplish the project objectives. The scoping period

ended on August 2, 2019 and the BLM received approximately 41 public scoping comments letters and emails to consider.

On October 29, 2019 the BLM provided the opportunity for the public to provide input on a preliminary version of Chapters 1 and 2 of the environmental assessment. Notices were sent to individuals, organizations and agencies via letter and email. Chapter 1 described the preliminary purpose and need for the project, and Chapter 2 described the preliminary alternatives which included a No Action Alternative and four preliminary action alternatives that explained varying types of treatments including commercial thinning, small diameter and non-conifer treatments, and prescribed fire. The BLM also hosted meetings in Williams on November 5, 2019 (approximately 30 participants) and on November 13, 2019 in Applegate (approximately seven participants), and made a presentation before the Jackson County Board of Commissioners on December 10, 2019. The BLM also hosted a public open house at the Jackson County Expo on November 14, 2019. Approximately 16 people were in attendance. The comment period ended on November 18, 2019 and the BLM received approximately 70 comment letters and emails to consider.

On August 19, 2020 the BLM initiated a 30-day public comment period on the complete environmental assessment and 18 appendices including 11 maps. A legal notice was published in Medford's *Mail Tribune* and Grants Pass *The Daily Courier* on August 19, 2020. Notices were sent to individuals, organizations and agencies via letter and email. The public comment period was extended until October 19, 2020 for a total of 62-days. A webinar was hosted by the BLM on August 27, 2020. There were approximately 16 participants. This version of the environmental assessment considered the No Action Alternative and three action alternatives analyzed in detail. The environmental assessment also included a discussion on eight additional alternatives that were considered, but not analyzed in detail. The BLM received approximately 1,074 emails, form letters, and comment letters to consider.

Outside of any formal comment periods, the BLM received an additional approximately 296 copies of five different versions of form letters.

The BLM has responded to approximately 133 substantive public comments received on the complete EA in Appendix 1 of this Decision Record.

Consultation

There are six federally-listed wildlife species (vernal pool fairy shrimp [*Branchinecta lynchi*], northern spotted owl, marbled murrelet, coastal marten, Franklin's bumble bee, and gray wolf [*Canis lupus*]) under the Endangered Species Act (ESA) known to occur within the Treatment Area (USDI BLM 2022a, pp. 83 and 84). The Medford District completed formal consultation with the U.S. Fish and Wildlife Service (FWS) for NSO, marbled murrelet, coastal marten, and Franklin's bumble bee (Conference) in *The Resilient Lands Biological Assessment (covering the Medford District and the South River Field Office of the Roseburg District).* As part of this consultation, the Medford District had several meetings with the Level 1 consultation team, including a field trip in May 2019. The FWS wildlife biologist Level 1 representative also participated in some of the interdisciplinary team meetings. Formal consultation with the FWS began when the Medford District informally sent the Biological Assessment (BA) to the FWS in

October, 2020 and officially submitted an updated version (with fire updates) on March 11, 2021 (USDI BLM 2021a). An amendment to the March 11, 2021 BA was submitted on October 21, 2021 (USDI BLM 2021b) to address new information. A Biological Opinion (BO) from the FWS was received (Reference Number 01EOFW00-2021-F-0597) on December 20, 2021. The FWS concluded that implementation of the actions proposed in the Resilient Lands Program of Work, which includes activities described in the EA, is not likely to jeopardize the continued existence NSO, marbled murrelet, coastal marten, or Franklin's bumble bee (USDI FWS 2021, pp. 138-141). Additionally, the FWS concluded that implementation of the actions proposed in the Resilient Lands Program of Work is not likely to destroy or adversely modify NSO or marbled murrelet critical habitat. Critical habitat has not been finalized for coastal marten or proposed for Franklin's bumble bee. The FWS concluded in the Resilient Lands Program of Work would not result in the incidental take of NSO or Franklin's bumble bees due to project design criteria. While Resilient Lands BO exempted incidental take for marbled murrelet and coastal marten, the FWS determined that this level of anticipated take is not likely to result in jeopardy to the species or adverse modification of critical habitat (USDI FWS 2021, p. 143).

Activities affecting vernal pool fairy shrimp are covered in the Medford District *FY2017-FY2022 Programmatic Activities That May Affect the Northern Spotted Owl, Marbled Murrelet, Vernal Pool Fairy Shrimp, and Oregon Spotted Frog Consultation* (USDI BLM and USDI FWS 2017). The FWS determined wildlife restoration activities (including prescribed burning and other non-conifer treatments proposed in the modified Alternative C) "may affect, but is not likely to adversely affect" (NLAA**)** vernal pool fairy shrimp and their critical habitat. Additionally, the FWS concluded that the Medford District's implementation of the Batch of Routine Activities-Wildlife is not likely to jeopardize the continued existence of vernal pool fairy shrimp or to destroy or adversely modify their critical habitat (USDI FWS 2017, p. 68).

Consultation for the gray wolf on the Medford District was completed in 2020, and is covered in the *Biological Assessment and Letter of Concurrence for Medford Bureau of Land Management and Rogue River-Siskiyou National Forest activities affecting the Gray Wolf* (USDA Forest Service/USDI BLM 2016 and USDI FWS 2017, and amendment). The FWS concurred with the BLM and Forest Service's determination that the suite of management activities including activities described in modified Alternative C "may affect, but are not likely to adversely affect" the gray wolf (USDI FWS 2020, p. 7).

The Planning Area contains two fish species listed under the ESA, both of which are Evolutionary Significant Units of Coho Salmon (*Oncorhyncus kisutch*): Southern Oregon/Northern California Coast (SONCC) coho salmon and Oregon Coast (OC) coho salmon. Both species are listed as threatened. The BLM determined the proposed actions in the EA "may affect" coho or their critical habitat.

Consultation between the BLM and the National Marine Fisheries Service (NMFS) has already occurred programmatically in the Forest Management Program for Western Oregon (NMFS 2019) for both ESUs; the NMFS issued a BO (NMFS consultation # WCR-2017-7574) to the BLM in March of 2019. The BO covered a suite of activities that could occur within the Riparian Reserves, the HLB, the LSR, and other reserves LUAs. Actions consulted on include commercial timber harvest, non-commercial thinning and fuels treatments (including prescribed fire),

temporary and permanent new road construction and decommissioning, road renovation/maintenance and use, and landing construction and use, among other actions, as consistent with both the SWO and NCO RODs/RMPs. The consultation concluded that the activities proposed were not likely to jeopardize the continued existence of SONCC and OC coho salmon, or destroy or adversely modify their critical habitats. The BO is valid for 20-years after its date of issuance.

The Planning Area is within the range of two threatened and endangered plants, the federally endangered Gentner's fritillary (*Fritillaria gentneri*) and the endangered Cook's desert parsley (*Lomatium cookii*). The BLM has a programmatic consultation for threatened or endangered plants that generically covers the activities proposed in the EA. The BLM will complete surveys to protocol for all projects completed under this DR and the EA, and plants would be protected from disturbance; any activities within habitat will occur during the dormant season. The Project Design Criteria in the BA (pp. 24-38) ensure that management actions "may affect, not likely to adversely affect" the Cook's desert parsley or Gentner's fritillary nor will the project destroy or adversely modify critical habitat for Cook's desert parsley (USDI FWS, p. 1).

In compliance with 36 CFR 800 (regulations implementing the National Historic Preservation Act (NHPA)), various Executive Orders and other laws governing Tribal consultation, the BLM consulted with six Tribes who ascribe significance to public lands managed by the Medford District (USDI BLM 2022a, pp. 83-84). The Tribes were notified of the preparation of the EA by letter and email in July of 2019 and invited to consult on the EA. A second letter and email were sent in October 2019 that shared the preliminary version of Chapters 1 and 2. The Tribes were again invited to formally consult or provide comments or information on the EA. In May of 2020 the Tribes were contacted and provided an update on the EA's progress. Finally in August of 2020 the Tribes were contacted via U.S. mail and email to solicit any information or comments on the draft Finding of No Significant Impact (FONSI) The Klamath Tribe and Cow Creek Band of Umpqua Tribe of Indians provided general comments on the EA. Comments were addressed through Appendix 2 of the EA, Cultural/Tribal/Paleontological Project Design Features in the EA (USDI BLM 2022a, pp. 113-114). Additionally, because specific projects are not proposed in the EA, consultation with the Oregon State Historic Preservation Office (SHPO) was not required for the purposes of the EA. All projects proposed in the future under the EA will be reviewed by a qualified cultural resource specialist who will determine consultation needs, based on the requirements of the BLM and Oregon SHPO protocols.

References

The following unique references were included in this DR. All other references were previously included in Appendix 16 of the EA.

USDI BLM. 2021a. *Biological Assessment: Southwest Oregon Dry Forest Resilient Lands Biological Assessment, Medford District BLM and the South River Field Office, Roseburg District BLM, An Assessment of Effects to the Northern Spotted Owl, Marbled Murrelet, the Coastal Marten, and Franklin's Bumble Bee*. Medford, Oregon. March 11, 2021. 332 pages.

USDI BLM. 2021b. *Biological Assessment: Southwest Oregon Dry Forest Resilient Lands Biological Assessment, Medford District BLM and the South River Field Office, Roseburg*

District BLM, An Assessment of Effects to the Northern Spotted Owl, Marbled Murrelet, the Coastal Marten, and Franklin's Bumble Bee. Medford, Oregon. October 21, 2021. 333 pages.

USDI BLM 2022a. *Integrated for Vegetation Management for Resilient Lands, Finding of No Significant Impact*. Medford, Oregon. March.

USDI BLM 2022b. *Integrated for Vegetation Management for Resilient Lands, Finding of No Significant Impact*. Medford, Oregon. March.

USDI FWS (U.S. Fish and Wildlife Service). 2017. *Biological Opinion.* Activities affecting vernal pool fairy shrimp are covered in the Medford District *FY2017-FY2022 Programmatic Activities That May Affect the Northern Spotted Owl, Marbled Murrelet, Vernal Pool Fairy Shrimp, and Oregon Spotted Frog Consultation. (Reference Number 01EOFW00-2017-F-0374).* Oregon Fish and Wildlife Office. Roseburg, Oregon. July 11, 2017. 156 pages.

USDI FWS. 2021. *Biological Opinion: Southwest Oregon Dry Forest Resilient Lands Activities (Reference Number 01EOFW00-2021-F-0597).* Oregon Fish and Wildlife Office. Roseburg, Oregon. December 20, 2021. 368 pages.

Conclusion

I have considered how the alternatives analyzed in the EA meet the purpose and need, the associated environmental effects, and public input. Based on these considerations, I have decided that a modified Alternative C, as described in the EA and this Decision, provides the best opportunity to meet the purpose and need described for this project, while minimizing the potential for adverse effects on the environment. The required implementation of PDFs will provide for the protection of resources consistent with existing laws and policy and direction in the SWO ROD/RMP and NCO ROD/RMP.

Administrative Remedies
A person adversely affected by this Decision may appeal the Decision to the Interior Board of Land Appeals (Board), within the Office of the Secretary, Office of Hearings and Appeals. Appeals to the Board are governed by the Department's regulations at 43 CFR Part 4. The BLM has provided a copy of Form 1842-1 on the project website as a courtesy to assist a member of the public who chooses to appeal this Decision. However, the appellant (the person filing the appeal) bears the responsibility to know, understand, and comply with the appeals regulations.

To appeal this Decision, the appellant or designated representative (see 43 CFR 1.3) must file a notice of appeal within thirty (30) calendar days of the date of this Decision in this office, addressed to the deciding official (see Form 1842-1). It is the responsibility of the deciding official to promptly transmit a notice of appeal to the Board. If the notice of appeal does not include a statement of reasons, the appellant must file the statement of reasons with the Board and the BLM within thirty (30) calendar days after the notice of appeal is filed. A copy of the notice of appeal, any statement of reasons, any written arguments, and any briefs must also be filed with the Office of the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 601 SW 2nd Ave, Suite 1950, Portland, OR 97204-3172.

An appellant has the right to petition the Board to stay implementation of the Decision. If a petition for stay is filed, it must accompany the notice of appeal (if you are seeking to prevent the Decision from going into effect), and be served upon each party named in the Decision, the Office of the Regional Solicitor and the Board.

The BLM has revised the forest management regulations at 43 CFR 5000, and those revised regulations became effective on January 19, 2021. The BLM published the Final Rule in the *Federal Register* on December 18, 2020 (85 FR 82359). In the Final Rule, the BLM eliminated the administrative protest provisions formerly found at 43 CFR. 5003.3; accordingly, there is no longer an opportunity to administratively protest this forest management Decision.

This Decision Record is a forest management decision under 43 Code of Federal Regulations Part 5003.2 and the effective for the 30-day appeal period is the date this signed Decision Record is published on the BLM's ePlanning website for this project, which is March 2, 2022.

JENNIFER SMITH Digitally signed by JENNIFER SMITH
Date: 2022.03.02 11:26:56 -08'00'

Jen Smith
Acting District Manager

Date