

Appeals of this decision may be made as described in the Administrative Remedies section of the Decision Record within 30 days of the date that the decision was signed.

For the purposes of filing an appeal, the physical address of the Eugene District BLM Office is:

Delivery to site address (Note: DO NOT send mail to this address):

3106 Pierce Parkway, Suite E

Springfield Oregon

By mail:

Bureau of Land Management

P.O. Box 10226

Eugene, Oregon 97440

The address of the Regional Solicitor is:

Office of the Regional Solicitor

U.S. Department of the Interior

805 SW Broadway, Suite 600

Portland, Oregon 97205

If you have any questions concerning this proposal, please call Brian Bickford at (541) 683-6164 or William O'Sullivan at (541) 683-6287.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

CATEGORICAL EXCLUSION REVIEW

A. Background

Project Name: Dollar Road Salvage

Date: September 5, 2012

Categorical Exclusion Number: DOI-BLM-ORE060-2012-27-CX

Location: Both locations are within the Shotgun Creek drainage, located in NW1/4, NW1/4, T. 15 S., R. 1 W., Sec 31 and SE1/4, SE1/4, T 15 S., R. 2 W., Sec 25.

Description of Proposed Action:

Heavy winter rain and snow, combined with severe wind conditions, created 2 areas of blow down during the winter of 2011. Both of these locations have private holdings on their western property lines which have been opened, resulting in increased wind exposure. The resulting blow down on BLM lands consist of approximately two hundred trees scattered along these two property lines. It is estimated that approximately 2.5 acres of blown down timber exists in these two areas. Land use allocations in the blow down area consist of Matrix and riparian Reserve allocations with an average stand age of 70-80 years old.

The Upper Willamette Resource Area, of the Eugene District proposes to harvest these trees before deterioration occurs and this volume is no longer merchantable. The timeline for harvest will be the summer of 2012 or 2013. The area in section 25 would consist of long-lining the logs off of the hillside down to the road, and utilizing an existing landing located on Dollar Road (BLM rd. 15-1-31). The harvesting of blow down in Section 31 will consist of building a skid trail for up to 400' to reach the blown down trees. Some additional standing green trees, some of which are root sprung and leaning in the project area will need to be felled and harvested to reduce hazards and accommodate the skid trail. Ground based equipment will stay on slopes less than 35% slope. There is one portion of this area that will need to be long-lined downhill, due to steeper slopes. There is an open area near the junction of the proposed skid trail entrance and Dollar Road (BLM rd. 15-1-31) that will be used as a landing. A couple additional standing green trees may need to be harvested to accommodate swing room for the landing as defined in the Oregon Occupational Safety and Health Code, Forest Activities, Oregon Administrative Rules, Chapter 437.

B. Land Use Plan Conformance Review:

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in Conservation Northwest, et al. v. Sherman, et al., No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement.

The Dollar Road Salvage Project is consistent with the Eugene District Resource Management Plan as amended by 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 (2001 ROD), as modified by the 2011 Settlement Agreement.

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT**

CATEGORICAL EXCLUSION REVIEW
Extraordinary Circumstances Checklist

Proposed Action: Categorical Exclusion No. DOI-BLM-ORE060-2012-27-CX, Dollar Road Salvage

Review the proposed action against each of the 12 “extraordinary circumstances” listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Extraordinary Circumstances	YES	NO
<p>1. Have significant impacts on public health or safety. <u>Rationale:</u> All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety.</p>		X
<p>2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. <u>Rationale:</u> This action would comply with relevant protection measures under the Bald Eagle Protection Act and the Migratory Bird Treaty Act, and associated federal regulations and BLM policies, and would not measurably affect any of the species regulated by those acts. The project areas are not within and do not contain any of the natural or geographic areas described above. A reconnaissance survey was conducted to attempt to locate any cultural resources associated with the area of high probability ground. No historic remains were found in the project area and a no effect was determined.</p>		X
<p>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. <u>Rationale:</u> There are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses.</p>		X
<p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique, or unknown risks.</p>		X
<p>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <u>Rationale:</u> There is no evidence that this action has potentially significant environmental effects. Individual tree removal is a discrete action and does not commit the BLM to pursuing further actions, and as such would not establish a precedent or decision for future actions with potentially significant environmental effects.</p>		X

Extraordinary Circumstances	YES	NO
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <u>Rationale:</u> The proposed area will not have significant direct, indirect, or cumulative effects, as no other actions are or have been proposed in the area.</p>		X
<p>7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. <u>Rationale:</u> No properties listed, or eligible for listing, on the National Register of Historic Places are located within the units of the proposed action.</p>		X
<p>8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. <u>Rationale:</u> The proposed action will not have significant impacts to threatened or endangered species that are listed or proposed. The proposed action is outside of critical habitat and proposed critical habitat, and is covered by current ESA consultation, which determined that such projects were "Not Likely to Adversely Affect" listed wildlife species</p>		X
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands in the Eugene District ROD/RMP, which complies with all applicable Federal, State, local and tribal laws.</p>		X
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). <u>Rationale:</u> The proposed action would not affect low income or minority populations – the activity is localized to two small areas that are surrounded by BLM and private industrial timber lands. Furthermore, this action ensures that the public, including low income and minority populations, receive a fair price for the public resources (timber) being sold.</p>		X
<p>11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). <u>Rationale:</u> No such sites exist within the project area.</p>		X
<p>12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). <u>Rationale:</u> The proposed action requires the cleaning of harvest equipment prior to entry on BLM lands to mitigate the spread of noxious and invasive weeds. Vehicles accessing the project area for the proposed action would stay on existing roads (no additional roads proposed), reducing the potential of picking up and dispersing noxious weeds or seed.</p>		X
<p style="text-align: center;"><u>Project Design Features</u></p> <ol style="list-style-type: none"> 1. Ground based harvesting equipment limited to slopes less than 35%. 2. All yarding equipment would remain on designated skid trails, spaced 150 feet apart, and limited to 12 feet wide. 3. All blow down marked for removal shall be bucked into log lengths not to exceed 40 feet before being yarded. 4. Skid trails will be winterized and blocked prior to fall rains. 5. Ground based operations are limited to the dry season (typically July 1-October 1) 6. Skid trail construction will avoid trees 28" and larger and trees with visible wildlife nests. 7. 240 LF/AC of CWD will be left on site. 8. Dollar road will not be blocked for more than 30 minutes at a time. 		

1791A
CX-12-27
Dollar Road Salvage

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DECISION RECORD

Decision:

It is my decision to implement this action on BLM lands as described in the categorical exclusion documentation DOI-BLM-ORE060-2012-27-CX

Land Use Plan Conformance:

The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended).

Survey and Manage:

The action is in conformance with the 2001 Survey and Manage Record of Decision, as modified by the 2011 Settlement Agreement. As detailed in Instruction Memorandum OR-2011-063, the project area was evaluated for suitable habitat and known sites of Survey and Manage species. Based on this information and the proposed activities, no surveys or management of known sites is required.

Decision Rationale:

The proposed action has been reviewed by Resource Area Staff and appropriate project Design Features as specified, will be incorporated into the proposal. Based on the NEPA Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Administrative Remedies

Notice of the decision to be made on the action described in this categorical exclusion will be posted on the District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Authorizing Official:

/s/ William O'Sullivan

William O'Sullivan

Field Manager

Upper Willamette Resource Area

9/05/2012

Date: