

Categorical Exclusion Determination and Decision Record for Fawcett Fence Salvage

CE #OR115-08-43

Description of Proposed Action

A request was made by an adjacent landowner for the removal of approximately seven blown down trees, the results of a January 2008 snow and windstorm. Trees located on BLM lands were blown onto a fence along the adjacent property line. The trees knocked down approximately 800 feet of the adjacent landowner's fence. The trees need to be removed as soon as possible in order for the landowner to rebuild his fence. Logs would be winched or lined to the adjacent landowner's property. No equipment will be operated on BLM-managed lands.

The project is situated in the northeast ¼ of the northeast ¼ of section 29, Township 34 South, Range 2 East, Willamette Meridian, Jackson County, Oregon. The project is located on matrix lands in the Big Butte Creek fifth field watershed.

Plan Conformance Review

This proposal was not scoped and the public was not involved in its development. This proposal is consistent with policy directed by the following:

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995);
- *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (USDI 2007); and
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985).

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937, Federal Land Policy and Management Act of 1976, Endangered Species Act of 1973, Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990 (as amended), and Archaeological Resources Protection Act of 1979.

This proposal is consistent with management direction in the Medford District Resource Management Plan that directs the BLM to "Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources" (USDI 1995, p. 72).

Categorical Exclusion Determination

The proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 C(2). This section allows for “Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads.”

Before any action described in the list of categorical exclusions may be used, the “extraordinary circumstances,” included in 516 DM 2, Appendix 2, must be reviewed for applicability. After review, the BLM determined no extraordinary circumstances exist that would cause the proposed action to have a significant environmental effect. The action will not require additional analysis.

Project Design Features

1. Motorized vehicles will not operate on BLM-administered lands.
2. Only trees which have fallen across the property line will be removed.
3. Large coarse woody debris of 120 linear feet (16" x 16') per acre will be left on-site.
4. Slash will be lopped and scattered.

Contact Person

For additional information concerning this CE review, contact Dave Orban, Project Leader, at 541-944-0112.

NEPA Categorical Exclusion Review

Proposed Action: The removal of approximately seven blown down trees.

Department of the Interior Manual 516 2.3.A(3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may: Department of the Interior Manual 516 2.3.A(3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may:

1. *Have significant impacts on public health or safety.*

Yes No

Initial QW Remarks:

2. *Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; 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.*

Yes No

Initial AS Remarks:

3. *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

Yes No

Initial QW Remarks:

4. *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

Yes No

Initial _____ Remarks:

5. *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

Yes No

Initial QW Remarks:

6. *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Yes No

Initial SLS Remarks:

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.*

Yes No

Initial AS Remarks:

8. *Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.*

Plants Yes No Initial mw Remarks:

Animals Yes No Initial DR Remarks:

Fish Yes No Initial LZ Remarks:

9. *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes No
Initial OW Remarks:

10. *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

Yes No
Initial OW Remarks:

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).*

Yes No
Initial AS Remarks:

12. *Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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).*

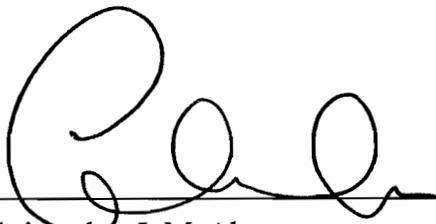
Yes No
Initial mw Remarks:

Decision

Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required. It is my decision to implement the removal and sale of blown down trees as described above.

Decision Rationale

The proposed action has been reviewed by Butte Falls Resource Area staff and appropriate Project Design Features, as specified above, will be incorporated into the proposal. Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.



9/17/08

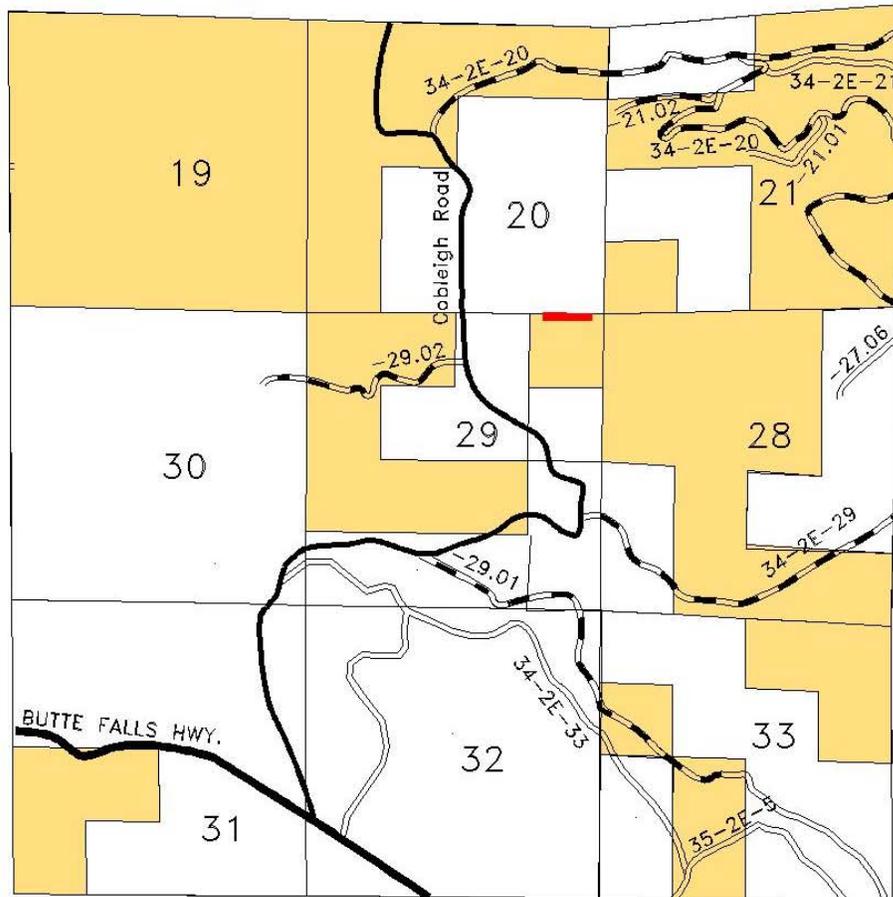
Christopher J. McAlear
Field Manager
Butte Falls Resource Area

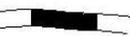
Date

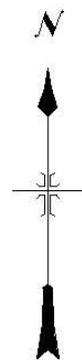
Administrative Review or Appeal Opportunities

This decision is effective upon signing by the authorized officer and shall remain in effect pending any protest. The action is subject to protest under 43 CFR section 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.

Fawcett Fence Salvage T.S. OR110-TS 08-43 T.34S.,R.2E.,Sec.29



-  **Sale Area**
-  **Rocked Road**
-  **Natural Surfaced Road**
-  **BLM Managed Lands**



Categorical Exclusion Reviewers:

Name	Title	Date	Initials
Jean Williams	NEPA Coordinator	9/12/08	JW
Marcia Wineteer	Botanist	8/12/08	mw
Dave Roelofs	Wildlife Biologist	7-31-08	DR
Steve Liebhardt	Fisheries Biologist	8/4/08	SL
Shawn Simpson	Hydrologist	8/1/08	SLS
Ken Van Etten	Soil Scientist	8/4/08	KBV.
Pat Butler	Fire/Fuels Specialist	8/12/08	PB
AMY SOBIECH John McNeel	ARCHAEOLOGIST Cultural Resource Technician	9/10/08	AS
Randy Bryan	Engineer	8/4/08	RRB
Trish Lindaman	Outdoor Recreation Planner	8/1/08	PLZ