

U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
GRANTS PASS RESOURCE AREA

**Categorical Exclusion Determination and Decision Record for  
the issuance of an  
O&C Logging Road Right-of-Way Permit No. M-2204 (OR 063947)  
To the Purchaser of a Josephine County Timber Sale  
CE-OR-117-08-34**

**Location and Name of Applicant:**

T. 34 S., R. 6 W., Sections: 17 & 19; T. 34 S., R. 7 W., Section: 25  
Medford District, Grants Pass Resource Area and Glendale Resource Area, Josephine County  
HUC-5: #171003100204, Jumpoff Joe-Bummer & #171003100303, Grave-Sunny Valley (see  
Exhibit A Map attached).

Applicant: Josephine County Department of Forestry

**Background**

Under the terms of the Memorandum of Understanding between the United States, Bureau of Land Management, Medford District and Josephine County, dated May 3, 1990, when Josephine County wishes to use BLM roads, the County shall submit their timber sale plan to the BLM and the BLM will determine if it has objections to the County's planned action. When there are no objections, the BLM shall furnish to the County a partially completed O&C Logging Road Right-of-Way permit which will be issued to the successful timber sale purchaser. This partially completed permit contains the terms and conditions for which the purchaser must comply. Upon award of the timber sale, the BLM will issue the permit to the successful purchaser. This document addresses the impacts of the permit to be issued to the successful purchaser.

**Description of Proposed Action:**

Josephine County Department of Forestry is planning their Railroad timber sale to be offered in the summer of 2008. The proposed action is the issuance of an O&C Logging Road Right-of-Way Permit to the purchaser of Josephine County's timber sale, under the provisions of 43 CFR Subpart 2812, and P.L. 94-579; 90 Stat 2743.

This permit has been designated as Permit No. M-2204 (OR 063947). The requested period of use is for 3 years, with the possibility of one-year extensions at the discretion of the Authorized Officer. The permit will allow commercial hauling of approximately 800 MBF of private timber over existing U.S. roads. Utilization of these roads would, by itself, not facilitate any ground-disturbing actions on federal lands. The permit would not be a determining factor as to whether ground-disturbing actions would occur on private lands.

The area to be harvested is identified in Table 1.

<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Subdivision</b>
34 S	6 W	17	NE <sup>1</sup> / <sub>4</sub> NE <sup>1</sup> / <sub>4</sub> , S <sup>1</sup> / <sub>2</sub> NE <sup>1</sup> / <sub>4</sub> , W <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub>
34 S	7 W	24	N <sup>1</sup> / <sub>2</sub> , W <sup>1</sup> / <sub>2</sub> SE <sup>1</sup> / <sub>4</sub> , SW <sup>1</sup> / <sub>4</sub> .

The following table (Table 2) identifies the U.S. roads to be used, estimated timber and/or mineral volumes to be hauled over each road and the anticipated haul periods.

<b>BLM Road and Segment No.</b>	<b>Segment Length</b>	<b>Length to be Used</b>	<b>Present Surface Type</b>	<b>Haul Period</b>	<b>Estimated Timber Volume to be Hauled (MBF)</b>	<b>Estimated Mineral Volume to be Hauled (CY)</b>
34-6-17	0.60	0.60	NAT	4 <sup>th</sup> Quarter	450	0
34-6-17.1	0.30	0.30	NAT	4 <sup>th</sup> Quarter	250	0
34-6-19.2A-D	1.82	1.77	PRR	4 <sup>th</sup> Quarter	700	0
34-6-30A1	1.91	1.91	ASC	4 <sup>th</sup> Quarter	700	0
35-6-8A-B	3.60	3.60	BST	4 <sup>th</sup> Quarter	800	0
35-6-8C-D1	0.55	0.55	BST	4 <sup>th</sup> Quarter	100	0
34-7-25.2	1.21	0.50	NAT	4 <sup>th</sup> Quarter	100	0

The haul route and affect roads are located in Josephine County on BLM lands administered by the Grants Pass and Glendale Resource Areas, and crosses federal General Forest Management Area. The specific roads to be used are located on the attached map labeled as Exhibit A.

In addition to the stipulations in Exhibits B and C, the following restrictions will also be instituted:

***Wildlife - Seasonal restrictions will be in place from March 1 through June 30 for the roads in sections 17 and 19 to exclude disturbance to nesting spotted owls. Restrictions may be lifted if surveys show that owls are nesting further than 95 yards from these road systems or are not nesting during the proposed hauling period.***

***During road maintenance, there will be no sidecast of material on the downhill side of roads in T34S-R06W-Sec. 17, Roads 34-6-17 and 34-6-17.1.***



## **EXHIBIT B: RIGHTS-OF-WAY / LEASE / PERMIT STIPULATIONS**

The Holder shall comply with the applicable Federal and State laws and regulations concerning the use of pesticides (i.e., insecticides, herbicides, fungicides, rodenticides, and other similar substances) in all activities/ operations under this grant. The Holder shall obtain from the Authorized Officer approval of a written plan prior to the use of such substances. The plan must provide the type and quantity of material to be used; the pest, insect, fungus, etc. to be controlled; the method of application; the location for storage and disposal of containers; and other information that the Authorized Officer may require. The plan should be submitted no later than December 1 of any calendar year that covers the proposed activities for the next fiscal year (i.e., December 1, 1979, deadline for a fiscal year 1981 action). Emergency use of pesticides may occur. The use of substances on or near the right-of-way shall be in accordance with the approved plan. A pesticide shall not be used if the Secretary of the Interior has prohibited its use. A pesticide shall be used only in accordance with its registered uses and within other limitations if the Secretary has imposed limitations. Pesticides shall not be permanently stored on public lands authorized for use under this grant.

The Holder shall promptly remove and dispose of all waste caused by its activities as directed by the Authorized Officer. The term "waste" as used herein means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, petroleum products, ashes, and equipment.

The United States will not be held liable for any damage to the road caused by the general public or as a result of fire, wind, or other natural disasters or as a result of silvicultural practices, timber harvesting operations, or other actions stemming from the land management activities of the Bureau of Land Management.

Cultural and Paleontological Resources. Any cultural and/or paleontological resource (historic or prehistoric site or object) discovered by the holder, or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting with the holder.

The Holder shall not use dirt roads as access routes when such use would cause severe rutting or erosion, as determined by the Authorized Officer. Construction, use, maintenance, and termination activities shall be suspended on public lands if soil condition warrants, as determined by the Authorized Officer.

The Holder(s) shall not place signs, gates, or barricades on public land, its resources, or improvements without prior written approval from the Authorized Officer.

Whenever the Holder(s) intends to partition or subdivide his (or their) property for non-commercial use or whenever two or more persons (or organizations) not a part of the same

nuclear family wish to obtain a right-of-way over a new or existing road for non-commercial use, this office will encourage the establishment of a property-owner's association. The association will be treated as a single entity, and a savings may therefore be realized by the members, who will be entitled to share the expenses involved in a single grant. To qualify, the association will be required to submit a copy of its charter. The Authorized Officer will provide, upon request, a list of the required charter elements.

The holder will be responsible for all preventive and corrective access road maintenance operations under this grant on road 35-5-21.1 and 22.2. This may include, but not be limited to, blading the roadway, cleaning the ditches and drainage facilities, dust abatement, or other requirements as directed by the Authorized Officer. (see attached Exhibit C)

The Holder shall contact the Authorized Officer or his representative at least 15 days prior to the anticipated start of log hauling to schedule a prehauling conference. This conference shall be attended by the Holders, or his designated representative(s), and all contractors or agents involved with hauling activities under this grant, and the Authorized Officer or his representative(s). The Authorized Officer is the BLM Grants Pass Field Manager, and his designated representative is:

Name: Jim Roper  
Title: Grants Pass Area Engineer  
Address: 2164 NE Spalding Ave., Grants Pass, OR 97526  
Telephone No: 541-471-6631

## **EXHIBIT C**

### **SPECIFICATIONS - ROADSIDE BRUSHING**

#### C.1.0 GENERAL

C.1.1 Description of Work - The work consists of cutting and removing trees and other vegetative growth along both sides of the roadway including bridges.

C.1.2 Operating Permit - State law requires a permit to operate power run machinery. The Contractor shall obtain the permit from the local State Forestry Office prior to the operation of power driven machinery.

#### C.1.3 Environmental Considerations

1. Equipment Cleaning: Brushing equipment shall be washed prior to entering BLM lands. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

2. To minimize the spread of Port Orford Cedar Root Disease into noninfected areas the following measures shall be taken:

a) All contractor equipment and vehicles shall be steam cleaned or washed with high pressure water hose before entering the project area and before leaving the project area. The project areas are shown on the Vicinity Map. Washing will take place at a designated washing station approved by the Contracting Officer. Before leaving the washing station soil and organic matter shall be removed from equipment and vehicles. The equipment used for washing will be sufficient to remove all soil and organic matter from equipment and vehicles. The water used for cleaning contractor equipment and vehicles shall be in quantities sufficient to complete the required washing. The water used at the washing station will be well water or Municipal water.

b) All water used at the washing station shall drain away from creeks, streams, and the area used for washing.

c) Report noxious weeds to Grants Pass Resource Area Engineering or Botanists before treating.

3. Do not remove vegetation in Riparian Area without written Authorization.

4. Do not operate equipment in Riparian Areas without written Authorization.

#### **C.2.0 DEFINITIONS**

Culvert - Any structure which provides a passageway, drain, or waterway under a road or embankment.

Cutting Limits - The vegetation cutting and removal area described in the specifications and/or shown on the exhibit.

Drainage Ditch - A specific type of furrow ditch located within or abutting the roadbed.

Right-of-Way - A general term denoting land, property, or interest therein (usually a strip) acquired for or devoted to transportation purposes.

Roadbed - The portion of a road within the intersection of the top surface and side slopes, excluding that portion of the ditch below the top surface.

Roadside - A general term denoting the area between the roadway and the Right-of-Way line.

Running Surface - The portion of the roadway or bridge for the movement of vehicles, exclusive of shoulders on asphalt paved roads.

Sight Distance - The length of road or bridge ahead visible to the vehicle driver.

Shoulder - The portion of the roadway contiguous with the running surface for accommodation of stopped vehicles or emergency use.

Surface Course - The top layer of a pavement structure, sometimes called the wearing course, usually designed to resist skidding, traffic abrasion, and the disintegrating effects of climate.

Traveled Way - The portion of the roadway for the movement of vehicles, exclusive of shoulders on asphalt paved roads. For purpose of this contract, traveled way includes turnouts and curve widening.

Turnouts - A short auxiliary lane on a one-lane road provided for safe passage of meeting vehicles.

Vegetation - All trees, woody plants, vines etc.

## **C.5.0 SPECIFIC TASKS**

C.5.1 Work shall be performed manually with hand tools including chainsaws. Self-propelled equipment shall not be allowed. The area to be cut shall consist of the roadbed surface, cut slopes and fill slopes.

C.5.1.1 Cutting Limits - The measured horizontal distance beyond the ditch centerline and the measured horizontal distance from the outside shoulder as shown on Drawing OR-11-9113.4-10

C.5.1.2 Bridges - The cutting limits beneath or adjacent to bridges shall extend 8 feet horizontally from each side of the outermost projected line of the bridge including abutments, curbs, rails or decks. All cut brush and trees shall be removed from beneath the bridge and from the stream channel in accordance with either Section C.5.3(a) or Section C.5.3(b).

C.5.1.3 Sight Distance - When needed for sight distance on the inside of circular curves, the middle ordinate measured from the edge of shoulder shall not exceed 25 feet as measured parallel with the slope, and the long chord shall be no less than 200 feet as shown on Drawing OR-11-9113.4-10, Sight Distance Diagram.

C.5.2.0 Cutting Requirements - Permittee shall:

(a) Cut all vegetation taller than (6) inches in height within the cutting limits that have a trunk or bole less than (7) inches in diameter when measured (54) inches above the ground surface.

Vegetation exempted from cutting are trees left from thinning and spacing described in section C.5.2.0(g).

(b) Cut all vegetation to a maximum height of (1) inch above the ground. All remaining limbs shall be severed from the stump. Sharp pointed ends will not be permitted. Cuts shall be parallel to the existing surface.

(c) Cut all limbs from trees that have a trunk or bole (7) inches or greater in diameter when measured (54) inches above the ground surface within the cutting limits. Limbs shall be cut to within (1) inch of the limb collar at the trunk or bole for the entire circumference of the trunk and to a height of (14) feet as measured from the roadway surface.

(d) Cut all limbs that extend into the cutting limits from trees growing outside of the cutting limits. Limbs shall be cut to within (1) inch of the limb collar at the trunk or bole surface. The cutting limit area shall be cleared of all limbs to a height of (14) feet as measured from the roadway surface.

(e) Clear all vegetation for a minimum of (4) foot radius from all culvert inlets.

(f) Cut all vegetation as described in Section C.5.2.0 on straight sections of road except as follows: Vegetation need not be cut beyond the outside shoulder of the road where the shoulder is more than (4) feet beyond the basic lane width as shown on Drawing OR-11-9113.4-10

(g) Thin, space and prune trees through curved sections of road for visibility as shown in Drawing OR-11-9113.4-10. Thinning and spacing of trees shall be a minimum (10) feet in height and (10) feet apart. A minimum (1/3) tree crown shall be maintained on any pruned tree.

### C.5.3 Debris - Handling/Disposal

(a) Roads to be brushed: Debris resulting from roadside brushing shall be scattered down slope below the road shoulder. No debris shall be left in the ditches, channels, catch basins, culverts, roadway, fences, cattle guards, or on the cut slope. Debris shall not be allowed to accumulate in concentrations, but shall be further reduced or removed. Concentrations will be defined as any debris, limbs or branches touching each other or piled on top of each other or any material sticking up over (2) feet in elevation above the ground.

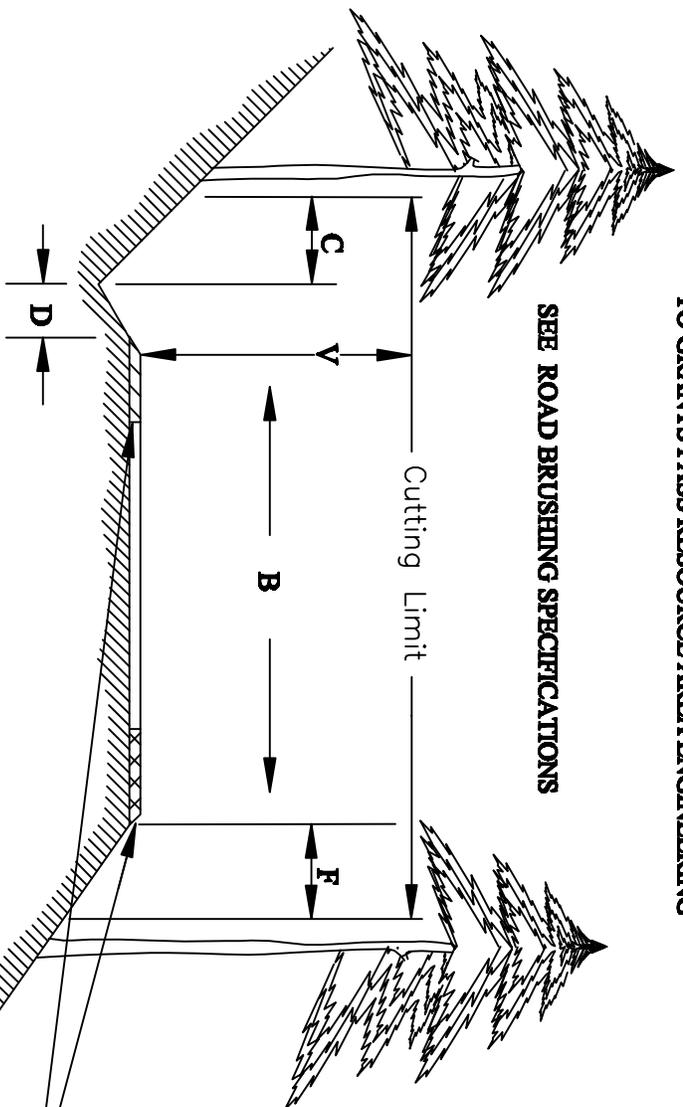
(b) Roads to be brushed and chipped: Debris resulting from roadside brushing shall be chipped. No debris shall be left in the ditches, channels, catch basins, culverts, roadway, fill slopes or cut slopes. Maximum chip pile size shall be (3) feet in diameter by (2) feet in height. No chip pile shall be located within (20) feet of any stream channel.

(c) Cut trees or debris shall not be allowed to stand or lean against other standing uncut trees or brush. Such "hangups" shall be removed, reduced and scattered down slope.

C.5.4 Signs, markers, other road appurtenances, and other specially marked items are to remain in place.

C.5.5 Traffic warning signs meeting the minimum requirements as stated in the Manual for Uniform Traffic Control Devices (MUTCD) for shape, size, color and legend shall be provided at each end of the active operating areas.

SEE ROAD BRUSHING SPECIFICATIONS



Brushing Diagram

Cutting Limit = C + D + B + F

B = Basic lane width (includes turnouts)  
Width shall be determined by the PI

C = 4 ft - Distance to be brushed on cut slope  
beyond centerline of ditch

D = Centerline of ditch to inside shoulder

F = Distance to be brushed on fill slope beyond outside shoulder  
(F = 4 when H is 4 ft or less)  
(F = 0 when H is greater than 4 ft)

V = 14 ft - Height of vertical cutting limit

Do not operate equipment in Riparian Areas without written Authorization

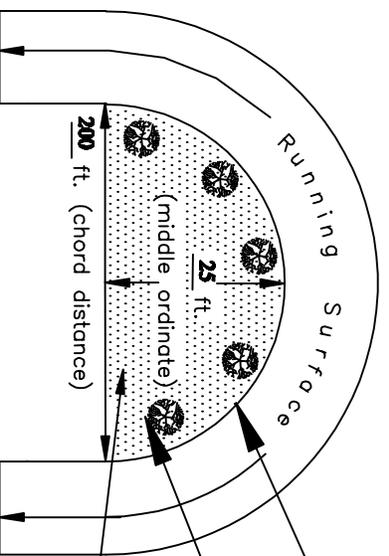
Replace Shoulder rock with 3/4 inch minus crushed aggregate  
Backfill potholes with 3/4 inch minus crushed aggregate  
for Natural and Aggregate Surface Roads

Bituminous Surface roads, repair potholes with Asphalt  
Report all Noxious plants to BLM

Don't remove vegetation in Riparian Areas without Authorization

Typical Basic Lane widths

- One lane low traffic volume ..... 12 to 16 ft
- One lane medium traffic volume .. 16 to 20 ft
- Two lane high volume traffic..... 20 to 40 ft
- Turnouts ..... 10 ft



Sight Distance Diagram

**Inside shoulder**  
Thin, space and prune trees through curved sections of road for visibility as shown. Thinning and spacing of trees shall be a minimum (10) feet apart. A minimum (1/3) tree crown shall be maintained on any pruned tree.

NOTES:

Cutting and Removal of vegetation from ditches and roadway is incidental to brushing within cutting limits.

All distances shown are horizontal except for V

UNITED STATES DEPARTMENT OF THE INTERIOR	
BUREAU OF LAND MANAGEMENT	
GRANTS PASS R.A., GRANTS PASS OREGON	
<i>Rt of Way Maintenance</i>	
<i>Detail</i>	
DESIGNED	BLM
REVIEWED	
APPROVED	
DRAWN	JRR
DATE	April 2008
DRAWING NO.	OR-11-9113.4-10
SCALE	NONE
SHEET	1 OF 1

## **Plan Conformance Review**

The proposed action is in conformance with the following land use plans and decisions:

- (a) Record of Decision for the Medford District Resource Management Plan (June 1995);
- (b) Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl and the Standard and Guidelines for Late-Successional and Old Growth Forest Related Species within the Range of the Northern Spotted Owl (April 1994);
- (c) Record of Decision to Remove the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Plans within the Range of the Northern Spotted Owl. (July 2007); and
- (d) Record of Decision and Resource Management Plan Amendment for Management of Port-Orford-Cedar in Southwest Oregon, Coos Bay, Medford, and Roseburg Districts (May 2004).

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 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

This proposed action is consistent with management direction in the Medford District Resource Management Plan that directs the BLM to continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans, Oregon state-wide planning goals and rules, and the exclusion and avoidance areas identified in the Resource Management Plan (USDI 1995, p. 82).

## **Categorical Exclusion Determination**

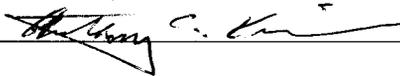
This proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9.E.16. This section allows for "Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or sites for the same or similar purposes."

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 (See attached review). 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.

**Contact Person**

For additional information concerning this project, contact Dave Allen, Project Leader, at (541) 618-2472.

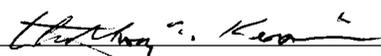
Prepared by:

 7/23/08

Anthony Kerwin, Environmental Planner  
Grants Pass Resource Area

Date:

Reviewed by:

 7/23/08

Anthony Kerwin, Environmental Planner  
Grants Pass Resource Area

Date:

 7/25/08

Michelle Calvert, Environmental Planner  
Glendale Resource Area

Date:

**Decision**

It is my decision to authorize O&C Logging Road Right-of-Way Permit No. M-2204 (serial No. OR 063947) as described in the Proposed Action. The project is planned for implementation beginning in summer 2008.

**Decision Rationale**

The proposed action has been reviewed by the Grants Pass and Glendale 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 environment and no further environmental analysis is required.

*for*   
Abbie Jossie, Field Manager  
Grants Pass Resource Area

7/29/08  
Date

  
Katrina Symons, Field Manager  
Glendale Resource Area

7/28/08  
Date

### **ADMINISTRATIVE REMEDIES:**

Administrative review of right-of-way decisions requiring National Environmental Policy Act (NEPA) assessment will be available under 43 CFR Part 4 to those who have a “legally cognizable interest” to which there is a substantial likelihood that the action authorized would cause injury, and who have established themselves as a “party to the case.” (See 43 CFR § 4.410 (a) – (c)). Other than the applicant/proponent for the right-of-way action, in order to be considered a “party to the case” the person claiming to be adversely affected by the decision must show that they have notified the BLM that they have a “legally cognizable interest” and the decision on appeal has caused or is substantially likely to cause injury to that interest (See 43 CFR § 4.410(d)).

### **EFFECTIVE DATE OF DECISION**

This is a lands decision on a right-of-way action in accordance with BLM regulations at 43 CFR Subpart 2812. All BLM decisions under 43 CFR 2812 will become effective on the day after the expiration of the appeal period (30 days after the date of service) where no petition for a stay is filed, or 45 days after the expiration of the appeal period where a timely petition for a stay is filed, unless the Director of the Office of Hearings and Appeals or an Appeals Board has determined otherwise in accordance with specified standards enumerated in 43 CFR 4.21(b).

### **RIGHT OF APPEAL**

This decision may be appealed to the U.S. Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals (Board) by those who have a “legally cognizable interest” to which there is a substantial likelihood that the action authorized in this decision would cause injury, and who have established themselves as a “party to the case.” (See 43 CFR § 4.410). If an appeal is taken, a written notice of appeal must be filed with the BLM officer who made the decision in this office by close of business (4:30 p.m.) not more than 30 days after the date of service. Only signed hard copies of a notice of appeal that are delivered to the following address will be accepted. Faxed or e-mailed appeals will not be considered.

*BUREAU OF LAND MANAGEMENT  
GRANTS PASS INTERAGENCY OFFICE  
2164 NE Spalding  
Grants Pass, OR 97526*

The person signing the notice of appeal has the responsibility of proving eligibility to represent the appellant before the Board under its regulations at 43 CFR § 1.3. The appellant also has the burden of showing that the decision appealed from is in error. The appeal must clearly and concisely state which portion or element of the decision is being appealed and the reasons why the decision is believed to be in error. If your notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed.

According to 43 CFR Part 4, you have the right to petition the Board to stay the implementation of the decision. Should you choose to file one, your stay request should accompany your notice of appeal. You must show standing and present reasons for requesting a stay of the decision. A petition for stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,

2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

A notice of appeal with petition for stay must be served upon the Board, the Regional Solicitor and Josephine County Department of Forestry at the same time such documents are served on the deciding official at this office. Service must be accomplished within fifteen (15) days after filing in order to be in compliance with appeal regulations. 43 CFR § 4.413(a). At the end of your notice of appeal you must sign a certification that service has been or will be made in accordance with the applicable rules (i.e., 43 CFR §§ 4.410(c) and 4.413) and specify the date and manner of such service.

The IBLA will review any petition for a stay and may grant or deny the stay. If the IBLA takes no action on the stay request within 45 days of the expiration of the time for filing a notice of appeal, you may deem the request for stay as denied, and the BLM decision will remain in full force and effect until IBLA makes a final ruling on the case.

### **HOW TO FILE AN APPEAL**

See the attached Form 1842-1 for complete instructions on Filing an Appeal

### **CONTACT INFORMATION**

For additional information contact:

Abbie Jossie, Field Manager, Grants Pass Resource Area  
Grants Pass Interagency Office  
Bureau of Land Management  
2164 NE Spalding  
Grants Pass, OR 97526  
(541)471-6652

Or Tony Kerwin (Grants Pass Resource Area Environmental Planner) at (541)471-6564

Additional contact addresses include:

- U.S. Department of the Interior  
Office of Hearings and Appeals  
Interior Board of Land Appeals  
801 N. Quincy Street, MS 300-QC  
Arlington, Virginia 22203
- Regional Solicitor  
Pacific Northwest Region  
U.S. Department of the Interior  
805 S.W. Broadway, Suite 600  
Portland, Oregon 97205
- Josephine County Department of Forestry  
County Courthouse, Room 68  
Grants Pass, OR 97526

Attachments: Exhibit A Map; Form 1842-1

**NEPA Categorical Exclusion Review**  
**O&C Logging Road Right-of-Way Permit No. M-2204 (OR 063947)**  
**To the Purchaser of a Josephine County Timber Sale**  
**CE-OR-117-08-34**

**Proposed Action:**

Department of the Interior Manual 516 DM 2, Appendix 2 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

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

Remarks:

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

Yes     No

Remarks:

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

Yes     No

Remarks:

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

Yes     No

Remarks:

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

Yes     No

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

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 Remarks:

Animals Yes No Remarks:

Fish Yes No Remarks:

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

Yes No

Remarks:

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

Yes No

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

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

Remarks:

**Reviewers:**

Conceen Francis 7/23/08  
Silviculture, Vegetation Dynamics  
& Port-Orford Cedar Date

Salim Singh 7/22/2008  
Botany Date

Steve Brewer 7/23/2008  
Cultural Resources Date

W. J. [Signature] 7/23/08  
Fisheries Date

Open Reef 7/23/08  
Wildlife Date

David Manner 7/23/08  
Soils/Hydrology Date

J.M. [Signature] 7/23/08  
Visual Resources / Recreation Date

Jim Roper 7/23/08  
Engineering Date