

Decision Memorandum on Action and for Application of:

Categorical Exclusion 1.13

Black Rock Salvage/Restoration

US Department of the Interior
Bureau of Land Management
Burns District Office
Hines, Oregon

Description of the Proposed Action and the Purpose and Need for the Action

The primary purpose of the proposed action is to provide post-fire rehabilitation activities within the Black Rock fire. The proposed action is to salvage log approximately 147 MBF (290 CCF) in two units of dead and dying ponderosa pine trees that were burned in the 2006 Black Rock fire area. The objectives are to remove fire-killed trees, lower fuel loading, salvage merchantable timber, provide for snags and down wood debris and plant 20,000 ponderosa pine seedlings. No new road construction is needed and remaining firelines would be closed to discourage future use. Tree removal would be conducted during dry soil conditions or during the winter on snow-covered or frozen ground. Slash at the landings would be piled and burned. Areas where slash exceeds 10 tons per acre would be hand or machine piled and burned later. Skid trails would be seeded; water barred and smaller slash scattered to reduce erosion. Disturbed areas will be rehabilitated as soon as possible.

Cultural resource surveys have been completed over the entire project area and no important cultural resource properties were identified. There are no known weed issues within the project area. The proposed action will be conducted in two phases, Black Rock north and Black Rock south. Implementation of Black Rock north would occur when the analysis is completed, sale notice advertised and protest period completed. Black Rock south would occur when the analysis is completed, forest management decision advertised, protest period completed and would be timed in conjunction with the Malheur National Forest sale.

The project is located approximately 21 air miles northeast of Burns, Oregon. The units are located in T.19S. R.32E., Section 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; T.20S. R.32E., Section 10, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; T.20S. R.32E., Section 03, NW $\frac{1}{4}$ NE $\frac{1}{4}$; T.20S. R.32E., Section 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; T.20S. R.32E., Section 03, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Plan Conformance

The proposed action is in conformance with the Three Rivers RMP/FEIS. Appendix One¹ Best Management Practices of the Three Rivers RMP/FIES recommends snag retention as found in the Agriculture Handbook² No. 533 of 2.25 snags per acre. Management

¹ Three Rivers Resource Management Plan, 1992. pg Appendices 5.

² Anderson, Ralph G., et al., Wildlife Habitats in Managed Forest the Blue Mountains of Oregon and Washington. Agriculture Handbook No. 533. 1979. pg 72.

Action F 1.8³ supports treatment of slash in excess of 10 per acres. Management Action V 1.6⁴ Application of weed control.

Compliance with the National Environmental Policy Act

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.13. Post-fire rehabilitation activities not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration, heritage site restoration, repair of roads and trails, and repair of damage to minor facilities such as campgrounds) to repair or improve.

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. For this project none of the exceptions apply. The extraordinary circumstances are contained in 516 DM 2, Appendix 2.

I considered that three pertinent situations were brought up during design. The three situations are 1) Historic or cultural resources that may be discovered during project implementation, 2) Monitoring of noxious weeds would be conducted for two years after treatment, and 3) Retention of snags and large woody debris. If cultural resources are found they would be avoided until they can be evaluated and determinations of effect can be completed. Weeds would be treated using the most appropriate methods if discovered during post project monitoring. At least two snags of 16 inch diameter and greater will be retained per acre for wildlife use and shading. Where trees of 21 inches or greater are not found, four smaller diameter trees will be retained to meet snag and woody debris requirements.

Persons and Agencies Consulted

Local land owners consulted were grazing leasee 362095 for East Creek – Pine Hill allotments. The leasees had two comments, 1) Repair the pasture fences before next grazing period and 2) expressing support of salvage or use of burnt timber within the 2006 Black Rock fire area. In addition, BLM asked permission to use the private road through the leasees' property. The leasees granted the BLM temporary use of the private road for the duration of the project.

The Malheur N.F., Emigrant Ranger District was consulted to determine if salvage of dead and dying timber and restoration of forest habitat was considered on their administered land. The District Ranger had determined that the Black Rock area would be a proposed project. The consultation was needed to determine if the BLM could salvage dead and dying timber on adjacent BLM administered land. It was determined that a joint project to salvage and restore forest habitat would be beneficial to the tax payer.

³ Three Rivers Resource Management Plan, 1992. pg 2-24.

⁴ Three Rivers Resource Management Plan, 1992. pg 2-53.

Decision and Rationale on Action

I have decided to implement the Black Rock salvage and restoration project by removing 147 MBF of fire-killed trees and planting 20,000 ponderosa seedlings. Additionally the project would reduce fuel loading, salvaging merchantable timber, and provide for snags and down wood debris to meet the purpose and need. I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

Implementation Date

This project will be implemented upon completion of analysis, advertisement of decisions and protest periods completed.

/signature on file/

9/25/06

Joan M. Suther

Date

Three Rivers Resource Area Field Manager

Administrative Review or Appeal Opportunities

The advertisement of the timber sale notice and forest management decision in the Burns Times Herald will initiate the 15-day protest period provided for under 43 CFR Section 5003.3 – Administrative Remedies. If no protests are received, this decision will become effective upon the conclusion of the protest period. If a timely protest is received, this decision will become effective upon the BLM's completion of its review and response to the protest. Any contest of this decision should state specifically which portion or element of the decision is being protested and cite the applicable CFR regulations.

Contact Person

For additional information concerning this decision, contact:

Tim Newkirk, Forester
Burns District Office
28910 Highway 20 West
Hines, Or 97738
541-573-4469

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

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: CX-OR-06-025-101 **File Code (Project/Serial Number):** 5000
Date: 01 September 2006
Preparer: Tim Newkirk
Applicant: Bureau of Land Management
Title of Proposed Action: Black Rock Salvage/Restoration

Description of Proposed Action: The proposed action is to salvage log approximately 136 MBF of dead and dying ponderosa pine trees that were burned in the Black Rock fire. The fire burned in late July on Bureau of Land Management (BLM), United States Forest Service (USFS) administered and private lands. The forested area on BLM manage land is approximately 69 acres in two separate stands (See attached maps). The objectives are to remove fire-killed and insect prone trees, lower fuel loading, and salvage merchantable timber while still providing snags and down wood debris as outlined in the Three Rivers Resource Management Plan/Final Environmental Impact Statement (RMP/FEIS). Salvage logging may be conducted jointly on the southern unit (unit 2) with the USFS and individually by the BLM on the northern unit (unit 1).

Salvage logging would be utilizing tractor-skidding during dry soil conditions or during the winter on snow-covered or frozen ground. Slash at the landings would be piled and burned. Areas where slash exceeds 10 tons per acre would be hand or machine piled and burned later. No new road construction is needed and remaining firelines would be closed to discourage use. Skid trails would be seeded, water barred and smaller slash scattered to reduce erosion. Disturbed areas will be rehabilitated as soon as possible. Ponderosa pine seedlings would be planted if seedlings and funding are available. Post treatment monitoring of noxious weeds would be conducted for two years. If found, weeds would be treated using the most appropriate methods. Cultural resource surveys have been completed over the entire project area and no important cultural resource properties were identified. Any cultural resources that are discovered during project implementation would be avoided until they can be evaluated and determinations of effect can be completed.

Legal Description (attach Location Map): T.19S. R.32E., Section 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ T.20S. R.32E., Section 10, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$
T.20S. R.32E., Section 03, NW $\frac{1}{4}$ NE $\frac{1}{4}$ T.20S. R.32E., Section 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
T.20S. R.32E., Section 03, SE $\frac{1}{4}$ SE $\frac{1}{4}$

The Proposed Action is in conformance with the Three Rivers MFP/ RMP.

Issue: 1992

Decision/Prescription (#): F 1.1, page (#): 2-21

BLM Categorical Exclusion Reference (516 DM 6, Appendix 5.4): C. 2.; Forestry – 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 removal requires no more than maintenance to existing roads.

DOI Categorical Exclusion Reference (516 DM 2 Appendix 1): 1.13; Post-fire rehabilitation activities not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration, heritage site restoration, repair of roads and trails, and repair of damage to minor facilities such as campgrounds) to repair or improve.

Screening for exceptions: The following extraordinary circumstances (516 DM 2, Appendix 2) may apply to individual actions within categorical exceptions. The indicated specialist recommends that the Proposed Action does not:

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

Michael Williams Signature: /signature on file/ Date: 9/19/06

2.2 *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; sole or principal drinking water aquifers; prime farm lands; wet lands (Executive Order 11990); flood plains (Executive Order 11988); national monuments; migratory birds; Areas of Critical Environmental Concern, and other ecologically significant or critical areas.*

Don Rotell/Fire Archeologist Signature: /signature on file/ Date: 9/14/06

Fred McDonald/Recreation Signature: /signature on file/ Date: 9/14/06

Nick Miller/Wildlife Biologist Signature: /signature on file/ Date: 9/14/06

Rick Hall/ACEC's Signature: /signature on file/ Date: 9/19/06
Lindsay Davies/Fisheries & Riparian Signature: /signature on file/ Date: 9/19/06

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

Gary Foulkes Signature: /signature on file/ Date: 9/25/06

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

Gary Foulkes Signature: /signature on file/ Date: 9/25/06

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

Gary Foulkes Signature: /signature on file/ Date: 9/25/06

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

Gary Foulkes Signature: /signature on file/ Date: 9/25/06

2.7 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.

Don Rotell/Fire Archeologist Signature: /signature on file/ Date: 9/14/06

2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species (Plants and Animals), or have significant impacts on designated Critical Habitat for these species.

Rick Hall/Botany Signature: /signature on file/ Date: 9/19/06

Nick Miller/Wildlife Biologist Signature: /signature on file/ Date: 9/14/06

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

Gary Foulkes Signature: /signature on file/ Date: 9/25/06

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

Gary Foulkes Signature: /signature on file/ Date: 9/25/06

2.11 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).

Don Rotell/Fire Archeologist Signature: /signature on file/ Date: 9/14/06

2.12 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).

Lesley Richman Signature: /signature on file/ Date: 9/19/06

Additional review (As determined by the Authorized Officer):

RMP conformance and CX review confirmation:

Planning and Environmental Coordinator:

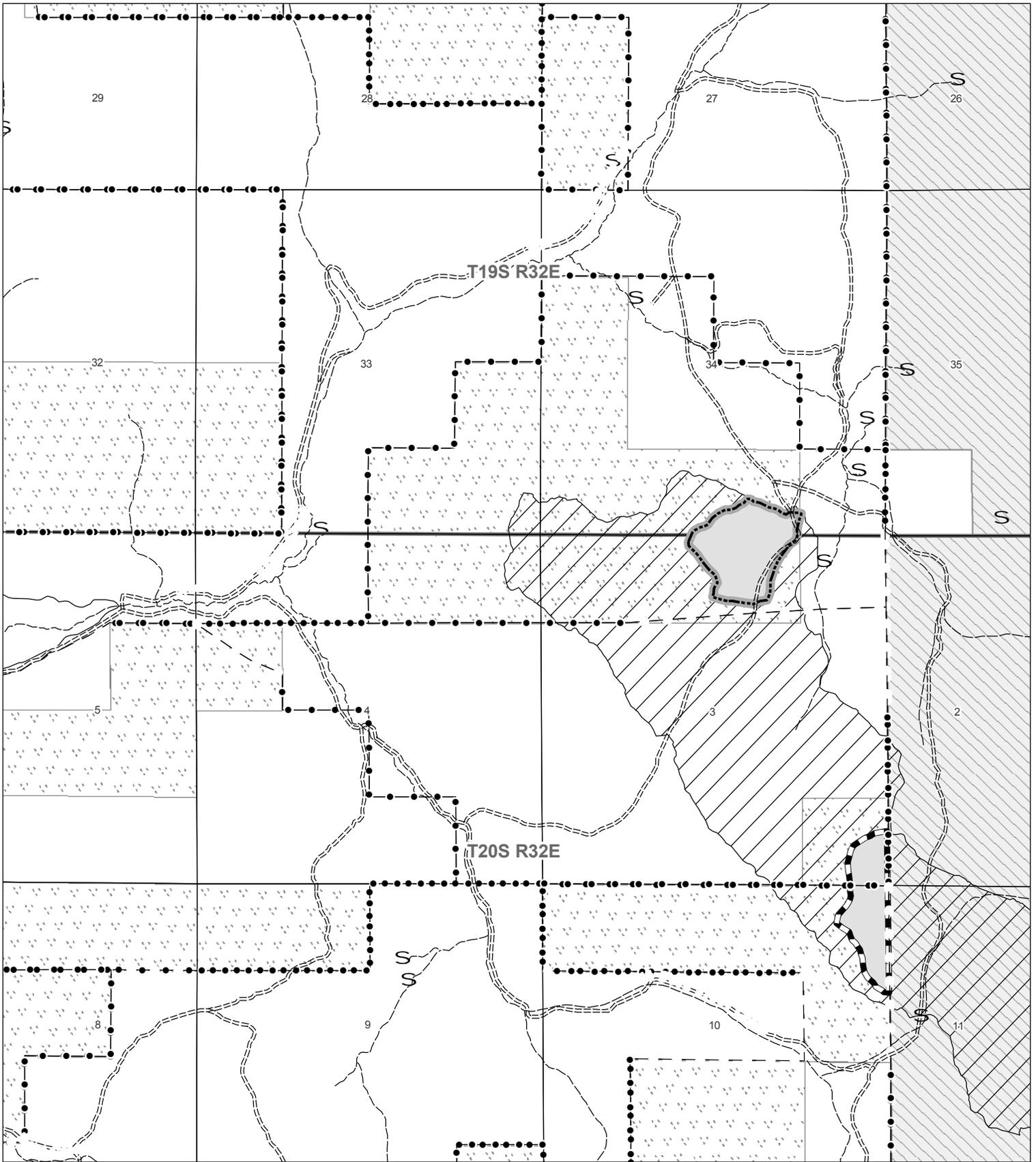
Gary Foulkes Signature: /signature on file/ Date: 9/25/06

DECISION: Based upon the review of this proposal, I have determined that the proposed project is in conformance with the Land Use Plan, qualifies as a categorical exclusion and does not require NEPA analysis. It is my decision to implement the action as described.

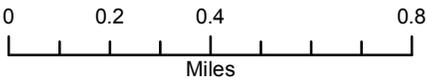
Approved By: /signature on file/

Authorized Officer
Joan M. Suther
Three Rivers Resource Area Field Manager

9 / 25 / 06
Date:



Black Rock Salvage



- | | | |
|-------------------------------------|-----------------|--------------------|
| Paved Road | Black Rock Fire | Land Admin. |
| Non-Paved Improved Road | North - Unit 1 | BLM |
| Primitive or Unknown Road Condition | South - Unit 2 | USFS |
| Springs | | Private |
| Pasture Boundary | | |



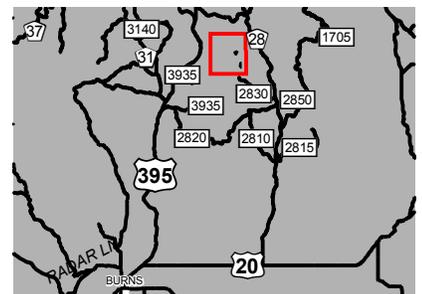
Exhibit A

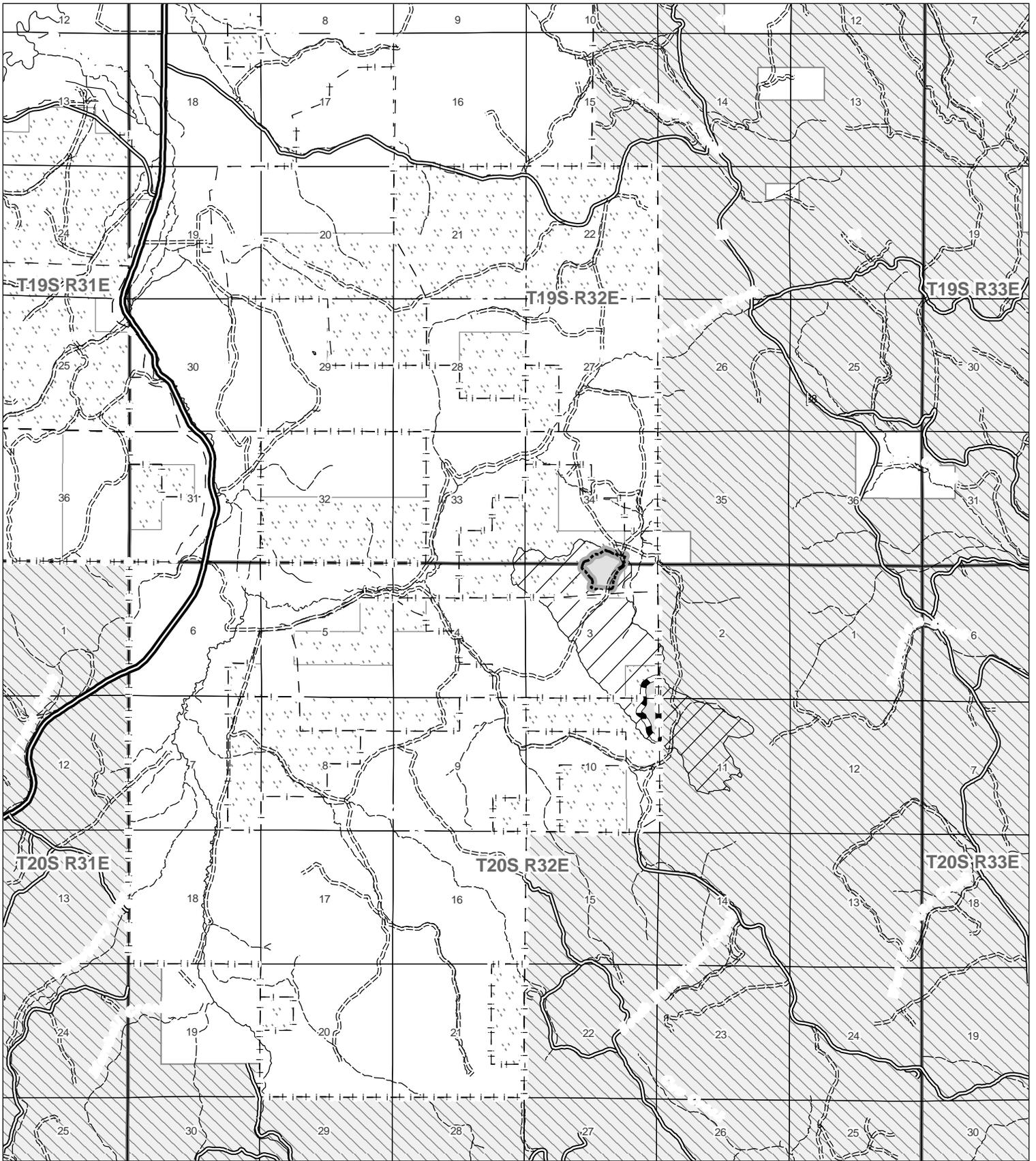


Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

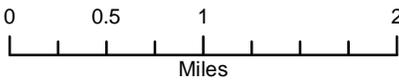
US DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District, Oregon

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5 Sept. 2006





Black Rock Salvage



- | | | |
|-------------------------------------|-----------------------------------|--------------------|
| Paved Road | Black Rock Fire | Land Admin. |
| Non-Paved Improved Road | Black Rock Salvage North - Unit 1 | BLM |
| Primitive or Unknown Road Condition | Black Rock Salvage South - Unit 2 | USFS |
| Springs | Private | |
| Pasture Boundary | | |

Exhibit B



Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

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5 Sept. 2006

