

**United States Department of Interior
Bureau of Land Management
Coos Bay District**

Categorical Exclusion Review (CX)

DOI-BLM-OR-120-2009-0005-CX

Date: October 10, 2008

A. Background

Project: Fiscal Year 2009 Removal of Roadway Salvage and Hazard Trees

Location: Various locations throughout the Coos Bay District.

Project Description:

Single salvage sales less than 50 mbf in compliance with Coos Bay Instruction Memorandum OR120-2007-03. Heavy equipment would be cleaned in accordance with the District Noxious Weed Policy.

B. Land Use Plan Conformance Review: This project is tiered to and in conformance with the *Coos Bay District Resource Management Plan/Final Environmental Impact Statement* (USDI BLM 1994) and its *Record of Decision*, as supplemented and amended, (USDI BLM 1995) and the *Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan [NFP])* (USDA/USDI 1994) and its *Record of Decision* (USDA/USDI 1994a).

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

Manage for the production and sale of special forest products (SFPs) when demand is present and where actions taken are consistent with primary objectives for the land use plan (page 55).

Provide opportunities for firewood cutting along roadsides where trees are obstructing sight distance, are a safety hazard, or are creating road maintenance problems (page 55).

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11 §11.9 C(2):

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.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed and none of the extraordinary circumstances described in 516 DM 2 Appendix 2 apply.

A summary of the extraordinary circumstances is listed below. The action must have a significant or a disproportional adverse effect on the listed categories to warrant further analysis and environmental review.

<u>Extraordinary Circumstances</u>	<u>Applies</u> (Yes/No)	<u>Comments¹ and Source²</u>	<u>Initials</u>	<u>Date</u>
(1) Health & Safety Hazardous Materials	No No	Reviewed by Hazardous Materials Coordinator;	<u>PG</u>	<u>10/21/08</u>
(2) Unique Resources	No	Reviewed by Port-Orford Cedar Coordinator	<u>JJA</u>	<u>10/22/08</u>
(3) Controversial Effects	No			
(4) Risks	No			
(5) Precedent	No			
(6) Cumulative	No			
(7) Cultural & Historic	No	Reviewed by Archaeologist	<u>SPS</u>	<u>10/23/08</u>
(8) T & E Species	No	Reviewed by Wildlife Biologists, Fisheries, and Botanist <i>requires wildlife review to assess no removal of suitable habitat</i>	<u>WP</u> <u>WMA</u> <u>JLS</u>	<u>10/23/08</u> <u>10/22/08</u> <u>10/23/08</u>
(9) Violate Laws	No			
(10) Environmental Justice	No	Reviewed by Environmental Justice Coordinator	<u>SPS</u>	<u>10/23/08</u>
(11) Native American Religious Concerns	No	Reviewed by District Native American Coordinator	<u>SPS</u>	<u>10/23/08</u>
(12) Noxious Weeds	No	Reviewed by Noxious Weed Coordinator	<u>GA</u>	<u>10/14/08</u>

¹ Indicate applicability if the exception.

² List data source on which exception determination is based.

D. Signature

Authorizing Official: District Manager: Mark E. Johnson Date: 10/27/08

E. Contact Person

For additional information concerning this CX review, contact Steven Fowler; District Planning & Environmental Coordinator; Coos Bay District Office; 1300 Airport Lane; North Bend, OR 97459.

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Bureau of Land Management
Coos Bay District

Decision Record
Categorical Exclusion Review

Decision:

It is my decision to allow the sale of salvageable timber and removal of hazard trees along roadways in accordance with Coos Bay Instruction Memorandum OR120-2007-03 and as described in DOI-BLM-OR-120-2009-0005-CX. This action will assist in the maintenance of the Bureau's road system for access and safe travel and allow the opportunity to support the special forest products program.

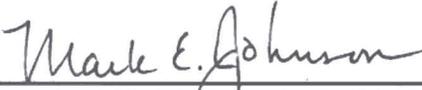
Decision Rationale:

The proposed action meets the criteria for the categorical exclusion 516 DM 11.9 (C) Forestry (2) for sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard. As documented in the attached Categorical Exclusion, DOI-BLM-OR-120-2009-0006-CX, none of the "extraordinary circumstances" in DM 516 2, Appendix 2, apply. Further, the action is in conformance with the *Coos Bay District Record of Decision and Resource Management Plan* (May 1995) as amended.

Administrative Remedies:

Notice of this forest management decision will be published in the 11/4/2008 edition of the World newspaper and posted on the Coos Bay District website at <http://www.blm.gov/or/districts/coosbay/plans/index.php> . This decision is subject to protest by the public. To protest this decision, a person must submit a written protest to Mark Johnson, Coos Bay District Manager, 1300 Airport Lane, North Bend, OR, 97459 by close of business (4:30 P. M.) on 11/19/2008. The protest should clearly and concisely state the reasons why the design or the decision to go forward with the sample tree falling project is believed in error. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available, and a final decision will be issued which will be implemented in accordance with 43 CFR 5003.

Signature of Authorizing Official:



Mark Johnson, District Manager

Date: 11/03/08



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

1300 AIRPORT LANE, NORTH BEND, OR 97459

Web Address: <http://www.blm.gov/or/districts/coosbay> E-mail: OR_CoosBay_Mail@blm.gov

Telephone: (541) 756-0100 Toll Free: (888) 809-0839 Fax: (541) 751-4303



In Reply Refer to:

5400 (OR-120)P

March 14, 2007

EMS TRANSMISSION

Instruction Memorandum No. OR120-2007-03

Expires: 09/30/2007

To:	All Employees
From:	District Manager
Subject:	District Roadway Salvage Disposition Procedures

Program Area: Salvage of fallen timber and hazard trees within the roadway and associated clearing limits.

Purpose: This instruction memorandum replaces the District guidelines for the removal and disposition of hazard and fallen trees within District roadways and associated clearing limits, and replaces guidance from IM OR120-2003-03.

Policy/Action: Roads are Administratively Withdrawn Areas and are classified as “non-forest lands”. Specific direction for road management is contained in the *Coos Bay District Record of Decision and Resource Management Plan*.

To accomplish this direction, employees shall utilize the following hazard and fallen tree disposition and removal guidelines. In all circumstances, the Best Management Practices (RMP ROD, Appendix D) for timber harvest shall apply.

I. Definitions

Roadway - The portion of a road within the limits of construction, usually from the toe of the fill slope to a point where the cut slope intersects the natural ground line. Synonym – road prism. (*H-5420-1 – Preparation for Sale Appendix 7, page 5*).

Clearing limits - Where clearing limits have not been staked, the limits shall extend 10 feet back from the top of the cut slope and 5 feet out from the toe of the fill slope (*H-5420-1 – Preparation for Sale Appendix 7, page 10, 202*).

Hazard Tree - The District will continue to use the definitions put forth in *Long-Range Planning for Developed Sites in the Pacific Northwest: The Context of Hazard Tree Management* (USDA FS, PNW Region, 1992) for what constitutes a human safety hazard and hazardous trees and the District extrapolates this definition from developed sites to include roads. Hazard tree contacts are located in each field office.

Salvage - The act of recovering trees from theft, destruction, or waste and to put to further use.

II. Direction for Fallen or Hazard Trees in Which All or Some Portion Intersects or May Affect The Roadway And Clearing Limits

Active Haul Routes Regardless of Land Use Allocation

Remove hazard and fallen trees in the most expedient manner possible.

Non-Active Haul Routes

Direction for the removal or disposition of fallen or hazard trees for non-active haul routes is based on land use allocation. For non-active haul routes regardless of land use allocation, remove the hazard and open the road, keeping the logs in the longest lengths possible. Follow the below applicable guidance for the land use allocation and complete all associated clean-up and maintenance.

General Forest Management Areas (GFMA):

Dispose by sale, firewood permit, or off-site restoration work.

Late-Successional and Riparian Reserves:

- 1) Fallen or hazard trees that intersect or may affect the roadway and clearing limits of gravel or bituminous surfaced roads are available for disposal by sale. Entire trees may be sold if the trees are merchantable as saw timber.
- 2) Fallen or hazard trees that intersect the roadway and clearing limits of natural surface roads should be moved outside of the roadway to a non-hazardous location at that site. If this is not feasible, remove the log for off-site restoration work. If the tree has not been relocated within one month and there is need to open the roadway, the entire tree can be sold.
- 3) Fallen trees that are outside of the roadway and clearing limits of any road surface type **that are a hazard** to the road should either be moved below the roadway; or, if that is not feasible, removed for off-site restoration work.
- 4) **Hazard** trees and snags adjacent to roadways should be felled away from the road to meet coarse woody debris objectives. If this is not feasible, an unsafe practice, or down wood levels are met, remove the log for off-site restoration work.

NEPA Requirements: Each year the District will prepare a District-wide salvage CX, under 516 DM 11, C, (2), for salvage sales that contain less than 50 mbf per sale. This CX shall be supplemented for each sale with a short description that includes quantity and a location map. For larger roadside salvage sales, a CX may be appropriate for that individual sale depending

upon conditions. Sales that "may adversely affect" proposed species are required to have Section 7 ESA consultations prior to implementation.

Contact: Umpqua and Myrtlewood Field Office Managers.

Districts with Unions are reminded to notify their unions of this IM and satisfy any bargaining obligations before implementation. Your Servicing Personnel Office or Labor Relations Specialist can provide you assistance in this matter.

Signed by	Authenticated by
Mark E. Johnson	Katherine K. Wash
Mark E. Johnson District Manager	Katherine K. Wash Records Management Technician

Attachment:

Typical section subgrade with clearing limits (1pg)

Distribution

WO-230 (Room 204LS)-1

OR-931