

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

Categorical Exclusion Review (CX)

DOI-BLM-OR-C040-2011-0004-CX

Date: 2-8-11

A. Background

Project: Gorse Removal Access

Location: Township 29 South, Range 15 West, Sections 35 and 36.

Project Description:

The Oregon Parks and Recreation Department (OPRD) is requesting a short-term right-of-way access across BLM ownership to access their property for the purpose of treating noxious weeds (gorse). The requested access area is located in the New River Area of Critical Environmental Concern (ACEC). OPRD is requesting access for a tracked vehicle with a mowing head and an ATV. The access consists of a rock road (approximately 0.5 miles) and hiking trail (approximately 0.35 miles). OPRD is also seeking an easement across a small section (0.10 miles) of private lands. The BLM would temporarily remove a 16-foot section of existing split rail fence line to facilitate this access. As a condition of this CX, the OPRD is required to rehabilitate and restore the area to its natural or original condition.

BLM officials would meet with the equipment operators to ensure that the designated route is well understood. The tracked vehicle would cross BLM ownership once for ingress and egress; it would remain parked on OPRD lands for the duration of the project (approximately 2 weeks). The ATV would cross daily to provide access, fuel for the mower, and washing materials to remove weeds. The tracked vehicle would be thoroughly washed to remove any noxious weed materials before crossing BLM lands at the project conclusion.

OPRD would retreat their area as needed in the following two years; all of the same conditions of use stated above would apply.

B. Land Use Plan Conformance Review: The BLM developed this project under the management direction of the *1995 Coos Bay District Record of Decision and Resource Management Plan* (1995 ROD/RMP). The analysis supporting this decision tiers to the *Final Coos Bay District Proposed Resource Management Plan/Environmental Impact Statement* (USDI 1994). This 1995 *Record of Decision* is also supported by, and consistent with, the *1994 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* and its associated *Record of Decision* (USDA/USDI 1994).

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

Continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans, Oregon statewide planning goals and rules, and the exclusion and avoidance areas identifies in this PRMP (p. 65).

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

Continue to enforce the off-highway vehicle limitation on all lands within the ACEC (including future acquisitions). Exceptions include: access on designated roads and parking lots; administrative access; and special permits for scientific research, monitoring, resource protection, and/or restoration projects (per Federal Register Notice Vol. 61, No. 71 dated April 11, 1996) (*New River Area of Critical Environmental Concern Management Plan Updated May 2004*).

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 11.9 E. 20:

One-time issuance of short-term (3 years or less) rights-of-way or land use authorizations which authorize trespass action where no new use or construction is allowed, and where the proposal includes rehabilitation to restore the land to its natural or original condition.

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>02/24/2011</u>
(2) Unique Resources	No	Reviewed by ACEC Manager	<u>KW</u>	<u>02/24/2011</u>
(3) Controversial Effects	No			
(4) Risks	No			
(5) Precedent	No			
(6) Cumulative	No			
(7) Cultural & Historic	No	Reviewed by Archaeologist	<u>SRS</u>	<u>02/28/2011</u>
(8) T & E Species	No	Reviewed by Wildlife Biologist, Fisheries Biologist, and Botanist	<u>KW</u> <u>SM</u> <u>TR</u>	<u>02/24/2011</u> <u>02/24/2011</u> <u>02/28/2011</u>
(9) Violate Laws	No			
(10) Environmental Justice	No	Reviewed by Environmental Justice Coordinator	<u>SRS</u>	<u>03/02/2011</u>
(11) Native American Religious Concerns	No	Reviewed by District Native American Coordinator	<u>SRS</u>	<u>03/02/2011</u>
(12) Noxious Weeds	No	Reviewed by Noxious Weed Coordinator	<u>JMS</u>	<u>02/24/2011</u>

D. Signature

Authorizing Official: _____ Field Manager: /s/ Kathy Hoffine _____ Date: 03/02/2011 _____

E. Contact Person

For additional information concerning this CX review, contact Kip Wright, ACEC Coordinator, Coos Bay District, 1300 Airport Lane, North Bend OR 97459, 541-751-0100.

¹ Indicate applicability if the exception.

² List data source on which exception determination is based.

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Decision Record for Categorical Exclusion DOI-BLM-OR-C040-2011-0004-CX

Decision:

It is my decision to implement the Gorse Removal Access Project as described in DOI-BLM-OR-C040-2011-0004-CX.

Decision Rationale:

The proposed action has been reviewed by Field Office Staff. 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.

Signature of Authorizing Official:

/s/ *Kathy Hoffine*
Field Manager

Date: 03/02/2011

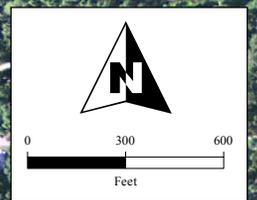
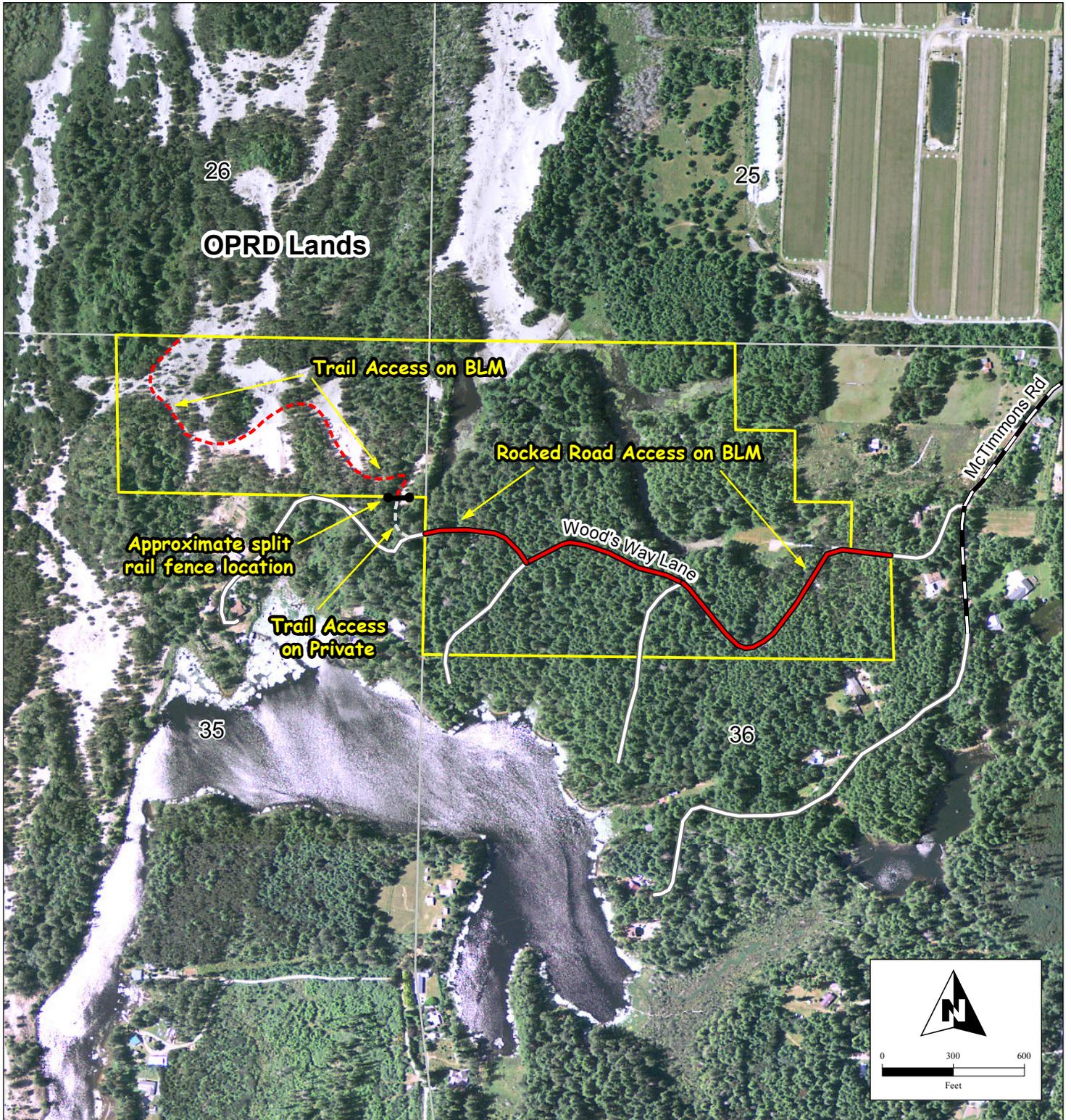
Administrative Remedies:

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 CFR Part 4. If an appeal is taken, your notice of appeal must be filed with the Myrtlewood Field Office, Coos Bay BLM, 1300 Airport Lane, North Bend OR, 97459 (43 CFR 4.411 and 4.413). A copy of the Notice of Appeal must also be sent to the BLM Regional Solicitor, Pacific Northwest Region, 500 NE Multnomah St. Suite 607, Portland, OR 97232.

The appellant has the burden of showing that the decision being appealed is in error.

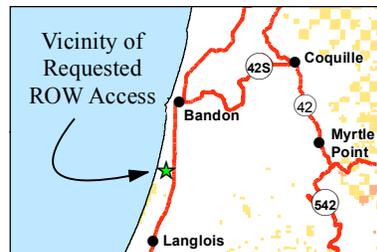
For further information, contact Kip Wright, Project Lead, at 1300 Airport Lane, North Bend OR, 97459 or (541) 756-0100.

Gorse Removal Access Request on BLM Lands in T29S-R15W-Secs 35 & 36



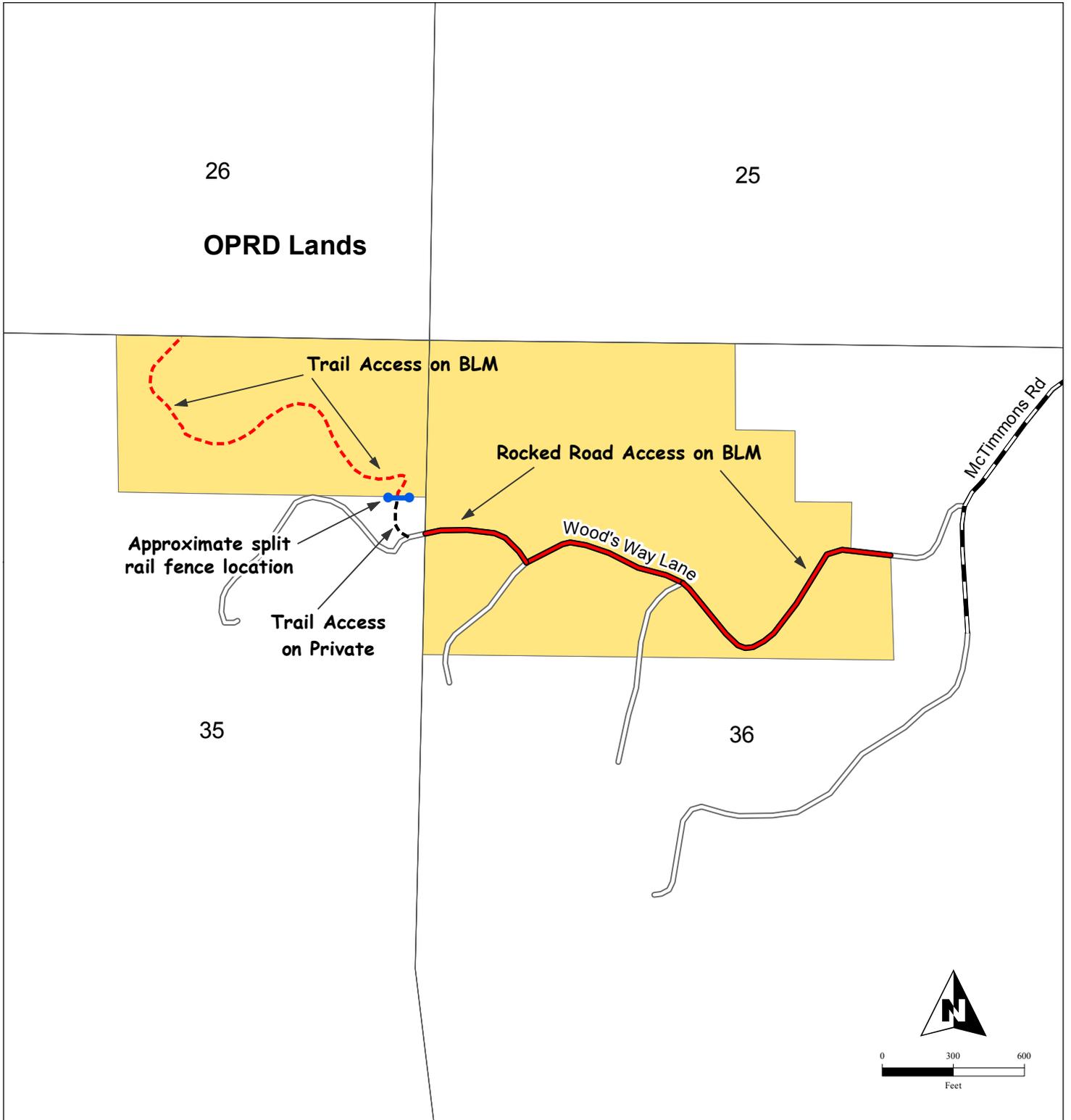
Map Features

-  Rocked Access Road on BLM
-  Existing Trail on BLM
-  Existing Trail on Private
-  Approx locn to remove 16' section of split rail fence
-  County Road
-  Other Roads
-  BLM Administered Land



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 were compiled from various sources and may be updated without notification.

Gorse Removal Access Request on BLM Lands in T29S-R15W-Secs 35 & 36



Map Features

- | | | | |
|---|---|---|-----------------------|
|  | Rocked Access Road on BLM |  | County Road |
|  | Existing Trail on BLM |  | Other Roads |
|  | Existing Trail on Private |  | BLM Administered Land |
|  | Approx locn to remove 16' section of split rail fence |  | Private/Other Lands |



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