



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: BLM_OR_CB_Mail@blm.gov

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



IN REPLY REFER TO

1791/5400 (ORC030)

DOI-BLM-OR-C030-2015-0004-CX

Yellow Point Fire Salvage

April 2, 2015

Dear Concerned Citizen:

We have signed the decision record for Categorical Exclusion (CX) for Yellow Point Fire Salvage (DOI-BLM-OR-C030-2015-0004-CX). The proposed action of this CX consists of a fire salvage project on approximately 25 acres burned during the Yellow Point Fire of 2014.

We have posted this document and decision record on the District internet site <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

The decision to implement this forest management project may be protested under 43 CFR 5003 – Administrative Remedies. As outlined in 43 CFR 5003(a) and (b), protests of a forest management decision may be made within 15 days of the publication date of the decision notice and shall contain a written statement of reasons for protesting the decision.

In accordance with the regulations, this notice constitutes the decision document for the purpose of protests which must be filed by close of business (4:30 p.m.) on April 21, 2015 with the Umpqua Field Manager, *Todd Buchholz*, at the Coos Bay District Office, 1300 Airport Lane, North Bend Oregon, 97459. As interpreted by the BLM, the regulations do not authorize acceptance by the BLM of protests in any form other than a signed, paper document that is delivered to the physical address of the BLM office within the 15-day period. Therefore, the BLM will not accept email, verbal, or facsimile protests.

For further information, contact Kyle Johnson, Team Lead, at 1300 Airport Lane, North Bend, Oregon, 97459 or (541) 756-0100, or email at BLM_OR_CB_Mail@blm.gov, Attn: Kyle Johnson.

Sincerely,

/s/ David H. Wash

for

Todd D. Buchholz

Umpqua Field Manager



United States Department of the Interior

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751-4303



IN REPLY REFER TO

1791/5400 (ORC030)

Decision Record for Categorical Exclusion DOI-BLM-OR-C030-2015-0004-CX

Decision:

It is my decision to implement the Yellow Point Fire Salvage: a fire salvage project on approximately 25 acres of lands managed by the Coos Bay District, Umpqua Field Office burned during the Yellow Point Fire of 2014, as described in DOI-BLM-OR-C030-2015-0004-CX.

Decision Rationale:

The proposed action has been reviewed by Field Office Staff and appropriate project Design Features as specified will be incorporated into the proposal. 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/ David H. Wash

For

Todd D. Buchholz

Umpqua Field Manager

Date: April 2, 2015

Administrative Remedies:

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the Authorized Officer within 15 days of the publication date of the notice of this decision advertisement in The World newspaper, Coos Bay Oregon.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the Authorized Officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (e-mail) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Coos Bay district office will be accepted. The protests must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the Authorized Officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The Authorized Officer

shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the Authorized Officer may proceed with the implementation of the decision as permitted by the regulations at 5003.3(f). If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the decision notice, this decision becomes final. If a timely protest is received, the protest decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay district will issue a protest decision.

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

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

Categorical Exclusion Review (CX)

DOI-BLM-OR-C030-2015-0004-CX

Date: 3/17/15

A. Background

Project: Yellow Point Fire Salvage

Location: Township 20 South, Range 07 West, Section 17, Willamette Meridian, Douglas County, Oregon.

Project Description:

The Umpqua Field Office of the Coos Bay District, Bureau of Land Management (BLM) is proposing a fire salvage project on approximately 25 acres burned in the Yellow Point Fire of 2014. A total of approximately 789 acres burned: 348 acres on BLM land and 441 acres on private timberlands. Of the BLM land involved, approximately 126 acres were on the Coos Bay District, 222 acres were on the Eugene District, and < 1 acre was on the Roseburg District.

The project is located in the Upper Smith River fifth field watershed in T20S, R07W, S17. The salvage would comprise one harvest unit in the General Forest Management Area (GFMA) land use allocation within the fire perimeter. No salvage harvesting or landing sites will occur within Riparian Reserves. Salvage harvest would remove fire killed and dying trees in the Project Area and within one site potential tree height of the BLM road 20-7-3.0, and two unnamed spur roads (see attached map). Dying trees are defined on p.3 of this Categorical Exclusion (CX).

For this project, trees would be yarded using a ground-based tractor system. Tractor landings would be placed on roadsides and would be limited to a maximum of 0.5 acre. Following harvest, skid trails would be rehabilitated by seeding and mulching. Berms would be re-contoured, and water bars would be installed. Where available, slash may be placed on skid trails to aid precipitation runoff dissipation and skid trail closure. Skid trail rehabilitation would occur within the same season of use.

Felled trees would be yarded to log landings where the tree tops and limbs would be removed. The resulting slash at the landings would be made available for public firewood and would be piled for burning or scattered in the unit.

Following harvest, the salvage area may be replanted with a suitable mix of conifer species, as deemed necessary by Foresters and Silviculturists to aid reestablishment of desired tree species.

Landing operations and timber hauling on rock surfaced roads would be permitted year round. Road conditions would be monitored during winter use to prevent rutting of the rock surface and delivery of fine sediment to stream networks. No new roads would be constructed. Approximately 1,550 feet (0.3 miles) of existing rock surfaced road would be renovated for use during harvesting.

There are no Northern Spotted Owl (NSO) nest patches, core areas, home ranges, or critical habitat units in the Project Area. The project area does not possess remnant trees with potential Marbled Murrelet (MM) nesting structure or MM critical habitat.

Project Design Features:

The following project design features are included in the site-specific design of the proposal to eliminate or minimize adverse impacts. These project design features are a compilation of resource protection measures identified by the Interdisciplinary Team and Best Management Practices identified in the Coos Bay District Record of Decision (ROD) and Resource Management Plan (RMP).

- Tractors or rubber-tired skidders will be restricted to slopes of less than 35 percent and used off road only during the driest part of the year, typically mid-July to mid-September.
- Require partial suspension during ground-based yarding to minimize soil disturbance.
- Permanent, effective drainage would be provided on roads that are closed. Waterbars, dips, or outsloping may be used to achieve effective drainage.
- Off-road equipment will be washed and inspected prior to entering the project area to prevent the introduction and spread of noxious weeds.
- Retain at least 2 snags per acre of the largest size class available to support populations of cavity nesting birds and aid in development of downed woody debris.
- Retained snags would generally be clumped along the sides of the harvest unit and at least one tree length away from BLM road 20-7-3.0 in order to facilitate a safe transportation system and salvage operations.
- Downed woody debris (DWD) would be reserved during this project.
- To minimize scorch and mortality, landing piles identified for burning would not be located within 15 feet of live reserve trees.
- If found, the BLM would suspend all project implementation activities near any objects or sites of possible cultural value such as historical or prehistoric ruins, fossils or artifacts and notify the Authorized Officer.
- Refueling of gas or diesel powered machinery would not be allowed in close proximity to stream channels. Contractors would be required to have spill prevention containment and countermeasure plans to minimize the likelihood of contamination reaching a waterway.

B. Land Use Plan Conformance Review: The BLM developed this project to conform and be consistent with 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 Coos Bay District is also aware of the decision by the United States District Court for the District of Columbia in *Douglas Timber Operators et al. v. Salazar* on March 31, 2011 to vacate and remand the Secretary of the Interior's July 16, 2009 decision to withdraw the Western Oregon Plan Revisions ROD. This project was evaluated for consistency with both the 1995 RMP and the 2008 ROD and RMP; accordingly, this project is consistent with the Coos Bay District's 1995 RMP and the 2008 ROD/RMP.

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

Timber Resources Objectives:

"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" (RMP page 52).

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 #C.8:

C. Forestry

8. Salvaging dead or dying trees not to exceed 250 acres, requiring no more than 0.5 mile of temporary road construction. Such activities:

- May include incidental removal of live or dead trees for landings, skid trails, and road clearing.
- May include temporary roads which are defined as roads authorized by contract,

permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and

c. Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.

d. For this CX, a dying tree is defined as a standing tree that has been severely damaged by forces such as fire, wind, ice, insects, or disease, and that in the judgment of an experienced forest professional or someone technically trained for the work, is likely to die within a few years. Examples include, but are not limited to:

- (i) Harvesting a portion of a stand damaged by a wind or ice event.
- (ii) Harvesting fire damaged trees.

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.

<u>Extraordinary Circumstances</u>	<u>Source</u>	<u>Initials</u>	<u>Date</u>
(1) Health & Safety Hazardous Materials	Reviewed by Hazardous Materials Coordinator;	<i>JA</i>	3/18/15
(2) Unique Resources	Reviewed by Port-Orford Cedar Coordinator	<i>JA</i>	3/18/2015
(3) Controversial Effects	Reviewed by NEPA Coordinator	<i>hp</i>	3/18/2015
(4) Risks	Reviewed by NEPA Coordinator	<i>hp</i>	3/18/2015
(5) Precedent	Reviewed by NEPA Coordinator	<i>hp</i>	3/18/2015
(6) Cumulative	Reviewed by NEPA Coordinator	<i>hp</i>	3/18/2015
(7) Cultural & Historic	Reviewed by Archaeologist	<i>JS</i>	3/18/15
(8) T & E Species	Reviewed by: Wildlife Biologist, Fisheries Biologist, Botanist	<i>JMK</i> <i>JF</i> <i>JS</i>	3/18/15 03-18-15
(9) Violate Laws	Reviewed by NEPA Coordinator	<i>hp</i>	3-12-15
(10) Environmental Justice	Reviewed by Environmental Justice Coordinator	<i>hp</i>	3/18/2015
(11) Native American	Reviewed by District Native American Coordinator	<i>hp</i>	3/18/15
(12) Noxious Weeds	Reviewed by Noxious Weed Coordinator	<i>hp</i>	3/19/15

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.

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The salvage harvest would occur in remote forested areas, well away from populated areas and will have no significant impacts on public health or safety.		
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principle drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); national monuments; migratory birds;		X

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
and other ecologically significant or critical areas.		
<p>Rationale: There are no historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principle drinking water aquifers; prime farmlands; wetlands or national monuments that would be affected. The ID team has determined there are no migratory birds and other ecologically significant or critical areas that would be affected.</p>		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102 (2)(E)]		X
<p>Rationale: The environmental effects of salvaging fire killed and dying trees adjacent to existing roads are not highly controversial. The Coos Bay District ROD/RMP authorizes this activity, and as such, there is no unresolved conflict regarding other uses of these resources.</p>		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks		X
<p>Rationale: The ID team has determined there are no highly uncertain or potentially significant effects, or unique or unknown risks associated with this project.</p>		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
<p>Rationale: Fire salvage is addressed in and authorized by the Coos Bay District ROD/RMP. As such, this project represents implementation of the land use plan decision, not a decision in principle on future actions.</p>		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects		X
<p>Rationale: The ID team has determined this salvage will have no direct relationship to other actions and no cumulative effects are anticipated as a result of this project.</p>		
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.		X
<p>Rationale: The ID team has determined this salvage harvest will have no significant impacts on properties listed, or eligible for listing, on the National register of Historic Places as determined by either the bureau or office.</p>		
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Threatened or Endangered Species, or have significant impacts on designated Critical Habitat for these species.		X
<p>Rationale: There are no Northern Spotted Owl (NSO) nest patches, core areas, home ranges, or critical habitat units in the Project Area. No remnant trees with potential Marbled Murrelet (MM) nesting structure and no MM critical habitat exists within the Project Area. The ID team has determined this salvage harvest will have no significant impacts on species listed, or proposed to be listed, on the List of Threatened or Endangered Species, or have significant impacts on designated Critical Habitat for these species.</p>		
2.9 Violate a Federal, State, Local, or tribal law or requirement imposed for the protection of the environment.		X

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
<p>Rationale: The project conforms to direction from the Coos Bay District ROD/RMP for management of O&C lands on the Coos Bay District. The ROD/RMP complies with all applicable laws, such as the Federal Land Policy Management Act, Clean Water Act, Endangered Species Act, and others.</p>		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
<p>Rationale: No potential impacts have been identified by the Coos Bay District BLM, either internally or through public involvement in BLM project planning in the past which would indicate that the removal of fire killed or dying trees would have a disproportionate impact on low income or minority populations.</p>		
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).		X
<p>Rationale: No sites of sacred, religious or ceremonial value have been identified in the project area. If found, the BLM would suspend all project implementation activities near any objects or sites of possible cultural value such as historical or prehistoric ruins, fossils or artifacts and notify the Authorized Officer.</p>		
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native 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)		X
<p>Rationale: There are currently noxious weeds in the project areas. Noxious weed control measures have been incorporated into the Project Design Features of the project. The ID team has determined the action will not contribute to introduction, continued existence or spread of noxious weeds or non-native invasive species.</p>		

D. Signature

Authorizing Official:

Field Manager:



Date: 3-20-15

E. Contact Person

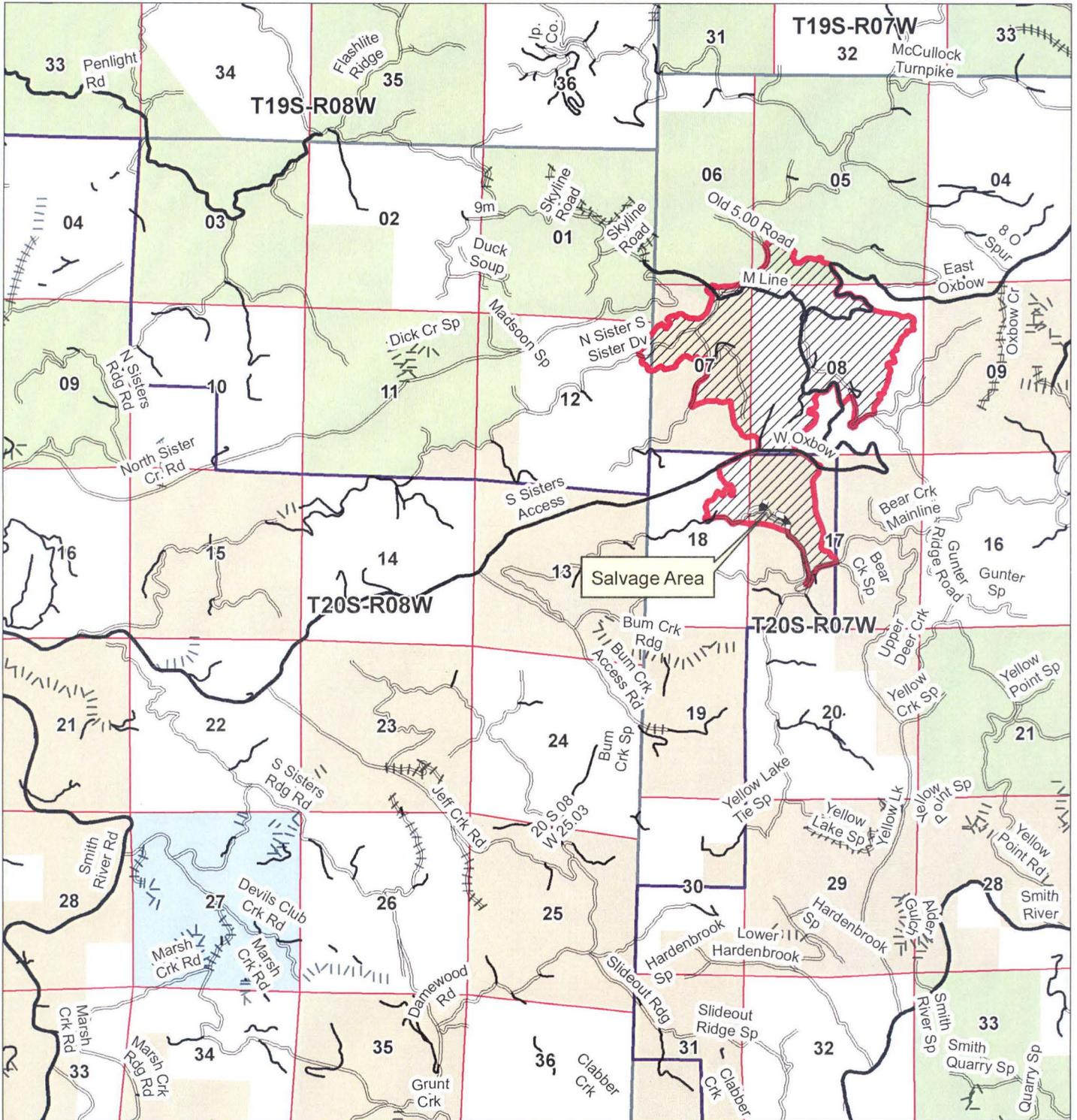
For additional information concerning this CX review, contact:

Kyle Johnson
Forester
Umpqua Field Office, Coos Bay District BLM.
(541) 756-0100
1300 Airport Lane
North Bend, OR
97459

¹ Indicate applicability if the exception.

² List data source on which exception determination is based.

Yellow Point Salvage Vicinity



Legend

Yellow Point Roads

— open

— closed

Yellow Point Fire Area

Coos Bay District Boundary

GFMA

Connectivity

LSR

K. Johnson
2/3/2015

0 0.5 1 2 3 Miles

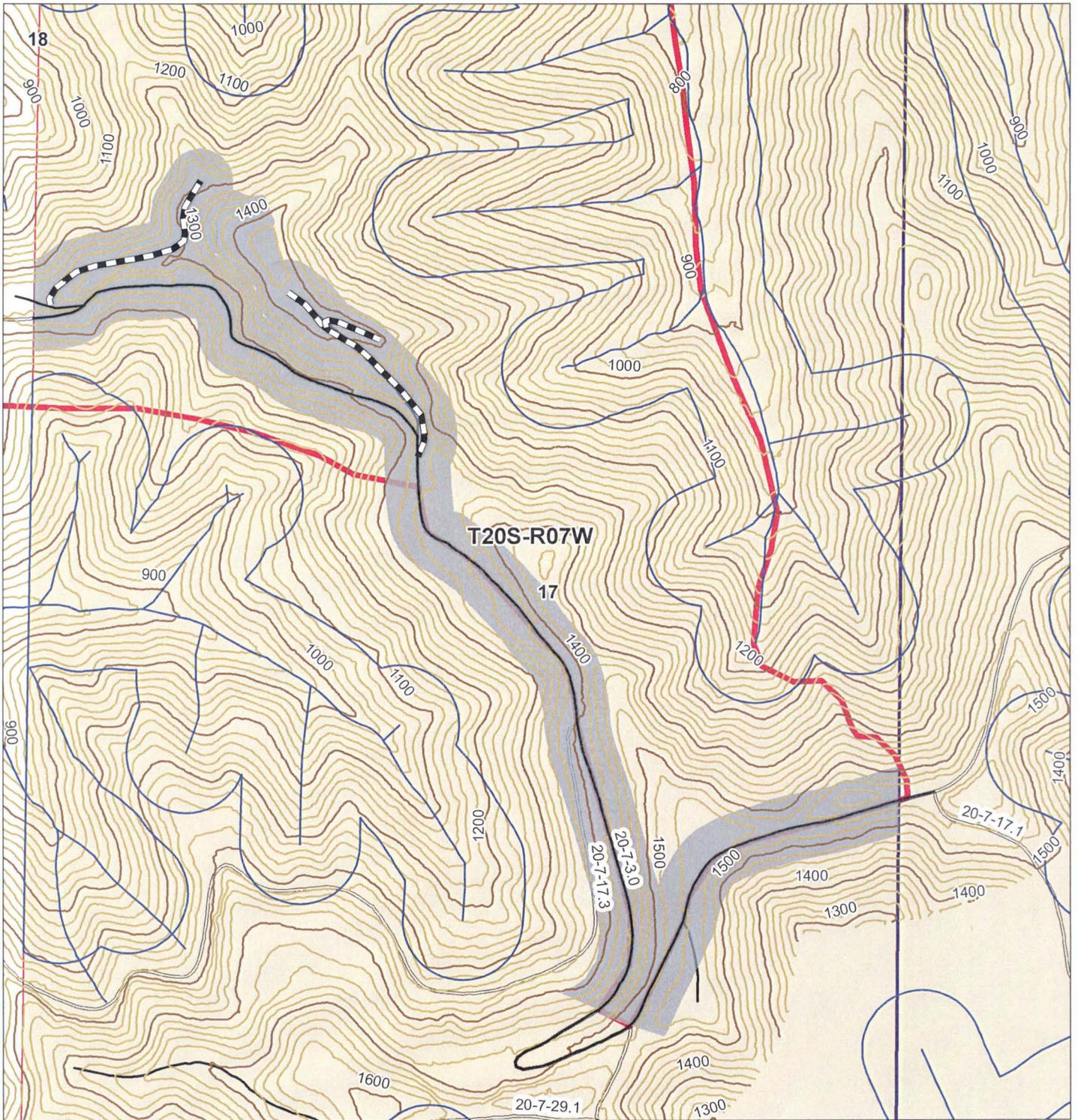


1 inch = 4,167 feet



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.

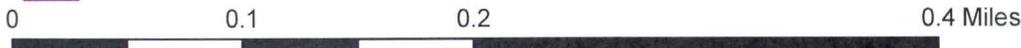
Yellow Point Fire Salvage



Legend

- Streams Updated
- Yellow Point Roads**
 - Rocked
 - Renovate
- Yellow Point Salvage Project Area
- Yellow Point Fire Area
- Coos Bay District Boundary
- GFMA
- Connectivity
- LSR
- Yellow Point Riparian Reserves Updated

1 inch = 417 feet



1 inch = 417 feet

K. Johnson
3/3/2015



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