

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT
CATEGORICAL EXCLUSION REVIEW
AND EXTRAORDINARY CIRCUMSTANCES CHECKLIST

Categorical Exclusion 1.12

Project Name

Hazardous Fuels Treatments for The Nature Conservancy
CE NO. OR090-08-27

Purpose and Need for the Action

The purpose for the proposed action is to reduce hazardous fuel loads on approximately 150 acres of prairies habitats for The Nature Conservancy (TNC) in the Willow Creek Preserve within the Eugene, Oregon. The Bureau Land Management (BLM) will work cooperatively with TNC to fund and/or implement mechanical and prescribed fire treatments in order to maintain and enhance prairie habitats during July through October annually. The need for the proposed action is to control the encroachment of invasive trees and scrubs, reduce thatch, and invigorate native grasses and forbs.

Plan Conformance: The Proposed Action is in conformance with design features and standards specific to prescribed fire and mowing under the *West Eugene Wetland (WEW) Schedule Environmental Assessment (EA)*. The purpose of the WEW EA is to maintain or enhance the amount of high, medium, and low quality prairie habitats. This CE is in conformance with these planning documents listed below. The desired conditions for the proposed action are to control the encroachment of invasive trees and scrubs, reduce thatch, and invigorate native grasses and forbs.

LUP Name* Eugene District Record of Decision and Resource Management Plan (RMP)
June 1995, as amended. _____ Date Approved

- **Other documents**
- West Eugene Wetland Plan 1993, 2000.
- West Eugene Schedule EA 2005.
- Biological Opinion and Letter of Concurrence on Effects of Implementation of the Ten-year schedule of Management Activities to Maintain, Enhance and Expand Prairie Habitats within West Eugene Wetlands (Dec. 2005)
- Biological Opinion and Letter of Concurrence for Reinitiation of Informal Consultation on the (Ten Year) Schedule of Management Activities within the WEW to Address the Potential Effects to Designated Critical Habitat (2007).

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, 1.12 . The reasons for this exclusion are the following; hazardous fuels reduction activities would not exceed 1,000 acres, prescribed fire would not exceed 4,500 acres, and the project area is within the wildland urban interface.

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects to the environment beyond those already addressed in the Plan documents listed above. The Proposed Action does not meet any of the twelve criteria listed below on page 3. The extraordinary circumstances are contained in contained in 516 DM 2, Appendix 2.

Persons and Agencies Consulted

The West Eugene Wetlands (WEW) Project is a cooperative venture by the BLM to protect and restore prairie ecosystems in the southern Willamette Valley of Oregon. This unique program involves a partnership of federal, state, and local agencies and organizations to manage lands and resources in an urban area for multiple public benefits. The BLM and it various WEW partners consult with Lane Regional Air Pollution Authority to adhere to any standards for the Proposed Action. The project and its proposed action is advertised in the Eugene Register Guard and sent to interested person on our mailing lists.

Decision and Rationale on Action

I have decided to work cooperatively with TNC to implement mechanical and prescribed fire treatments in order to maintain and enhance prairie habitats during July through October annually. These actions achieve the purpose for taking action. In addition, 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 BLM environmental analysis is required.

Prepared By:	<i>[Signature]</i> Wetland Natural Resource Specialist	Date:	
Reviewed By:	<i>Sally Villegas-Moore</i> Fire Management Officer	Date:	8/19/08
	<i>Nancy Ahlbeck</i>		8/20/08
Reviewed By:	<i>Sharmila</i> Planning & Environmental Coordinator	Date:	8/19/2008
Approved By:	<i>Charles F. Dennis</i> Siuslaw Field Manager	Date:	8/22/2008

Administrative Review or Appeal Opportunities

The decision to implement this project may be appealed to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is taken, the notice of appeal must be filed in this office within thirty (30) days of the date of this decision document for transmittal to the Board. A copy of the notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 500 NE Multnomah Street, Suite 607, Portland, Oregon 97323, within the same time frame. In taking an appeal, there must be strict compliance with the regulations. In accordance with 43 CFR 4.21, an appellant has the right to petition the Office of Hearing and Appeals to stay the implementation of the decision; however, an appellant must show standing and present reasons for requesting a stay of the decision. The petition for stay must be filed together with a timely notice of appeal.

Contact Person

For additional information concerning this decision, contact Sally Villegas - Moore Wetlands Natural Resource Specialist for the Eugene BLM District at (503) 683-6790.

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CATEGORICAL EXCLUSION REVIEW

Extraordinary Circumstances Checklist

Proposed Action: Hazardous Fuels Treatments for The Nature Conservancy
CE number OR090-08-27

Review the proposed action against each of the 12 "extraordinary circumstances" listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Extraordinary Circumstances		Comments
1.	Have significant impacts on public health or safety.	None
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 principal drinking water aquifers; prime farmlands; wetlands (EO 11990); floodplains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	None
3.	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA, Sec. 102(2)(E)]	None
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	None
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	None
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	None
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.	None
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.	None <i>SM 8/19/08</i>
9.	Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	None
10.	Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).	None
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 (EO 13007).	None

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 EO 13112).	None
<p>1. Mitigation Measures: With the except of Kincaid's lupine and Fender's blue butterfly populations, no more than 2/3 of the population of T &E species at a given site would be treated by mowing or burning each year. For Kincaid's lupine only, up to 100% could be treated. When burning in areas with Fender's blue butterfly, the size of the burn units for occurrences supporting 100 or more adult butterflies would be a maximum of 1/3 of the occupied habitat. The size of the burn units for occurrences with less than 100 adult butterflies would be a maximum of 1/4 of the occupied habitat. Unburned occupied habitat would be maintained within 100 meters of the burn area to provide for re-colonization by the butterfly. Where occurrence size allows, butterfly refugia within burn units would be protected with a fire break and/or watering down prior to a burn. Intervals for burning would be determined based by monitoring of butterfly populations.</p>		