

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

CATEGORICAL EXCLUSION REVIEW

OFFICE: Eugene BLM

TRACKING NUMBER: DOI-BLM-OR-E000-2014-0007-CX

CASEFILE/PROJECT NUMBER:

PROJECT NAME: Eugene District Meadow Tree Removal

LOCATION/LEGAL DESCRIPTION: The general project area is the Eugene District Bureau of Land Management (BLM). Individual trees would be removed from meadows/oak patches, where special management has been identified to retain or restore meadow habitat.

APPLICANT (if any):

A. Description of Proposed Action and any applicable mitigation measures

The Eugene District BLM proposes to kill small conifer and/or hardwood trees, no more than 20 inches in diameter, to prevent encroachment into existing grass-dominated meadows and oak patches. Trees may be killed by girdling the tree, cutting the tree down, topping the tree or other methods. If the tree is cut down, the tree would be left on site or piled and burned at later date. Up to 50 acres may be treated.

This CX does not cover conifer removal in sites occupied by Threatened or Endangered plants or Fender's blue butterfly.

Project Design Features

Northern Spotted Owl, Marbled Murrelet

Treatments affecting federally-listed species or federally-designated critical habitat shall comply with the standards of the appropriate letter of concurrence or biological opinion, and shall not cause effects other than those that are discountable, insignificant or entirely beneficial as defined by the Consultation Handbook.

Other Special Status Wildlife Species

In areas other than campgrounds or roads, area wildlife biologists will review projects where ground-disturbing activities are planned or where power equipment will be used to ensure compliance with the Bald Eagle Protection Act and BLM Special Status Species and/or Migratory Bird policies. Habitat modification at known sites will be designed to avoid or mitigate adverse impacts. Additionally, project activities using power equipment in locations with the potential for noise disruption (other than campgrounds and roads as indicated above) will be seasonally restricted during an appropriate portion of the breeding season (January 1 to September 30).

Special Status Plant Species

Botanists will review project areas to avoid any inadvertent damage to known Special Status plants. Apply treatments within and around Bureau Sensitive plant populations generally after plant populations have senesced for the season and before plant growth starts (September – February). In any season, plants will be well-marked on the ground (flagging, flag-pins) so that they would not be

damaged by crews and/or equipment, and a qualified specialist would be present to monitor implementation of the project.

Aquatic Resources

No conifer removal will occur within a 2-site tree potential for fish bearing streams.

Cultural Resources

Cultural reviews will be completed for any ground-disturbing activities associated with meadow conifer removal. Specifically, project leads must provide a map of the meadow location for an archeological review.

If during any conifer removal efforts, archaeological materials are found, the ground-disturbing work needs to stop and will be reported to the District Archeologist.

B. Land Use Plan (LUP) Conformance

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

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 decisions:

“Design and implement watershed restoration projects that promote long-term ecological integrity of ecosystems, conserve the genetic integrity of native species, and attain Aquatic Conservation Strategy objectives.” p. 37

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(4) “Pre-commercial thinning and brush control using small mechanical devices”.

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 apply.

I considered pertinent design features and incorporated them into the project design as described above. These project design features are commonly used and have shown through past implementation to be effective in preventing undesired impacts.

D. Signature

Signature of Project Lead:

/s/ Cheshire Mayrsohn
Cheshire Mayrsohn, Botanist

Date: 3/17/14

Signature of NEPA Coordinator:

/s/ Francisca Paulete
Francisca Paulete, District Planner

Date: 1/27/14

Signature of the Responsible Official:

/s/ Michael J. Korn
Michael J. Korn, Siuslaw Field Manager

Date: 3/20/14

Signature of the Responsible Official:

/s/ William O'Sullivan
William O'Sullivan, Upper Willamette Field Manager

Date: 3/19/14

Contact Person

For additional information concerning this Categorical Exclusion review, contact: Cheshire Mayrsohn, Botanist, cmayrsoh@blm.gov, 541.683.6407.

EXTRAORDINARY CIRCUMSTANCES CHECKLIST

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Eugene District Meadow Tree Removal

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	YES	NO
<p>1. Have significant impacts on public health or safety. <u>Rationale:</u> All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety. The proposed meadow conifer removal is located in forested locations outside of population centers.</p>		X
<p>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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. <u>Rationale:</u> Trees to be felled are within meadow boundaries or adjacent to meadow edges. These areas may be within Areas of Critical Environmental Concern, proposed special areas or other meadows. Tree removal is necessary for sites to maintain Relevant and Important values and to improve meadow function. This action would comply with relevant protection measures under the Bald Eagle Protection Act and the Migratory Bird Treaty Act, and associated federal regulations and BLM policies, and would not measurably affect any of the species regulated by those acts. In any areas where ground-disturbing activities occur as a result of meadow conifer removal, cultural resource reviews would be conducted prior to implementing the proposed action. If cultural resources are found within an area through pre-disturbance inventories or during activities, appropriate measures would be applied to avoid impacts.</p>		X
<p>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. <u>Rationale:</u> There are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses.</p>		X
<p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique, or unknown risks. Projects will be limited in size with small diameter trees.</p>		X
<p>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <u>Rationale:</u> Individual tree removal is a discrete action and does not commit the BLM to pursuing further actions, and as such would not establish a precedent or decision for future actions with potentially significant environmental effects.</p>		X
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <u>Rationale:</u> Individual tree removal will not have significant direct, indirect, or cumulative effects. No trees will be removed from the site and are not connected to other proposed actions.</p>		X

Extraordinary Circumstances	YES	NO
<p>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. <u>Rationale:</u> In any areas where ground-disturbing activities occur as a result of meadow conifer removal, cultural resource reviews would be conducted prior to implementing the proposed action. If properties that are eligible or listed on the National Register are found within an area through pre-disturbance inventories or during activities, mitigation measures would be applied to avoid or reduce impacts.</p>		X
<p>8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. <u>Rationale:</u> Some proposed project areas may be within suitable nesting habitat and/or critical habitat for the northern spotted owl and marbled murrelet; however, killing selected trees would not change the overall habitat function of the stand or result in the loss of critical habitat. Actions would occur during times that would not adversely affect spotted owl breeding behavior. There would be no adverse effects to the species or their critical habitat from this action and the action would result in no significant impacts.</p>		X
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands in the Eugene District ROD/RMP, which complies with all applicable Federal, State, local and tribal laws.</p>		X
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). <u>Rationale:</u> The felling of individual trees would not affect low income or minority populations – the activity is dispersed across District-administered land which is largely interspersed with private, industrial forest land.</p>		X
<p>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). <u>Rationale:</u> Conifer removal activities will not limit access to ceremonial sites. Previous scoping for these types of projects has not identified tribal concerns regarding ceremonial use of Indian Sacred sites.</p>		X
<p>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). <u>Rationale:</u> The proposed action does not result in measurable changes to the current baseline of the risk, or actual introduction, continued existence, or spread of noxious weeds or non-native invasive species in or from the project area. Vehicles accessing the project area for the proposed action would stay on existing roads (no additional roads proposed), reducing the potential of picking up and dispersing noxious weeds or seed.</p>		X

