

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

**CATEGORICAL EXCLUSION REVIEW**

OFFICE: Upper Willamette Resource Area

TRACKING NUMBER: DOI-BLM-OR-E0-2014-0020-CX

PROJECT NAME: Eagle Creek Culvert Restoration

LOCATION/LEGAL DESCRIPTION: T20S R1W Section 11

**A. Description of Proposed Action and any applicable mitigation measures**

This project will replace an undersized, fish barrier culvert with a larger bottomless arch fish passable stream crossing. This crossing would accommodate 100 year flood waters, reduce chronic sediment sources, improve water quality and allow fish passage. Work would occur between July 1 and August 1, 2014 using heavy equipment. All Project Design Features (Appendix A) would be complied with. The project is expected take 7 to 14 days to complete. The project would be implemented in partnership with the Middle Fork Willamette Watershed Council. The Council obtained a grant from OWEB to implement the project.

**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:**

Watershed restoration will be an integral part of a program to aid recovery of fish habitat, riparian habitat, and water quality. The most important components of a watershed restoration program are control and prevention of road-related runoff and sediment production, restoration of the condition of riparian vegetation, and restoration of in-stream habitat complexity. Other restoration opportunities include meadow and wetland restoration and mine reclamation.

2. Focus watershed restoration on removing some roads and, where needed, upgrading those that remain in the system.

(RMP, Page 20)

**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 2, Appendix 516 DM 11.9 G.2 *"Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan."*

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.

**D. Signature**

**Persons/Agencies/BLM Staff Consulted**

<b>Name</b>	<b>Title</b>	<b>Resource</b>	<b>Signature</b>
Kristine Struck	NEPA Coordinator	NEPA	/s/ Kristine Struck
Steve Liebhardt	Fish Biologist	Fish	/s/ Steve Liebhardt
Cheshire Mayrsohn	Botanist	Vegetation	/s/ Cheshire Mayrsohn
Rudy Wiedenbeck	Soil Scientist	Soil	/s/ Rudy Wiedenbeck
Chris Langdon	Wildlife Biologist	Wildlife	/s/ Chris Langdon
Brian Barr	Hydrological Tech.	Hydrology	/s/ Brian Barr
Janet Zentner	Forester	Timber	/s/ Janet Zentner
Jessica Le Roy	Civil Engineer Tech.	Roads	/s/ Jessica Le Roy
Heather Ulrich	Archaeologist	Archaeology	/s/ Heather Ulrich

Signature of Project Lead:

/s/ Steve Liebhardt  
Steve Liebhardt, Fisheries Biologist

Date: 05/07/2014

Signature of NEPA Coordinator:

/s/ Kristine M. Struck  
Kristine M. Struck, P&EC

Date: 05/08/2014

Signature of the Responsible Official:

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

Date: 05/08/2014

**Contact Person**

For additional information concerning this Categorical Exclusion review, contact: Steve Liebhardt, 541-683-6454, Fisheries Biologist.

**EXTRAORDINARY CIRCUMSTANCES CHECKLIST**

DOI-BLM-OR-E0-2014-0020-CX

Eagle Creek Culvert Restoration

*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><b>1. Have significant impacts on public health or safety.</b>  <u>Rationale:</u> The routine maintenance and replacement of the culvert will have no impacts on public health or safety. All activities associated with the proposed culvert replacement will conform to established Occupational Safety and Health Administration rules.</p>		X
<p><b>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.</b>  <u>Rationale:</u> The project is not located near any special features or designations. The replacement of the culvert would have very short-term, localized effects on sedimentation but would prevent larger long-term issues due to potential culvert failure.</p>		X
<p><b>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].</b>  <u>Rationale:</u> Past projects have shown that the effects of culvert replacements are not controversial and there are no unresolved conflicts.</p>		X
<p><b>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</b>  <u>Rationale:</u> Past projects have shown no highly uncertain, potentially significant environmental effects, or involved unique or unknown environmental risks.</p>		X
<p><b>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.</b>  <u>Rationale:</u> Culvert replacements are addressed and authorized under the existing RMP. Therefor this project represents implementation of existing LUP decisions, not a decision on future actions.</p>		X
<p><b>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</b>  <u>Rationale:</u> Past experience indicates there are no significant cumulative environmental effects from the replacement of existing culverts.</p>		X
<p><b>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.</b>  <u>Rationale:</u> There are no listed or eligible properties in the project area.</p>		X
<p><b>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.</b>  <u>Rationale:</u>  <u>FISH:</u> The existing under-sized and failing culvert is a fish-passage barrier. The project would enhance fish habitat but would not be a significant factor in species' persistence. This culvert replacement is covered under the Programmatic Biological opinion for the Aquatic Restoration Activities in the States of Oregon, Washington, and Portions of California, Idaho and Nevada (ARBO II).  <u>WILDLIFE:</u> Since only lands within existing road prisms would be affected, there would be no habitat modification or destruction associated with the action.</p>		X

Extraordinary Circumstances	YES	NO
<b>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</b> <u>Rationale:</u> The proposed action is in compliance with all known applicable laws.		X
<b>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).</b> <u>Rationale:</u> Past experience has not shown any adverse effects on low income or minority populations.		X
<b>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).</b> <u>Rationale:</u> There are no identified sacred sites within the project area.		X
<b>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).</b> <u>Rationale:</u> All equipment and materials will be required to be clean and free of dirt, vegetation, and seeds as directed by the project administrator.		X

## **Appendix A**

### **To prevent the introduction or spread of invasive plants:**

- Seed all disturbed ground using Government provided seed
- Wash all equipment and vehicles prior to entering the project area. Vehicles should be clean of all plant material(s), mud, or material that could transport seeds or plant material.
- All equipment brought into the project area (clean fill, straw, gravel, large wood) should be free of invasive plant material(s).
- Minimize soil disturbance as part of restoration project(s) and retain native vegetation to the extent practical.

### **To reduce impacts to wildlife species:**

- Project activities will not occur between March 1 and July 1, both days inclusive.
- Project activities may be stopped at any time to avoid impacts to T&E, BLM Special Status Species, or Bald/Golden eagles.
- Snags shall be reserved except as necessary for human safety. Activities shall be relocated away from snags occupied by sensitive species, if feasible. Snags occupied by sensitive species that must be felled shall not be felled when in active use. All felled snags shall be left on site as coarse woody debris.
- Existing coarse woody debris and rootwads shall be reserved and protected from damage to the extent possible. Coarse woody debris may be moved around project sites to facilitate operations.

### **To protect objects of cultural value:**

- If any cultural and/or paleontological resource (historic or prehistoric site or object) is discovered during project activities all operations in the immediate area of such discovery shall be suspended until an evaluation of the discovery can be made by a professional archaeologist to determine appropriate actions to prevent the loss of significant cultural or scientific values.

### **To reduce impacts to aquatic resources:**

- Use waterbars, barricades, seeding, and mulching to stabilize bare soil areas prior to the wet season.
- In well armored channels that are resistant to damage (e.g. bedrock, small boulder, or cobble dominated), consider conducting the majority of the heavy equipment work from within the channel, during low streamflow, to minimize damage to sensitive riparian areas.
- Place sediment control devices such as water bars, hay bales, and other silt trapping devices in areas determined to have high potential for sediment input into the stream.
- Rehabilitate and stabilize disturbed areas where soil will support seed growth by seeding and planting with native seeds mixes or plants, or using erosion control matting.
- When using heavy equipment in or adjacent to stream channels during restoration activities, develop and implement an approved spill containment plan that includes having a spill containment kit on-site and at previously identified containment locations.

## Eagle Creek Culvert

- Inspect all mechanized equipment daily for leaks and clean as necessary to help ensure toxic materials, such as fuel and hydraulic fluid, do not enter the stream.
- Refuel equipment, including chainsaws and other hand power tools, at least 100 feet from water bodies to prevent direct delivery of contaminants into a water body.
- Do not store equipment in stream channels when not in use.
- Minimize damage of hardwoods within 50 feet of stream bank.
- When replacing culverts, install grade control structures (e.g. boulder vortex weirs or boulder step weirs) where excessive scour could occur.
- Adhere to the in-water work window as defined by the Oregon Department of Fish and Wildlife (ODFW). Projects outside of this work window would require waivers from ODFW and National Marine Fisheries Service (NMFS). Lost Creek's instream work window is July 1 through August 31.

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**DECISION RECORD**  
DOI-BLM-OR-E0-2014-0020-CX  
Eagle Creek Culvert Restoration

**Decision**

It is my decision to implement this action as described in the categorical exclusion documentation DOI-BLM-OR-E0-2014-0020-CX

**Decision Rationale**

The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended). Based on the Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

**Administrative Remedies**

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a 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, 805 SW Broadway, Suite 600, Portland, OR 97205.

Signature of the Responsible Official:

/s/ William O'Sullivan  
William O'Sullivan  
Upper Willamette Field Manager  
Eugene District Office

Date: 05/08/2014