

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-E060-2014-0022-CX

PROJECT NAME: Upper Willamette Sample Tree Felling Supplement

LOCATION/LEGAL DESCRIPTION: T. 15 S., R. .2 W., Sec. 26, 27, 33, 34, and 35

A. Description of Proposed Action and any applicable mitigation measures

This project is in supplement to DOI-BLM-OR-E000-2014-0005-CX which inadvertently left out two sections for sample tree felling. All other aspects of the project remain the same.

The Eugene District BLM proposes to fell, buck, and scale sample trees (“sample tree felling”) to ensure accuracy of timber cruises for harvest.

- Trees would be limited to an average of one tree per acre or less.
- Trees would be selected at random from the trees that are eligible for harvest in the sale area.
- The trees would be bucked to standard, merchantable lengths for the direct measurement of volume and the evaluation of the condition and value of the timber.
- Would be limited to gas-powered chainsaws or hand tools.
- Would not involve any road or trail construction.
- Would not include the use of ground based equipment or other manner of timber yarding

Sample tree felling would be one of the last activities completed during timber sale preparation, and would occur as part of the timber cruising process.

Project Design Features (PDFs)

Felling of sample trees within 0.25 miles of un-surveyed suitable habitat for marbled murrelets and/or spotted owls would require incorporation of all applicable design standards and/or terms and conditions of the applicable biological assessment or letter of concurrence. The resource area wildlife biologists will make recommendations for specific projects based on all applicable design standards and/or terms and conditions of the applicable biological assessment or letter of concurrence during implementation.

B. Land Use Plan (LUP) Conformance

The Eugene District initiated planning and design for this project to conform and be consistent with the Eugene District’s 1995 RMP. Following the March 31, 2011 decision by the United States District Court for the District of Columbia in Douglas Timber Operators et

al. v. Salazar, which vacated and remanded the administrative withdrawal of the Eugene District's 2008 ROD and RMP, we evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP. Based upon this review, the proposed action is clearly consistent with the goals and objectives in the 2008 ROD and RMP. Accordingly, this project is consistent with the Eugene District's 1995 RMP and the 2008 ROD/RMP.

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. Forestry, (6) – shall meet the following requirements: (a) Shall be limited to an average of one tree per acre or less; (b) Shall be limited to gas-powered chainsaws or hand tools; (c) Shall not involve any road or trail construction; (d) Shall not include the use of ground based equipment or other manner of timber yarding, and (e) Shall be limited to the Coos Bay, Eugene, Medford, Roseburg, and Salem districts and Lakeview District, Klamath Falls Resource Area in Oregon.*

This categorical exclusion is appropriate to this situation because the proposed action will be limited to an average of one tree per acre or less; will be limited to gas-powered chainsaws or hand tools; will not involve any road or trail construction; will not include the use of ground based equipment; and will occur within the Eugene District. The categorical exclusion is also appropriate because there are no extraordinary circumstances potentially having effects that may significantly affect the environment, as documented in the following table. The proposed action is reviewed below, and none of the extraordinary circumstances described in 516 DM 2 apply.

D. Signature

Signature of Project Lead:

/s/ Bryan Dotson
Bryan Dotson, Forestry Technician

Date: April 29, 2014

Signature of NEPA Coordinator:

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

Date: April 29, 2014

Signature of the Responsible Official:

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

Date: April 29, 2014

Contact Person

For additional information concerning this Categorical Exclusion review, contact: Bryan Dotson, Forestry Technician, 541-683-6291.

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EUGENE DISTRICT**

**CATEGORICAL EXCLUSION REVIEW
Extraordinary Circumstances Checklist**

Proposed Action: Categorical Exclusion DOI-BLM-OR-E000-2014-0005-CX Sample Tree Felling

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 sample tree felling is in remote, 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 only within the proposed timber sale units. These units are, by design, outside of unique areas such as those discussed above. No tree felling will occur in parks, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; or wetlands. Felling an average of one or fewer sample trees per acre itself would not change the overall habitat function of the stand or remove habitat at the species level; as such, the proposed action sample tree felling itself would not have significant impacts on migratory birds.</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.</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> Sample tree felling has taken place throughout the State of Oregon and the Eugene District for years. There is no evidence that this action, improving the accuracy of timber cruises, has potentially significant environmental effects. Sample tree felling is a discrete action completed as part of timber sale preparation – it 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

Extraordinary Circumstances	YES	NO
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p> <p><u>Rationale:</u> Sample tree felling has been conducted in the past and this activity had no significant direct, indirect, or cumulative effect. Sample tree felling is a cruising tool used to improve the timber sale process, but this action is not integral to the timber sale process. Trees are felled and measured in sample tree felling, but the action doesn't necessarily entail removal of the felled trees. Removal of trees generally occurs in conjunction with a timber sale decision which has its own NEPA analysis. The District timber sale program was analyzed in the RMP's Environmental Impact Statement (EIS), and individual sales are further analyzed in site-specific NEPA analysis (environmental assessments) tiered to the RMP EIS, with findings of no significant impact (FONSI).</p>		X
<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.</p> <p><u>Rationale:</u> No properties listed, or eligible for listing, on the National Register of Historic Places are located within the units of the proposed action.</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.</p> <p><u>Rationale:</u> Implementation of the Project Design Features would minimize disturbance effects to individuals. There would be no adverse effects to the species or their critical habitat from this action.</p>		X
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</p> <p><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).</p> <p><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. Furthermore, this action ensures that the public, including low income and minority populations, receive a fair price for the public resources (timber) being sold.</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).</p> <p><u>Rationale:</u> In the Upper Willamette Resource Area, cultural resource inventories would be conducted prior to implementing the proposed action. If cultural resources are found within a unit through pre-disturbance inventories or during activities, appropriate measures would be applied.</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).</p>		X

Extraordinary Circumstances	YES	NO
<p><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. Existing and likely continuing activities including, but not limited to, motor vehicle traffic, recreation use, rural and urban development, road construction, timber harvest, and natural processes can contribute to the introduction, existence, and spread of noxious weeds/invasive species. 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. The proposed action does not introduce any vector for spread or introduction beyond such vectors already found.</p>		

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DECISION RECORD
DOI-BLM-OR-E060-2014-0022-CX
Upper Willamette Sample Tree Felling 2014

Decision

It is my decision to implement this action as described in the categorical exclusion documentation DOI-BLM-OR-E060-2014-0022-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

This forest management decision may be protested under 43 CFR 5003 - Administrative Remedies. This decision record constitutes the decision document for the purpose of protests. Protests of this decision must be filed with this office within fifteen (15) days after the date of this decision record. As interpreted by BLM, the regulations do not authorize the acceptance of protests in any form other than a signed, written hard copy that is delivered to the physical address of the BLM Eugene District Office.

Signature of the Responsible
Official:

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

Date: April 29, 2014