

**United States
Department of the Interior
Bureau of Land Management
Eugene District Office**

Categorical Exclusion Documentation
Categorical Exclusion No. DOI-BLM-ORE060-2012-0031-CX
Big London Clean UP Project

A. Background

Location of Proposed Action: Eugene District—Upper Willamette Resource Area, London Road Area T23S, R3W, sec.9 NW,NW.

Description of Proposed Action: The proposed action is to remove felled hazard trees. The trees were located within falling distance of an adjacent residence. The action being analyzed is the removal of the felled trees with ground based machinery on approximately 1 acre. The machinery will use preexisting skid roads for approximately 1500 feet to an existing landing on road 23-3-5.5. The skid roads average less than 15 % slope. And the land base is Matrix. The time frame would be 2012 when soil moistures allow.

B. Land Use Plan Conformance

This action is consistent with the “Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl” (April 1994).

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in Conservation Northwest, et al. v. Sherman, et al., No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs’ motion for partial summary judgment and finding NEPA violations in the Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement. The Big London Clean Up Project is consistent with the Eugene District Resource Management Plan as amended by the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001 ROD), as modified by the 2011 Settlement

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 9C (2).

The Proposed Action meets the criteria for the categorical exclusion in 516 DM 9C(2), which allows for “Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads.”

C. Categorical Exclusions Extraordinary Circumstances Documentation

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:		YES	NO
1.	Have significant impacts on public health or safety. Rationale: All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety.		X
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. Rationale: The project areas are not within and do not contain any of the natural or geographic areas described above. The areas do not contain habitat for any of the migratory birds listed on the Migratory Bird Treaty Act Review form; there would be no effect to migratory birds.		X
3.	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. Rationale: 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.		X
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. Rationale: There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique, or involve unknown risks.		X
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. Rationale: There is no evidence that this action has potentially significant environmental effects; it does not commit the BLM to pursuing further actions; and it would not establish a precedent or decision for future actions with potentially significant environmental effects.		X
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. Rationale: Based upon review of the project, and given current conditions on the grounds, the Eugene District did not find any resource issues of concern that would be affected by this action.		X
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. Rationale: There are no eligible or listed properties within the proposed treatment areas.		X
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.		X

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:		YES	NO
	Rationale: The areas to be treated will have no significant impacts to species listed or proposed to be listed as an Endangered or Threatened Species, nor have significant impacts on designated Critical Habitat for these species. Mitigation measures for reducing impacts to an Endangered or Threatened Species or Critical Habitat for these species will be implemented as necessary. See contract stipulation C.1.10 and C.1.11 Wildlife and Botanical Resource Protection.		
9.	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
	Rationale: 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 laws, such as the Clean Water Act and others.		
10.	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).		X
	Rationale: There would be no adverse effect on low income minority populations.		
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
	No such sites exist within the project area.		
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
	Rationale: The proposed action would 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 are proposed), reducing the potential of picking up and dispersing noxious weeds or seed. The proposed action would not introduce any vector for spread or introduction beyond such vectors already found.		

D. Review

During the planning of this Proposed Action consideration has been given to the potential for impacts to: threatened and endangered or bureau sensitive species of fish, wildlife, and plants; cultural resources; noxious weeds; and soil/hydrologic resources. The appropriate specialists in the above mentioned areas of potential impacts will be consulted about this Proposed Action and will provide their inputs about the project. Mitigations will be implemented to address any issues of concern that may arise.

I have reviewed this CE and have determined the proposed project is in conformance with the approved land use plan, and that no further environmental analysis is required. It is my decision to implement the project as described.

E. Contact Person and Reviewers

For additional information concerning this Categorical Exclusion review contact Jonathan Wilder
Upper Willamette Resource Area Hazard Tree Coordinator at (541) 683-6793.

Contact:

Date

/s/ Jonathon Wilder

8/2/2012

Reviewing Official:

Date

/s/ Richard Hardt

8/2/2012

Authorized Official:

Date

/s/ William O'Sullivan

8/2/2012
