

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

**CATEGORICAL EXCLUSION REVIEW**

OFFICE: Siuslaw Resource Area, BLM Eugene District

TRACKING NUMBER: DOI-BLM-OR-E050-2013-018-CX

PROJECT NAME: Whittaker Creek Campground Hazard Tree Removal

LOCATION/LLEGAL DESCRIPTION: T.18 S., R. 8 W, Sec. 21, Willamette Meridian, Lane County, Oregon

**Background**

During the summer of 2012, a number of redalder trees fell over unexpectedly in the Whittaker Creek Campground. These events took place during open season with nearby campers. Pathologists from the PNW Research station reviewed the incident and concluded in a report, Hazard Tree Issues and Management Options for Clay Creek and Whittaker Creek Campgrounds, 2012, that the redalder had reached senescence and were falling over due to weight of the limbs and leaves being too great for the root system to support. The report concluded that because of the risk to public safety in the campground, any trees showing evidence of deterioration or physical damage should be removed.

Following the pathologists' recommendation and Oregon Occupational Safety and Health Code, Forest Activities, Oregon Administrative Rules, Chapter 437, BLM crews identified approximately 75 trees showing the greatest signs of hazard tree criteria on the front side loop of the campground. These trees were felled in July 2012 by BLM crews and removed under Categorical Exclusion DOI-BLM-OR-E000-2012-0002-CX. The back side of the campground was closed for the remainder of the 2012 season until the hazard tree situation could be remedied.

A hazard tree is defined as any standing live or dead tree, including snags, with evidence of deterioration or physical damage to the root system, trunk, or stem, when in proximity to people or structures. This is as defined in the Oregon Occupational Safety and Health Code, Forest Activities, Oregon Administrative Rules, Chapter 437.

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

The objectives of the proposed action are to remove the remaining hazard trees within Whittaker Creek Campground and the adjacent area which jeopardize human safety, pose hazards to roads and campground structures, and to recover resource value in a timely manner.

Hazard trees which compromise the security of structures and human safety or jeopardize BLM's ability to maintain right-of-ways, may be removed when easily accessible or felled and left on site. Where possible, these trees would be sold or used for other projects, to recover value from BLM lands throughout the Eugene District.

Operations in this proposed action include the falling, yarding and removal of approximately 460 hazard trees. This will be accomplished through a vegetative material negotiated cash sale contract, Form 5450-S, with volume estimated at approximately 52 MMBF. The boles of the trees are to be sold commercially and the residual slash shall either be chipped and/or removed off site. The proposed action will be completed under this categorical exclusion during the fiscal year 2013.

During the design of this proposed action, special consideration was given to the potential for significant impacts to: threatened and endangered or bureau sensitive species of fish, wildlife, and plants; cultural resources; noxious weeds; and soil/hydrologic resources. Implementing the actions proposed in this categorical exclusion in a timely manner will enable the BLM to increase human safety and prevent damage to structures. To mitigate potential disturbance to the marbled murrelet during the breeding season, operations would not begin until two hours after sunrise and must cease two hours prior to sunset.

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

#### **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 applicable LUP because it is specifically provided for in the following LUP decisions:

“Manage timber within developed recreation sites for purposes of removing hazardous trees...”(p. 83)

“Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease.” (p. 84)

#### **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(2) which states:

“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.”

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**

Signature of Project Lead:

/s/ Christopher Finn  
Christopher Finn, Supervisory Forester, Siuslaw  
Resource Area

Date: 3/27/2013

Signature of NEPA Coordinator:

/s/ Dana Wilson  
Dana Wilson, Landscape Planner, Siuslaw  
Resource Area

Date: 3/27/2013

Signature of the Responsible Official:

/s/ Alan Corbin  
Alan Corbin, Field Manager, Siuslaw Resource  
Area

Date: 3/27/2013

**Contact Person**

For additional information concerning this Categorical Exclusion review, contact: Chris Finn, Supervisory Forester, Siuslaw Resource Area, (541) 683-6421.

**EXTRAORDINARY CIRCUMSTANCES CHECKLIST**  
 DOI-BLM-OR-E050-2013-018-CX  
 Whittaker Creek Campground Hazard 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.*

| <b>Extraordinary Circumstances</b>  | <b>YES</b> | <b>NO</b> |
|---|------------|-----------|
| <p><b>1. Have significant impacts on public health or safety.</b><br/> <u>Rationale:</u> The action will not increase health or safety concerns after completion but will rather reduce potential public safety concerns by removing hazardous trees. Tree removal will occur prior to regularly scheduled opening to the public. Tree falling, yarding and hauling will be done per project design features outlined in the contract which includes various safety measures.</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><br/> <u>Rationale:</u> Although a number of trees will be removed from the area which changes the visual aesthetics, there are no predicted significant impacts to the overall landscape or recreational activities in the area. The Siuslaw River sections adjacent to Whittaker Creek Campground have been identified as having the potential for Wild and Scenic River designation, however, the actions proposed would not have a significant effect on the establishment of this designation or water quality or flow in the area. There are no historic or cultural resources identified in the project area.</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><br/> <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><b>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</b><br/> <u>Rationale:</u> There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique or have unknown risks. The proposed action is based upon a scientific evaluation of known risks and seeks to implement the recommended measures. Although there is a possibility of a severe winter storm causing windthrow, the chances are unlikely.</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><br/> <u>Rationale:</u> Removing hazardous trees to address public safety concerns 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. This action represents the first steps in removing hazardous trees, and any future actions would be re-analyzed in the future.</p>  |            | X         |
| <p><b>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</b><br/> <u>Rationale:</u> This action is unique to the Whittaker Creek Campground due to hazardous conditions created by diseased trees.</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><br/> <u>Rationale:</u> No properties are listed, or eligible for listing, on the National Register of Historic</p>   |            | X         |

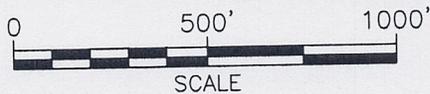
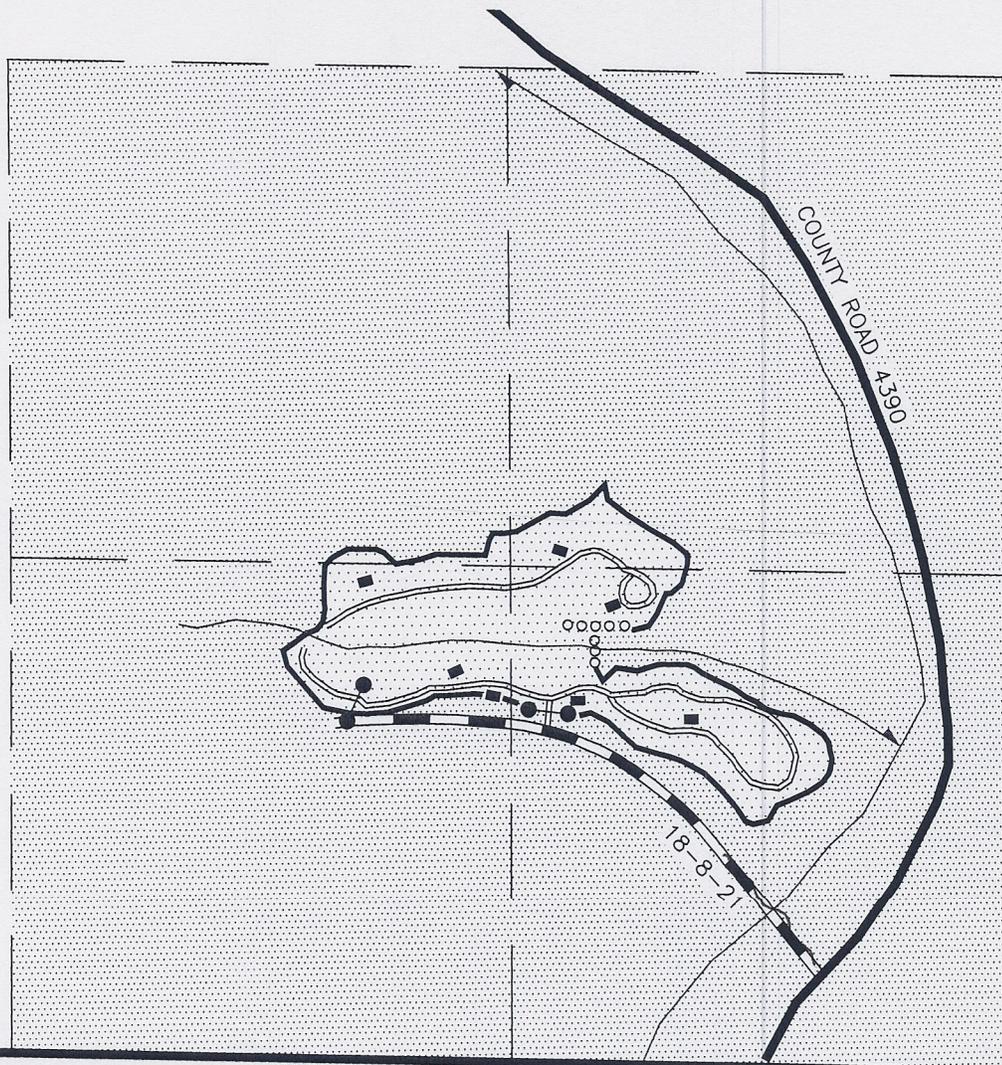
| Extraordinary Circumstances  | YES | NO |
|--|-----|----|
| Places within the units of the proposed action.  |     |    |
| <p><b>8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.</b></p> <p><u>Rationale:</u> It was determined that the proposed action has “No Effect” to listed coho salmon or their critical habitat. The proposed action has already been consulted on with NOAA Fisheries and is covered under the Northwest Programmatic Biological Opinion which allows for falling hazardous trees in administrative sites. No trees will be removed within the recommended 20 foot stream buffer. It was determined this action would "Affect, but is Not Likely to Adversely Affect" the spotted owl due to potential disturbance during the breeding period (March 1 through September 30). If operations continue beyond March 31, the action would also "Affect, but would not Likely Adversely Affect" the marbled murrelet due to disturbance during its breeding period (April 1 through September 15) because of the timing restriction that would be in effect. Because only non-habitat would be treated, there would be "No Effect" to those species or their critical habitat due to habitat modification.</p> |     | X  |
| <p><b>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</b></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 (1995), which complies with all applicable federal, state, local and tribal laws.</p>  |     | X  |
| <p><b>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).</b></p> <p><u>Rationale:</u> The removal of hazardous trees in Whittaker Creek Campground would not affect low income or minority populations because the action would take place during a time when the area is closed to the public.</p>   |     | X  |
| <p><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></p> <p><u>Rationale:</u> There are no sacred sites identified within the project area.</p>   |     | X  |
| <p><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></p> <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. Vehicles and equipment accessing the project area for the proposed action would be required to clean all vehicles and equipment using a water pressure hose prior to entry into the area.</p>  |     | X  |



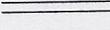
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EXHIBIT A

SALE NAME: WHITTAKER BLUES    TIMBER SALE CONTRACT NO: ORE05-TS13-XXX  
 T. 18 S., R. 8 W., SEC. 21, WILL. MER., EUGENE DISTRICT



LEGEND

- |   |                          |  |   |
|---|--------------------------|--|---|
|  | HAZARD TREE REMOVAL AREA |  | BOUNDARY - CONTRACT AREA                        |
|  | RESERVE AREA             |  | BOUNDARY - CUTTING AREA<br>(ORANGE STUMP MARKS) |
|  | GATE                     |  | ROCK SURFACED ROAD                              |
|  | STRUCTURE                |  | PAVED ROAD                                      |
|  | STREAM                   |  | PAVED CAMPGROUND ROAD                           |
|   |                          |   | FOOTBRIDGE                                      |

DATE: 3/2/13