

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

**Categorical Exclusion Review**  
District Hazard Tree  
DOI-BLM-OR-E000-2012-0002-CX

**A. Background**

Heavy winter rains, combined with severe wind conditions, are typical events which cause a significant number of blowdown and hazard trees along road and electrical transmission right-of-ways. This causes complications to the maintenance of these roads and powerlines. The road crew and local utility companies have asked for assistance in keeping these right-of-ways clear of these hazard trees and blowdown trees, which would help the maintenance program. Trees remaining along these right-of-ways are vulnerable to theft, and become a safety issue to vehicular traffic and the maintenance of the powerlines. In addition, hazard trees and blowdown trees pose a safety threat to structures and/or human safety.

A hazard tree is 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.

**Proposed Action**

Hazard trees and blowdown 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.

The objectives of the proposed action are to remove, or fell and leave on site, trees which jeopardize human safety, pose hazards to road and electrical transmission right-of-ways, and where possible to recover resource value in a timely manner, and prevent theft of products.

**B. Land Use Plan 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 meets the criteria for categorical exclusion in the Department of Interior, Departmental Manual 516 Chapter 11.5C (2); in compliance with the National Environmental Policy Act of 1969.

"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."

It does not meet any of the exception criteria in 516 DM 2, Appendix 2.

During the design of this Proposed Action I gave special consideration 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, where hazard trees may present a risk, reduce the potential of timber theft and recover some economic value of the damaged timber.

The proposed action described above is targeted for all BLM lands throughout the Eugene District. It will be carried out as necessary to prevent theft and alleviate safety concerns. The proposed action will be completed under this categorical exclusion during the fiscal years 2012 and 2013.

**D. Signatures**

Prepared By:     /s/ Michael Hallinan     Date:     12/6/11      
District Cruiser/Appraiser

Reviewed By:     /s/ Richard Hardt     Date:     12/7/11      
Environmental Coordinator

Reviewed By:     /s/ Bill O'Sullivan     Date:     12/7/11      
Field Manager, Upper Willamette Resource Area

Reviewed By:     /s/ Chuck Fairchild, acting     Date:     12/7/11      
Field Manager, Siuslaw Resource Area

Approved By:     /s/ Polly Shannon, acting     Date:     12/7/11      
District Manager, Eugene District BLM

**Contact Person**

For additional information concerning this Categorical Exclusion review, contact Alan Corbin, Eugene District Forester, (541) 683-6792.

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

CATEGORICAL EXCLUSION REVIEW  
Extraordinary Circumstances Checklist

**Proposed Action:** Categorical Exclusion No. DOI-BLM-OR-E000-2012-0002-CX Hazard Trees

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		Comments
1.	Have significant impacts on public health or safety.	No
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 (EO 11990); floodplains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No
3.	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA, Sec. 102(2)(E)]	No
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No
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.	No
8.	Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	No
9.	Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.	No
10.	Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).	No
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 (EO 13007).	No
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 EO 13112).	No

**Mitigation Measures:**

Except for situations when public safety is an immediate concern, contact the unit wildlife biologist to ensure compliance with all current mitigation standards.

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

DECISION RECORD

Decision:

It is my decision to implement this action on BLM lands as described in the categorical exclusion documentation DOI-BLM-OR-E000-2012-0002-CX.

Land Use Plan 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.

Survey and Manage:

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 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 files 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. This project is consistent with the Eugene District Resource Management Plan (1995) 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 Agreement.

Decision Rationale:

The proposed action has been reviewed by Resource Area Staff and appropriate project Design Features as specified, will be incorporated into the proposal. Based on the NEPA 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

Notice of the decision to be made on the action described in this categorical exclusion will be posted on the District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Authorizing Official:

*/s/ Polly Shannon, acting*

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Virginia Grilley,  
District Manager  
Eugene District Office

12/7/11

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Date