

U.S. DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT  
GLENDALE RESOURCE AREA

NEPA CATEGORICAL EXCLUSION REVIEW

Elk Valley Roadway Maintenance Project  
DOI-BLM-OR-M080-2010-0006-CX

**A. Background**

**Proposed Action Title:** Elk Valley Roadway Maintenance Project

**Location of Proposed Action:** This project is located 15 miles west of Glendale, Oregon. The project will treat about 25 miles of roadway totaling 74 acres near the Elk Valley and Hayes Creek road systems.

**Land Use Allocations:** Northern General Forest Management Area (GFMA) and Riparian Reserve (RR).

**Project Description:** The Glendale Resource Area proposes to remove vegetation 10 ft.- 15 ft. (slope distance) from the edge of the road surface down the fillslope, and 10 ft. - 15 ft. (slope distance) from the outer edge of the ditchline up the back slope. The roads identified for road maintenance in the Elk Valley Planning Area were constructed in the 1960s and 1970s and are generally rocked or surfaced. The original road right-of-way clearing widths were a minimum of 60 ft. – 100 ft. to allow for roadway construction. Removing vegetation would improve the following conditions:

- Motorist safety. Trees and other brush species are currently shading roadways or inhibiting adequate sight distance around corners. The Medford District RMP identified the need to remove trees along rights-of-way if they are a hazard to public safety (RMP, p.34).
- Daylight and create air flow. Vegetative removal would allow the roadbed to dry faster and be drier for longer periods thereby reducing road failures and extending dry weather road use on rocked roads.
- Reduce future road maintenance cost by allowing mechanical maintenance of road side vegetation, such as reducing the amount of leaves, needles, and other vegetative material that drop and decompose onto the road surface.
- Create a fuel break to decrease a potential fire's spread and intensity
- Recover side cast rock that has been overgrown with vegetation.

The proposed maintenance activities would mechanically cut all vegetation greater than 12 inches in height. Intact roots and resprouting vegetation will continue to stabilize slopes and retard erosion. The cutting of trees would include trees up to 24 inches

diameter at breast height (DBH). This would consist of mechanically falling all trees within the treatment area and removing merchantable logs. Slash created by this operation could be treated by a combination of chipping and broadcasting into the residual stand; utilized at a biomass facility; or lopped and scattered.

The hydrologist for this project made on site evaluations to determine the importance of each individual tree in protecting water quality. Subsequent to this assessment, a determination was made by the hydrologist as to which trees could be safely removed without having any measurable direct, indirect, or cumulative impact to water quality.

All remaining brush and stumps that interfere with road grading operations will be flush cut or ground down. All mechanized equipment will be limited to operating on the road surface.

## **B. Land Use Plan Conformance**

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- *Final Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995) including Aquatic Conservation Strategy Objectives;
- *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS, 2004 and ROD, 2004);
- *Medford District Integrated Weed Management Plan Environmental Assessment* (1998) and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985).

### **Project Design Features:**

#### Streams and Riparian Zones

- Refuel equipment a minimum of 150 ft away from streams and other waterbodies. Store equipment containing reportable quantities of toxic fluids outside of Riparian Reserves. Hydraulic fluid and fuel lines would be in proper working condition to minimize leakage into streams.
- Restrict operations to dry conditions on roads that are hydrologically connected to streams by surface flow. The dry condition period would cease when any of the following conditions are present or would be expected to become present with continued harvest or hauling operations; continuous mud splash or tire slide; surface rutting; fines being pumped to road surface from the subgrade; road surface conditions would result in water being redirected into tire tracks or away from designed drainage patterns; or road drainage causes a visible increase in stream turbidity relative to a control point above the stream crossing or road drainage location.

- Trees in the riparian area cut for sightline safety reasons would be left onsite when adjacent to perennial streams.
- All areas crossing or adjacent to the stream that contained commercial and non-commercial trees that were determined to be providing water quality protection were posted with flagging and signs. Removal of vegetation in these posted areas is restricted to marked commercial trees, and non-commercial trees and brush within 4 feet of the road or turnouts. In some of these posted areas, no commercial trees were marked for harvest in order to protect water quality.

#### Soil Productivity, Sedimentation and Soil Compaction

- Machinery will operate from existing roads.

#### Noxious Weeds

- Heavy equipment would be washed before initial move-in and prior to all subsequent move-ins into the Planning Area to remove soil and plant parts to prevent the spread of invasive and noxious weeds.
- Only logging and construction equipment inspected by the BLM would be allowed to operate within the Planning Area, or in the immediate vicinity of the Planning Area. All subsequent move-ins of logging and construction equipment would be treated the same as the initial move-in.
- Seed and mulch created bare soil

#### Northern Spotted Owl (NSO)

- Activities such as tree felling, yarding, road construction, hauling on roads not generally used by the public, and loud noises above ambient levels will not occur within 195 feet of any documented or suspected owl site between March 1 and June 30 (or until two weeks after the fledging period) – unless protocol surveys have determined the activity center to be not occupied, non-nesting, or failed in their nesting attempt.

#### Marbled Murrelet (MAMU)

- Activities such as tree felling, yarding, road construction, hauling on roads not generally used by the public which produce noises above ambient levels will not occur along the proposed road treatment in T32S R9W Section 27 SW1/4 between April 1 – August 5. For the period between August 6 – September 15, work activities will be confined to between 2 hours after sunrise to 2 hours before sunset.

### **C. Compliance with NEPA**

The proposed road maintenance that includes commercial harvesting is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR § 46.210 (f) "Routine and continuing governmental business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short term effects)." It is also covered by BLM categorical exclusion 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."

The categorical exclusions are 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 43 CFR § 46.215.

#### **D. NEPA Categorical Exclusion Review**

The Code of Federal Regulations (43 CFR § 46.215) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may:

1. Have significant adverse effect on public health or safety.  Yes  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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.  Yes  No

**Remarks:** The BLM has completed its Section 106 responsibilities under the 1997 National Programmatic Agreement and the 1998 Oregon Protocol for cultural resources. There are no other resources that would be significantly impacted.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.  Yes  No

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental effects.  Yes  No

5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.  Yes  No

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.  Yes  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. ( ) Yes (x) 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. ( ) Yes (x) No

**Remarks:** Consultation has already occurred on this project as not likely to adversely affect (NLAA) for NSO and MAMU. No nesting or roosting and foraging habitat would be removed along the roadway. The removal of small diameter trees along the proposed roadways would have no measurable effect on dispersal habitat or dispersing spotted owls. No marbled murrelet habitat would be removed along the roadway. No marbled murrelets have been detected on the Medford BLM District, and are unlikely to occur in suitable habitat adjacent to the treated roadways. Disturbance to nesting marbled murrelets is unlikely to occur due to seasonal operating restrictions applied where suitable habitat occurs adjacent to roadways

The roadway treatments proposed within the Umpqua Basin and the range of the federally threatened Oregon Coast coho salmon, would have no effect on coho or critical habitat. The Proposed Action would have no effect on listed species or their habitat.

Consultation for the Endangered Species Act with NMFS is not needed as the Proposed Action would not affect listed species or their habitat. No consultation is needed under the Magnuson-Stevens Fishery Conservation and Management Act as there is no adverse affect to Essential Fish Habitat for coho within the Umpqua.

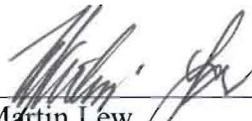
9. Violate a Federal law, or a State, local, or Tribal law or requirement imposed for the protection of the environment. ( ) Yes (x) No

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). ( ) Yes (x) 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. (Executive Order 13007). ( ) Yes (x) 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 Executive order 13112). ( ) Yes (x) No

**Remarks:** Monitoring and subsequent treatment would occur, if necessary, for three consecutive years following the proposed activities to ensure no new noxious weed populations emerge within the project.

Prepared by   
Martin Lew  
Environmental Planner

Date: 8/10/10

**E. Signature of Authorizing Official**

 8/9/10  
Katrina Symons, Field Manager Date  
Glendale Resource Area

**F. Contact Person**

For additional information concerning this categorical exclusion review, contact Martin Lew, telephone (541) 471-6504, 2164 NE Spalding Avenue, Grants Pass, Oregon 97526.

**NEPA CATEGORICAL EXCLUSION DECISION DOCUMENTATION**  
**Elk Valley Roadside Maintenance Project**  
**CE#: CE-ORM080-2010-004-CX**

**Decision and Rationale:** Based upon the attached Categorical Exclusion, it is my decision to implement the Elk Valley Roadway Maintenance Project described in the Proposed Action.

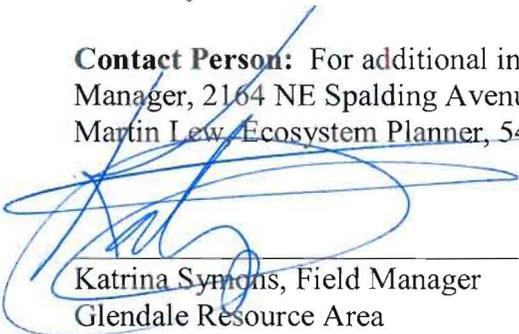
In addition, I have reviewed the plan conformance statement and have determined that the Proposed Action is in accordance with the approved land use plan and that no further environmental analysis is required. Therefore, an environmental assessment or an environmental impact statement is not needed. It is my decision to implement the Proposed Action in accordance with 43 CFR 5003 –Administrative Remedies.

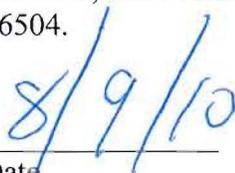
**Administrative Review:** This decision is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this decision. In accordance with the BLM Forest Management Regulations (43 CFR § 5003.2(a)), the decision for timber sales will not become effective, or be open to formal protest, until the first Notice of Sale appears in a newspaper of general circulation in the area where the lands affected by the decision are located.

To protest a forest management decision, a person must submit a written and signed protest to the Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526 by the close of business (4:30 p.m.) not more than 15 days after publication of the Notice of Decision. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Faxed or emailed protests will not be considered.

**Implementation Date:** If no protest is received by the close of business (4:30 P.M.) within 15 days after publication of the Notice of Sale, this decision would become final. The Notice of Decision is expected to be published in the local newspaper August 19, 2010. If a timely protest is received, the decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and a final decision will be issued in accordance with 43 CFR § 5003.3

**Contact Person:** For additional information contact either Katrina Symons, Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526; telephone 541-471-6653 or Martin Lew, Ecosystem Planner, 541-471-6504.

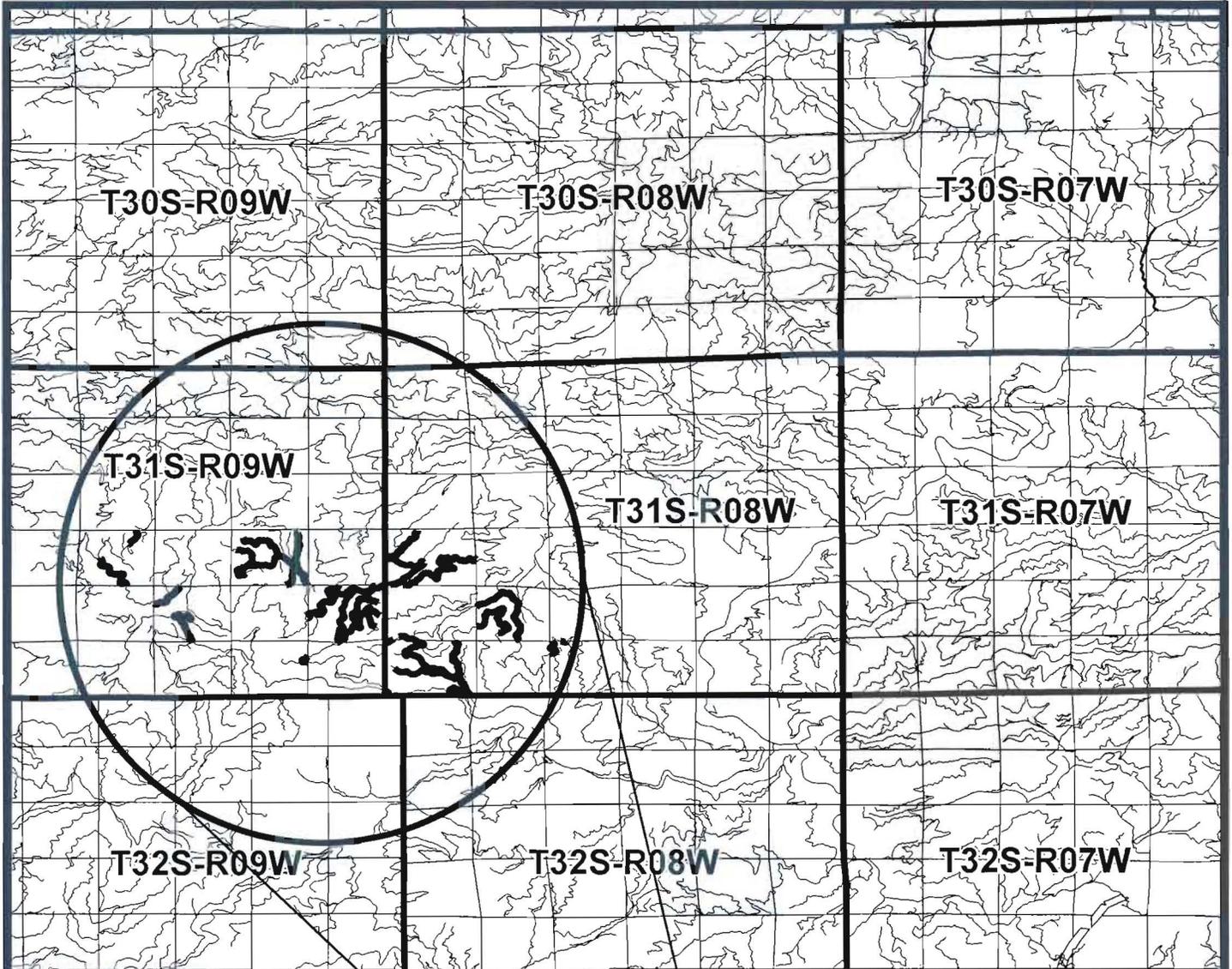
  
\_\_\_\_\_  
Katrina Symons, Field Manager  
Glendale Resource Area

  
\_\_\_\_\_  
Date

U.S.D.I BLM MEDFORD DISTRICT SALE NO. OR110-TS10-21  
T.31 S., R.8W., SEC.19, 29, 30, 31, 33, T.31 S., R.9W.,  
SEC. 21, 23, 25, 27, 35 WILL. MERIDIAN  
ELK VALLEY ROADWAY TIMBER SALE  
DOUGLAS COUNTY

ELK VALLEY ROADWAY TIMBER SALE  
CONTRACT MAP

### SALE LOCATION MAP



#### Legend

-  Elk Valley Roadway Sale
-  Township and Range
-  Sections
-  Elk Valley Roadway Timber Sale Area

0 6,000 12,000 24,000 36,000  
Feet



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

