

## **Categorical Exclusion Determination and Decision Record for Round Top Butte RNA/ACEC Fence Construction and Abandoned Fence Removal**

### **DOI-BLM-OR-M050-2009-0032-CX**

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#### **Description of Proposed Action**

Butte Falls Resource Area, Medford District Bureau of Land Management (BLM) proposes to construct 0.5 miles of barbed wire fence and remove approximately 1.0 mile of abandoned fence on BLM-administered lands in the Round Top Butte Research Natural Area/Area of Critical Environmental Concern (RNA/ACEC). The project is located in section 15 in Township 35 South, Range 1 East in Jackson County, Oregon (see attached map). The project would occur in the Little Butte Creek fifth field watershed.

Round Top Butte is designated as an RNA/ACEC in the *Medford District Record of Decision and Resource Management Plan* (ROD/RMP, 2008). Round Top Butte was selected as an RNA/ACEC for its natural processes and is designated as closed to off-highway vehicles (OHV) (ROD/RMP, p. 42). The following natural processes were identified as important in the Round Top Butte RNA/ACEC: “Natural Heritage Cell; oak woodland savannah, native grasslands, vernal pool, unique *Calochortus uniflorus* (uncommon but not listed)” (ROD/RMP, p. D-6).

The proposed new construction would close a 0.5-mile gap in an existing fence along the property line between Plum Creek timberlands (east of section 15) and BLM land. The project would begin at the southeast corner of section 15 and follow the blaze on the north-south property line to the existing fence in the center of the north-south line between sections 14 and 15. Ground disturbance would be minimal with the use of metal fence posts for the majority of the new construction. Post holes would be dug for installation of wooden supports at two to three brace and gate support locations. During the project, vehicles would access the area on established roads; all terrain vehicles (ATV) would be allowed off roads to transport materials to and from the project site.

The fence will tie-in with existing fences to the north and south and would prevent unauthorized OHV access into the area. The fence construction would provide necessary protection for rare and sensitive plant habitats from unauthorized grazing and illegal OHV use, reduce introduction of noxious weeds, and protect areas recovering from resource damage in the RNA/ACEC.

A gate would be installed on an existing jeep road where it crosses into BLM lands on the east property line and would allow administrative access.

The RNA/ACEC is located within designated deer and elk winter range (ROD/RMP 2008, p. 65). Removing the abandoned east-west interior fence would reduce the potential for animals to get tangled in the loose and broken wire of the deteriorating fence.

The project area has been surveyed for BLM Special Status plants. No special status plants were found. The project area is not habitat for northern spotted owl.

## Plan Conformance Review

The Bureau of Land Management did not scope this proposal and the public was not involved in its development. This proposal is consistent with policy directed by the following:

- *Final Environmental Impact Statement for the Revision of the Resource Management Plans of the western Oregon Bureau of Land Management and Record of Decision and Resource Management Plan for the Medford District* (EIS, 2008 and ROD/RMP, 2008)
- *Medford District Integrated Weed Management Plan Environmental Assessment* (1998) and tiered to the *Final-Northwest Area Noxious Weed Control Program Environmental Impact Statement* (EIS, 1985)

This proposal conforms to the Medford District's 2008 Record of Decision and Resource Management Plan (ROD/RMP) (USDI 2008). This project complies with the Management Objectives and Direction of the 2008 ROD/RMP. In addition, this project fully complies with the management objectives, actions, and direction of the resource management plan in place prior to December 30, 2008, which was the 1995 ROD/RMP, as amended (USDI 1995). The design of this project would not have differed under either the 2008 or the 1995 ROD/RMPs. This proposal also complies with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937, Federal Land Policy and Management Act of 1976, Endangered Species Act of 1973, Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990 (as amended), and Archaeological Resources Protection Act of 1979.

This proposal is consistent with management direction in the ROD/RMP that directs the BLM to "implement activities as necessary to restore important and relevant values [in ACECs]" (RMP/ROD 2008, p. 43), and "restrict motor vehicle use within designated deer and elk winter range . . ." (ROD/RMP, p. 64).

## Project Design Features

1. Larger vehicles will remain on existing roads. ATVs will be used to transport materials from existing roads to the work sites and back. No vegetation will be removed to facilitate ATV travel.
2. Shrubs and trees less than 6 inches in diameter will be cut as needed to facilitate fence construction. Vegetation disturbance will be minimized to the extent possible.
3. The project area will be surveyed for historic and pre-historic sites prior to implementing fence construction. If any sites are located, the sites will be avoided by the action.
4. Equipment will be cleaned prior to entering the project area to remove noxious weed seeds and plant parts.
5. All trash and garbage will be picked up and disposed of properly.
6. No overnight camping will be allowed at the site or in the surrounding area.

## **Categorical Exclusion Determination**

This proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the United States Department of the Interior Departmental Manual 516 DM 11.9, G(2), J(9), and J(10) as follows:

*Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use plan or transportation plan, or eligible for incorporation in such plan (11.9 G[2]).*

*Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas (11.9 J[9]).*

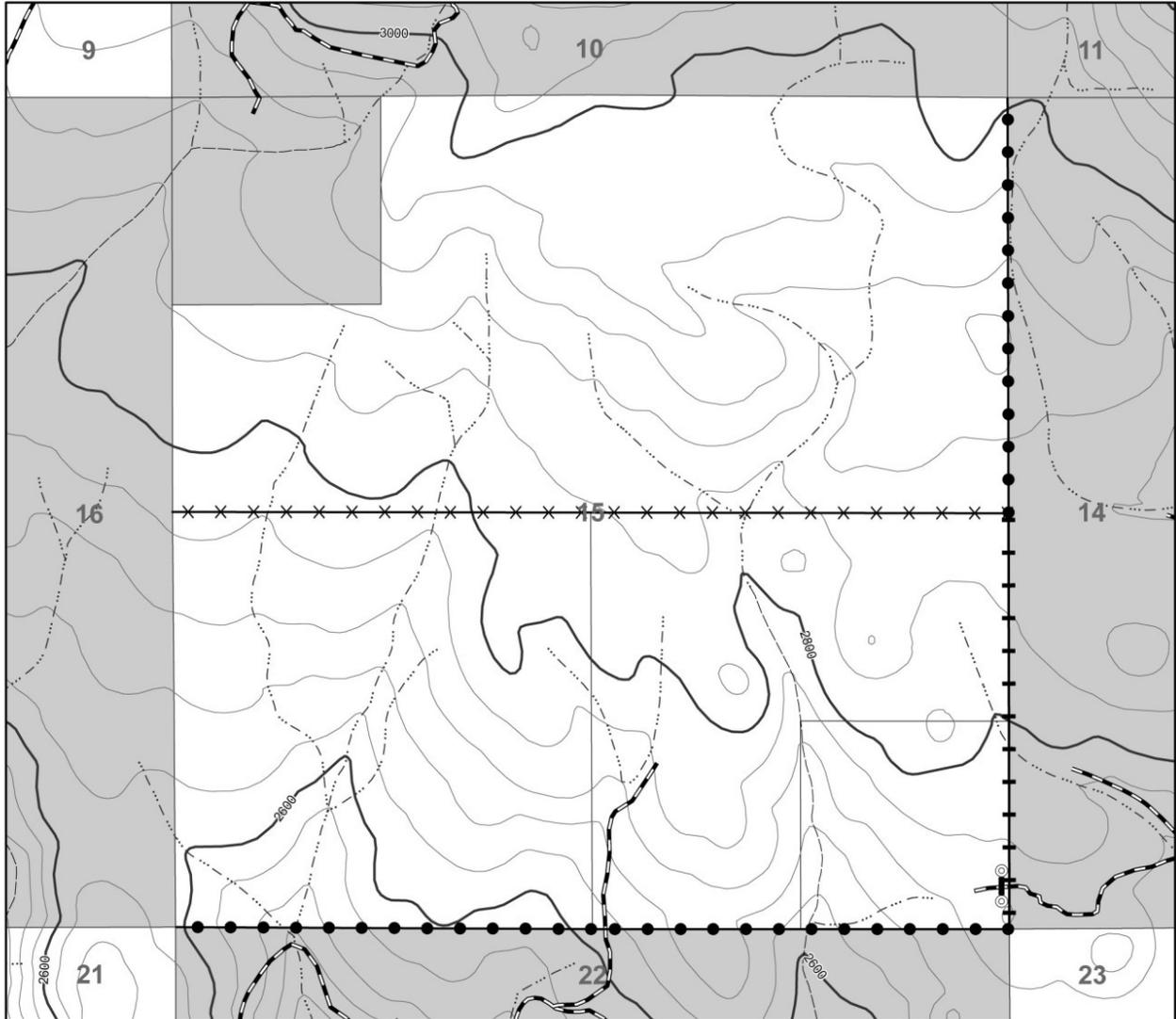
*Removal of structures with no historical value, such as abandoned automobiles, fences, and buildings, including those built in trespass and reclamation of the site when little or no surface disturbance is involved (11.9 J[10]).*

Before any action described in the list of categorical exclusions may be used, the “extraordinary circumstances,” included in the Code of Federal Regulations (CFR) at 43 CFR 46.205(c), must be reviewed for applicability. After review, the BLM determined no extraordinary circumstances exist that would cause the proposed action to have a significant environmental effect. The action will not require additional analysis.

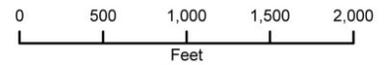
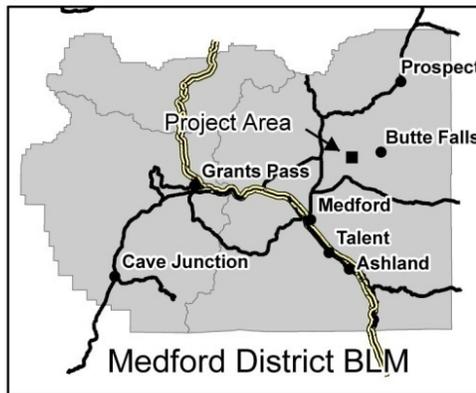
## **Contacts**

For additional information concerning this project, contact Linda Hale, wildlife biologist, at (541) 618-2257 or Marcia Wineteer, botanist, at (541) 618-2494.

## Roundtop RNA Fence Project T35S. - R1E. - Sec. 15



- Fence**
- Existing Fence
  - + Proposed Fence
  - X—X Remove Fence
  - ⊙ Gate to be installed
  - Road
  - ~ Perennial Stream
  - - - Intermittent Stream
  - ~ 200 ft Intermediate Contour
  - ~ 40 ft Index Contour
  - BLM-Administered
  - Private



**MEDFORD DISTRICT**  
 April 2009

HU 4 Upper Rogue 17100307  
 HU 5 Little Butte Creek 1710030802

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. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

### NEPA Categorical Exclusion Review

**Proposed Action:** Construct 0.5 miles of new fence, install a gate, and remove approximately 1.0 miles of abandoned fence in the Round Top Butte RNA/ACEC.

The Code of Federal Regulations at 43 CFR 46.205(c) requires that "any action that is normally categorically excluded must be evaluated to determine whether it meets any of the extraordinary circumstances in section 46.215" (listed below). Additional analysis and environmental documents must be completed for any normally categorically excluded action which may:

1. *Have significant impacts on public health or safety.*

Yes  No

Initial QW Remarks:

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

Initial QW Remarks:

3. *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

Yes  No

Initial QW Remarks:

4. *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

Yes  No

Initial QW Remarks:

5. *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

Yes  No

Initial QW Remarks:

6. *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Yes  No

Initial SLS Remarks:

7. *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.*

Yes  No

Initial QW Remarks:

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.*

Plants  Yes  No Initial mw Remarks:

Animals  Yes  No Initial SL Remarks:

Fish  Yes  No Initial SL Remarks:

9. *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes  No

Initial JW Remarks:

10. *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

Yes  No

Initial JW Remarks:

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  No

Initial JW Remarks:

12. *Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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  No

Initial mw Remarks:

## Decision

It is my decision to allow construction of 0.5 miles of new fence to close a gap in an existing fence, install a gate, and remove approximately 1.0 miles of abandoned fence, as described in the proposed action.

## Decision Rationale

The proposed action has been reviewed by Butte Falls Resource Area staff and appropriate Project Design Features, as specified above, will be incorporated into the proposal. Based on the attached NEPA Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.



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Jon K. Raby  
Field Manager  
Butte Falls Resource Area

6/15/09

Date

## Administrative Review or Appeal Opportunities

Notice of the forest management decision to be made on the action described in this categorical exclusion will be posted on the Medford District internet website. The action is subject to protest under 43 CFR 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.

**Categorical Exclusion Reviewers:**

Name	Title	Date	Initials
Jean Williams	NEPA Coordinator	6/12/09	JW
Marcia Wineteer	Botanist	5/7/09	mw
Linda Hale	Wildlife Biologist	4/16/09	LH
Steve Liebhardt	Fisheries Biologist	4/27/09	SL
Shawn Simpson	Hydrologist	4/15/09	SLS
Ken Van Etten	Soil Scientist	4/15/09	KBV.
Alan Mason	Fire/Fuels Specialist	4/15/09	AM
<del>Ann Ramage</del> Lisa Brennan	Archaeologist	6/12/09	LB
Randy Bryan	Engineer	4/17/09	RRB
Trish Lindaman	Outdoor Recreation Planner	4/17/09	PL