

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

NEPA CATEGORICAL EXCLUSION REVIEW / DECISION RATIONALE

**Mule Creek Bridge Replacement
DOI-BLM-OR-M080-2010-0009-CX**

A. Background

The existing Mule Creek Bridge spans Mule Creek and has provided pedestrian and vehicular access. The bridge serves the popular Rogue River trail and users of the Marial Lodge. The bridge was determined to be unsafe and was closed on June 25, 2010. A Categorical Exclusion (Emergency Mule Creek Bridge Replacement and Trail Realignment, DOI-BLM-OR-M000-2010-0032-CX) was signed on July 2, 2010 to allow for temporary construction of a pedestrian foot bridge until replacement of the Mule Creek Bridge is completed. The Mule Creek Bridge Replacement CX documents the BLMs need to remove and replace of the existing bridge.

Proposed Action Title: Mule Creek Bridge Replacement

Location of Proposed Action: This project is on BLM lands located within the Wild section of the Rogue National Wild and Scenic corridor. The Rogue River Ranch and Tucker Flat campground are nearby. The legal description is T. 33S., R.10W., Section 9, NE 1/4.

Land Use Allocations: Late Successional Reserve, Riparian Reserve

Project Description: The Glendale Resource Area proposes to remove the existing 50 year old Mule Creek wooden bridge and replace it with a safe, long term bridge structure. The existing concrete bridge abutments will be used to support the new bridge. All the existing wooden railings, deck planking, and laminated support beams would be removed. A crane would be used to remove the heavy pieces. No machinery or equipment would be allowed to work in the stream. The replacement bridge could include setting of metal beams and support requiring welding. The lifting of heavy bridge segments would be done by crane outside the stream channel on existing road right-of-ways.

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)*
- *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.
- No “treated” wood materials would be used.
- All material accidentally falling into Mule Creek will be removed that day.

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

- Activities such as tree felling, yarding, road and other construction activities and , hauling on roads not generally used by the public, and prescribed fire that produce 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.

C. Compliance with NEPA:

The Proposed Action 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);” 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;” and 516 DM 11.9 J (10) “Removal of structures and materials of 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.”

These 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 (x) No

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

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

Remarks:

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

Remarks:

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

Remarks:

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

Remarks:

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 No

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. Yes No

Remarks: Removal and replacement of the bridge would not have adverse effects on primary constituent elements of marbled murrelet critical habitat (OR-7f) or spotted owl critical habitat (OR-67). Forest stand surrounding the bridge is not suitable murrelet habitat. Suitable spotted owl habitat is adjacent to the bridge, however, it would not be effected. No spotted owl sites occur or are expected to occur within a disturbance distance of 195 feet.

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 SONC coho (federal threatened) and Klamath Mountain Province Steelhead.

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

Remarks:

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

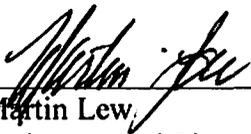
Remarks:

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 (x) No

Remarks:

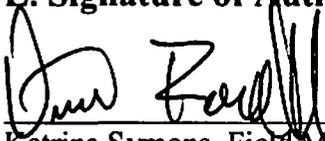
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive order 13112). () Yes (x) No

Remarks:

Prepared by 
Martin Lew,
Environmental Planner

Date: 7/28/10

E. Signature of Authorizing Official

For  7/28/10
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.

**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT
CE#: CE-ORM080-2010-0009-CX**

NEPA CATEGORICAL EXCLUSION DECISION DOCUMENTATION

Decision and Rationale: Based upon the attached Categorical Exclusion, it is my decision to implement the Mule Creek Bridge Replacement described in the Proposed Action.

In addition, we 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.

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 Decision, this decision would become final and may be implemented immediately.

For  _____ Date 7/28/10
Katrina Symons, Field Manager
Glendale Resource Area

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(c)), all decisions relating to forest management, except advertised timber sales, the notice and decision document shall contain a concise statement of the circumstances requiring the action.

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 on the Medford District internet website. 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.

For additional information concerning this decision contact Martin Lew, Planning and Environmental Coordinator, telephone (541) 471-6504, 2164 NE Spalding Avenue, Grants Pass, Oregon 97526.