Categorical Exclusion Determination and Decision Record for Precommercial Thinning, Brush and Hardwood Cutting, Hardwood Clump Control, and Girdling in the Butte Falls Resource Area

DOI-BLM-OR-M050-2011-0013-CX

Description of Proposed Action

The Butte Falls Resource Area, Medford District Bureau of Land Management (BLM) proposes to treat up to 380 acres with precommercial thinning, brush and hardwood cutting, hardwood clump control, and girdling. These acres would be treated to maintain conifer stand survival and vigor, and release existing conifers from competition for moisture, nutrients, light, and growing space by cutting the competing vegetation (conifers, shrubs, hardwoods) and leaving the residual trees for increased growth.

Precommercial Thinning: In precommercial thinning (PCT) units, conifers less than 8 inches DBH (diameter at breast height) would be manually cut using chainsaws or hand tools, leaving an average 16-foot by 16-foot spacing retaining approximately 170 trees per acre. Thinned conifers 6 to 8 inches DBH would be girdled rather than felled. Dominant conifers would be preferred for retention and species preference would depend on site conditions. Generally, drier sites would retain more ponderosa pine and incense cedar, and moist sites would retain more Douglas-fir, sugar pine, and true fir. Spacing would be varied to leave dominant trees; however, the overall trees per acre retained would average 170 trees at a 16-foot spacing.

Brush and Hardwood Cutting: Units receiving brush or hardwood cutting in conjunction with PCT would have brush and hardwoods cut within 8 feet of reserve conifers. Brush and hardwoods 6 inches DBH and less would be cut and hardwoods 6.1 to 11.9 inches DBH would be girdled within 8 feet of existing conifer trees. Hardwoods 12 inches DBH and greater would be reserved along with all conifers.

Girdling and Hardwood Clump Control: Units located in the Timbered Rock Fire area receiving brush cutting and hardwood clump control would have the competing vegetation (shrubs and hardwood sprouts) cut with chainsaws or hand tools within a 6-foot radius of the conifer. Brush and hardwoods 6 inches DBH and less would be cut and hardwoods 6.1 to 11.9 inches DBH would be girdled. Up to 2 hardwood stems, if present, would be retained within 6 feet of existing conifer trees. Hardwoods 12 inches DBH and greater would be reserved along with all conifers.

In all units, severed brush and hardwoods would be cut and scattered to a depth of less than 3 feet. All vegetation outside of the 6- or 8-foot radius around the conifer would be retained. All conifers 8 inches DBH and greater, and all hardwoods 12 inches DBH and greater would be reserved in all units.

The project is proposed on BLM-administered lands in the following locations:

Township 32 South, Range 1 East, section 31

Township 33 South, Range 3 West, sections 15, 35

Township 34 South, Range 2 West, section 7

Township 34 South, Range 3 East, section 24

Township 34 South, Range 3 West, sections 21, 27, 28, 31, 32

Township 34 South, Range 4 West, section 3

The proposed project is located in the Butte Falls Resource Area, Medford District BLM, Jackson County, Oregon. Project units are situated in matrix, riparian reserve, and late-successional reserve land use allocations within the Evans Creek, Elk Creek, and Big Butte Creek fifth field watersheds. See attached unit list and maps for exact locations of project units.

Plan Conformance Review

The Medford District initiated planning and design for this project to conform and be consistent with the Medford 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 Medford 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 selected alternative contains some design features not mentioned specifically in the 2008 ROD and RMP. The 2008 ROD and RMP did not preclude use of these design features, and the use of these design features is clearly consistent with the goals and objectives in the 2008 ROD and RMP. Accordingly, this project is consistent with the Medford District's 1995 RMP and the 2008 ROD/RMP.

The proposed action was designed to be consistent 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 Medford District 1995 ROD/RMP that directs the BLM to:

- "Apply silvicultural systems that are planned to produce over time, forests that have desired species composition, structural characteristics, and distribution of seral or age classes (Appendix E)" (1995 ROD/RMP, p. 72).
- "Silvicultural practices include: site preparation, conifer regeneration, stand protection, stand maintenance, precommercial thinning and release, commercial thinning, fertilization, pruning, forest condition restoration treatments, and salvage" (1995 ROD/RMP, Appendix E, p. 183).
- "Plan and implement silvicultural treatments inside late-successional reserves that are beneficial to the creation of late-successional habitat (Appendix E). This will be accomplished by precommercial or commercial thinning of stands regardless of origin" (1995 ROD/RMP, p. 33).

Project Design Features

1. Within riparian reserves, do not treat brush and hardwoods within 35 feet slope distance (each side) of intermittent streams and within 60 feet slope distance (each side) of all perennial and fish-bearing streams. Units receiving PCT will have conifers thinned to the specified spacing (16 feet) through the riparian area. Hardwoods and brush will be reserved.
2. Protect known Special Status plant sites using no-entry buffers. Buffers will be determined based on species, proposed treatment, site-specific environmental conditions, and available management recommendations.
3. Seasonally restrict activities from March 1 through June 30 within 200 feet of northern spotted owl nest sites, unless instructed differently by the BLM wildlife biologist. The restriction may be extended up to September 30 if nesting activity is occurring at that time.
4. During any project implementation, if the contractor encounters or becomes aware of any objects or sites of cultural value on Federal lands, such as historical or prehistorical ruins, graves, grave markers, or artifacts, the contractor will immediately suspend all operations in the vicinity of the cultural object or site and notify the Contracting Officer Representative so the site can be evaluated by a BLM archaeologist.
5. Refuel equipment, including chainsaws and other hand power tools, at least 100 feet from water bodies to prevent direct delivery of contaminants into a water body.
6. Operate vehicles on existing roads and trails.
7. Pick up all trash and garbage and dispose of properly.
8. Prohibit overnight camping at the project site or in the surrounding area.
9. Ensure management activities do not damage rangeland improvements such as fencing, gates, cattle guards, and water improvements. If damage occurs, notify the District Rangeland Management Specialist.
10. Leave gates positioned as found (open or closed).

Categorical Exclusion Determination

This proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 C(4) which allows for "Precommercial thinning and brush control using small mechanical devices."

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.

Contact Person

For additional information concerning this project, contact Doug Stewart, Project Leader, at (541) 618-2264.

NEPA Categorical Exclusion Review

Proposed Action:

This action would release existing conifers and selected hardwood sprouts from competition for moisture, nutrients, light, and growing space by cutting brush and hardwood sprouts within a 6- to 8-foot radius of conifer seedlings and precommercially thinning conifers in dense stands.

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 DJS 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 RW 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 DJS Remarks:

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

   ☐ Yes ☒ No
   Initial DJS 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 DJS 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 YB 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: no sites

   Animals ☐ Yes ☒ No Initial D.K. Remarks: Seasonal restriction 3/01-6/30 33-3W-15

   Fish ☐ Yes ☒ No Initial D. 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 RW Remarks:

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

    ☐ Yes ☒ No

    Initial RW 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 RW 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 implement the precommercial thinning, brush and hardwood cutting, and girdling and hardwood clump control, as described in the Proposed Action and as shown on the attached project maps, in fiscal years 2011 and 2012.

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 (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.

7/1/11

Jon K. Raby
Field Manager
Butte Falls Resource Area

Date

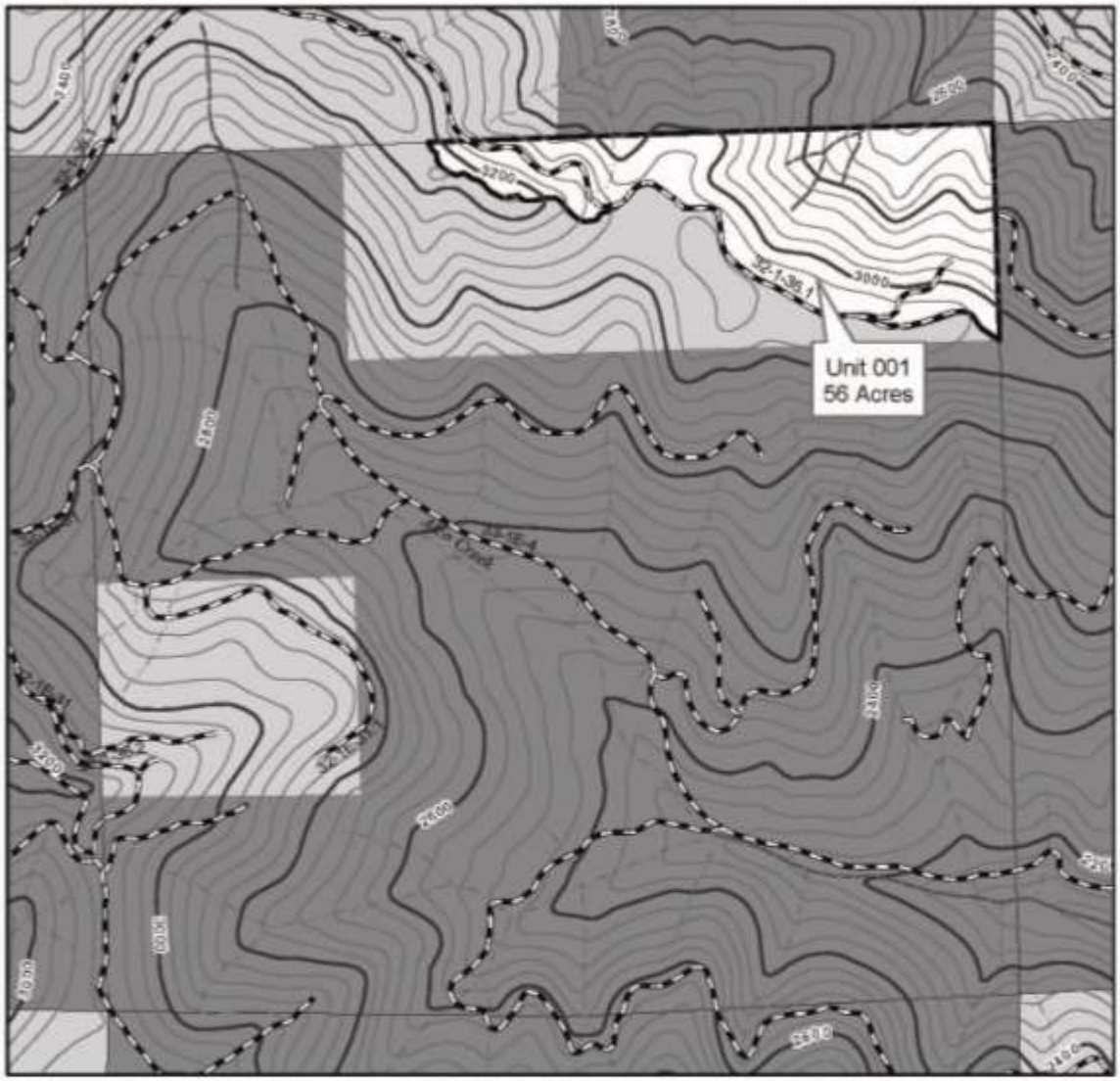
Administrative Review or Appeal Opportunities

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
Robyn Wicks	NEPA Coordinator	7/1/11	RW
Marcia Wineteer	Botanist	6/30/11	mw
Dave Roelofs	Wildlife Biologist	6/21/11	D.R.
Dale Johnson	Fisheries Biologist	6/17/2011	DJ
Shawn Simpson	Hydrologist	6/22/11	SLS
Ken Van Etten	Soil Scientist	6/17/2011	KBV
Al Mason	Fire/Fuels Specialist	6/27/11	AOM
Lisa Brennan	Archaeologist	6/17/2011	LB
Randy Bryan	Engineer	6/20/2011	RRB
Trish Lindaman	Outdoor Recreation Planner	6/28/11	TL

Map 1. Timbered Rock T32S, R1E, section 31



LEGEND

Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

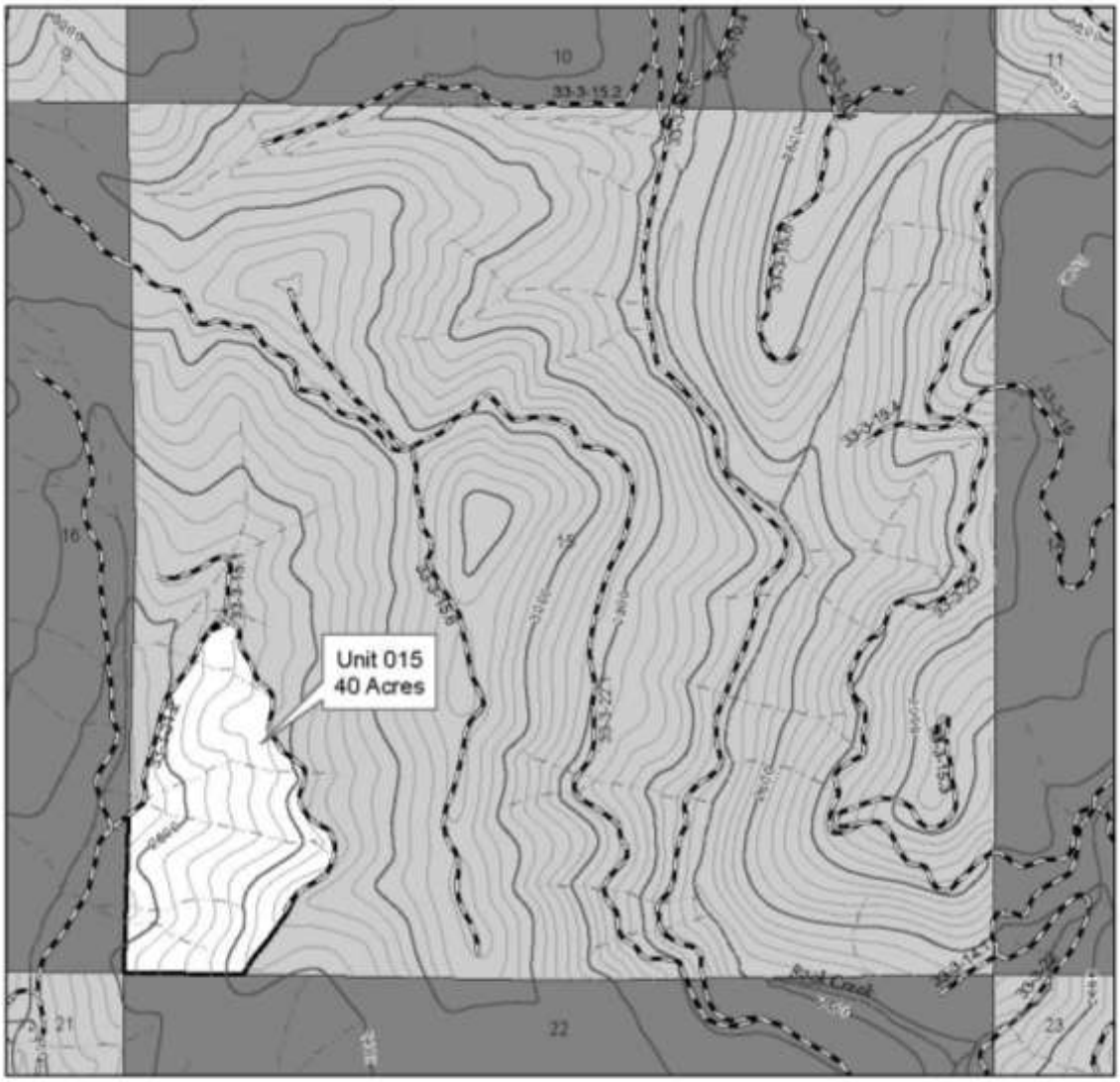
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
162271	1-O	001	56	Brush & Hdwd Clmp Cntrl
		Total	56	

Medford District
Butte Falls Resource Area
June 2011

Map 2. Pop Rock Buy Out T33S, R3W, section 15



LEGEND

Treatment Area
Perennial Stream
Intermediate 40-ft contour
BLM Administered
Road
Intermittent Stream
Index 200-ft contour
Non-BLM Land

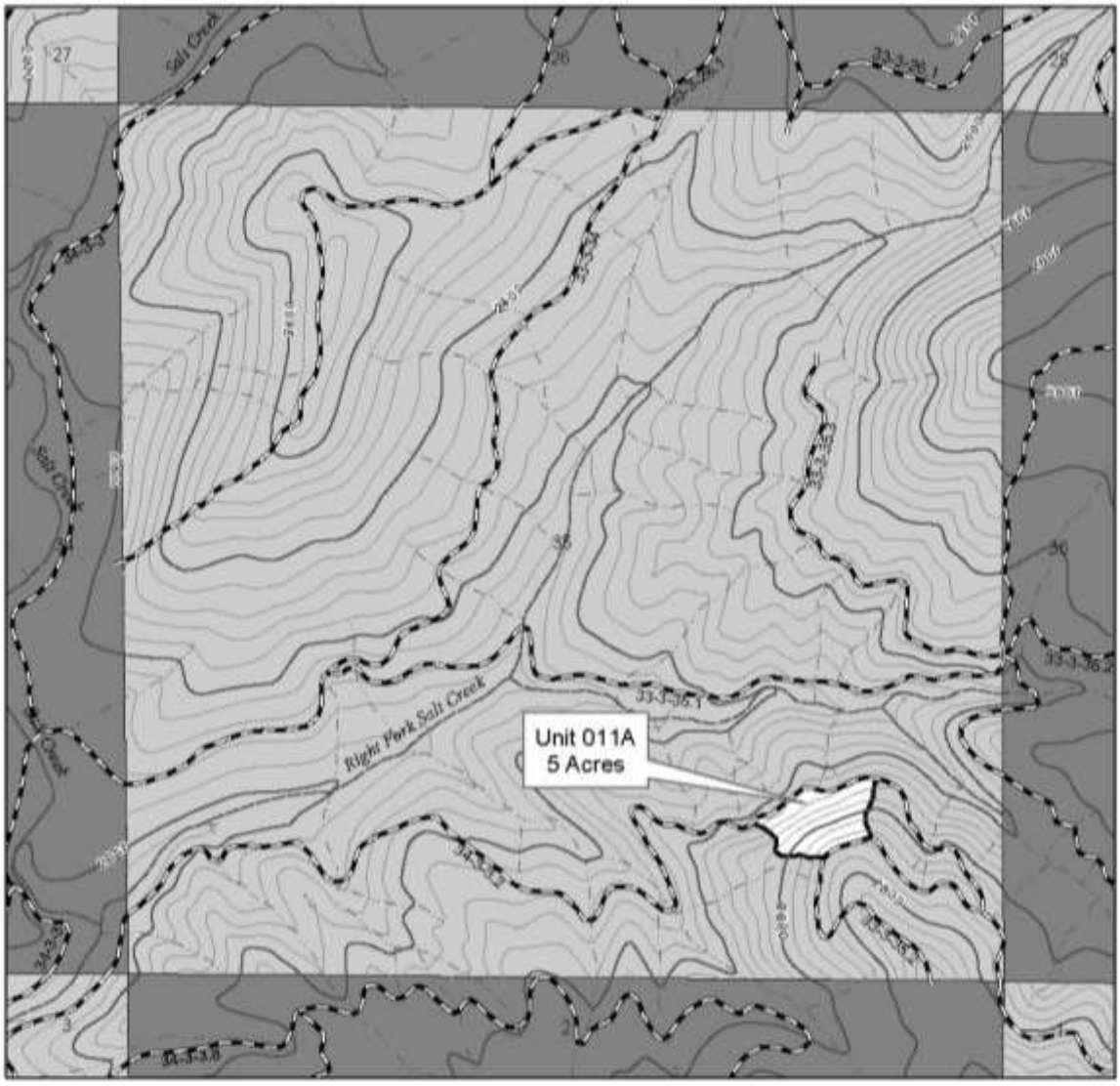
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
156302	1-E	015	40	PCT (16x)
		Total	40	

Medford District
Butte Falls Resource Area
June 2011

Map 3. Salt Air T33S, R3W, section 35



LEGEND

Treatment Area
Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

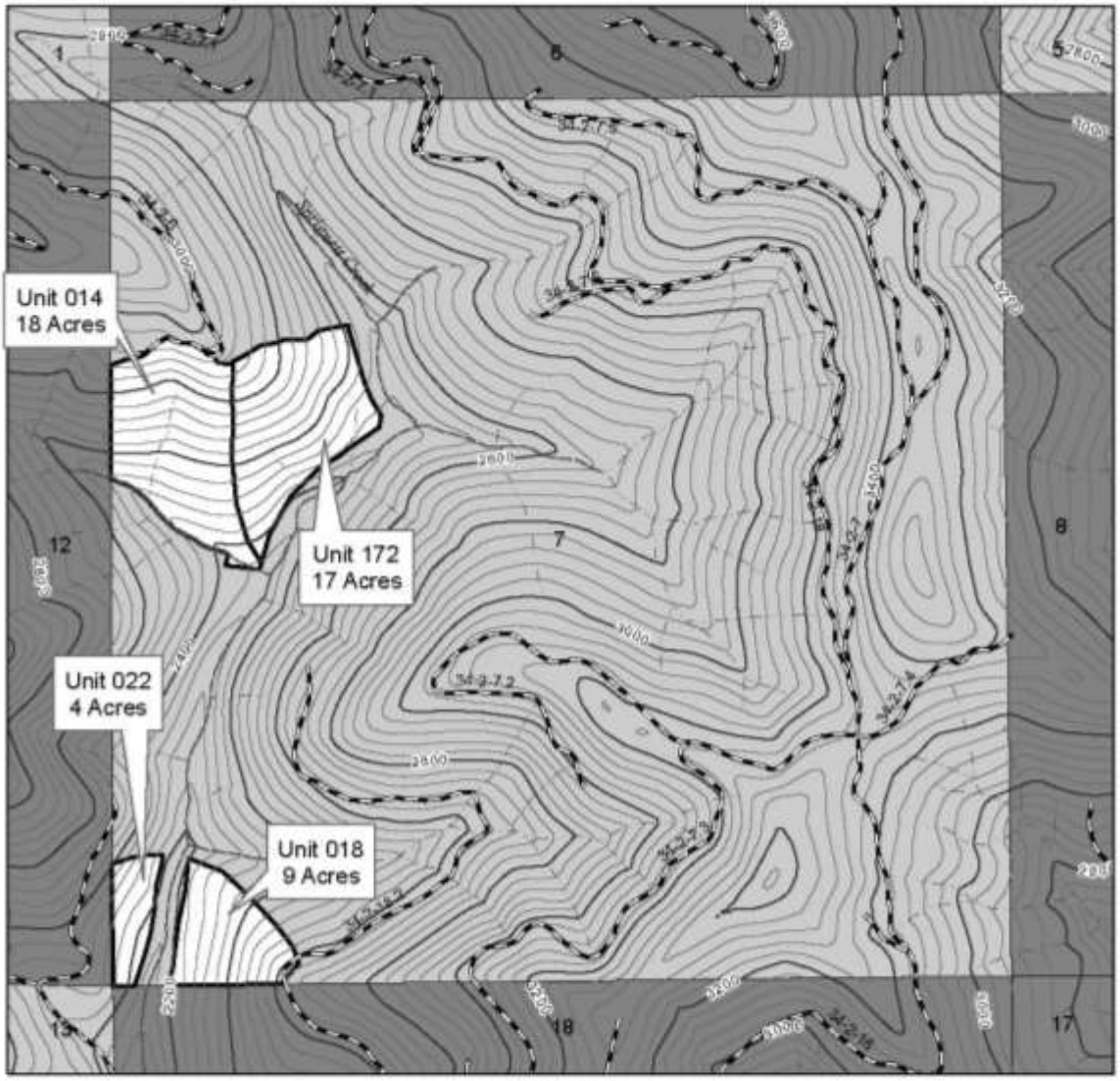
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
158517	1-F	011A	5	PCT (16x) & Hdwd Cntrl
		Total	5	

Medford District
Butte Falls Resource Area
June 2011

Map 4. SpriggMorr T34S, R2W, section 7



LEGEND

Treatment Area · Perennial Stream · Intermediate 40-ft contour · BLM Administered
Road · Intermittent Stream · Index 200-ft contour · Non-BLM Land

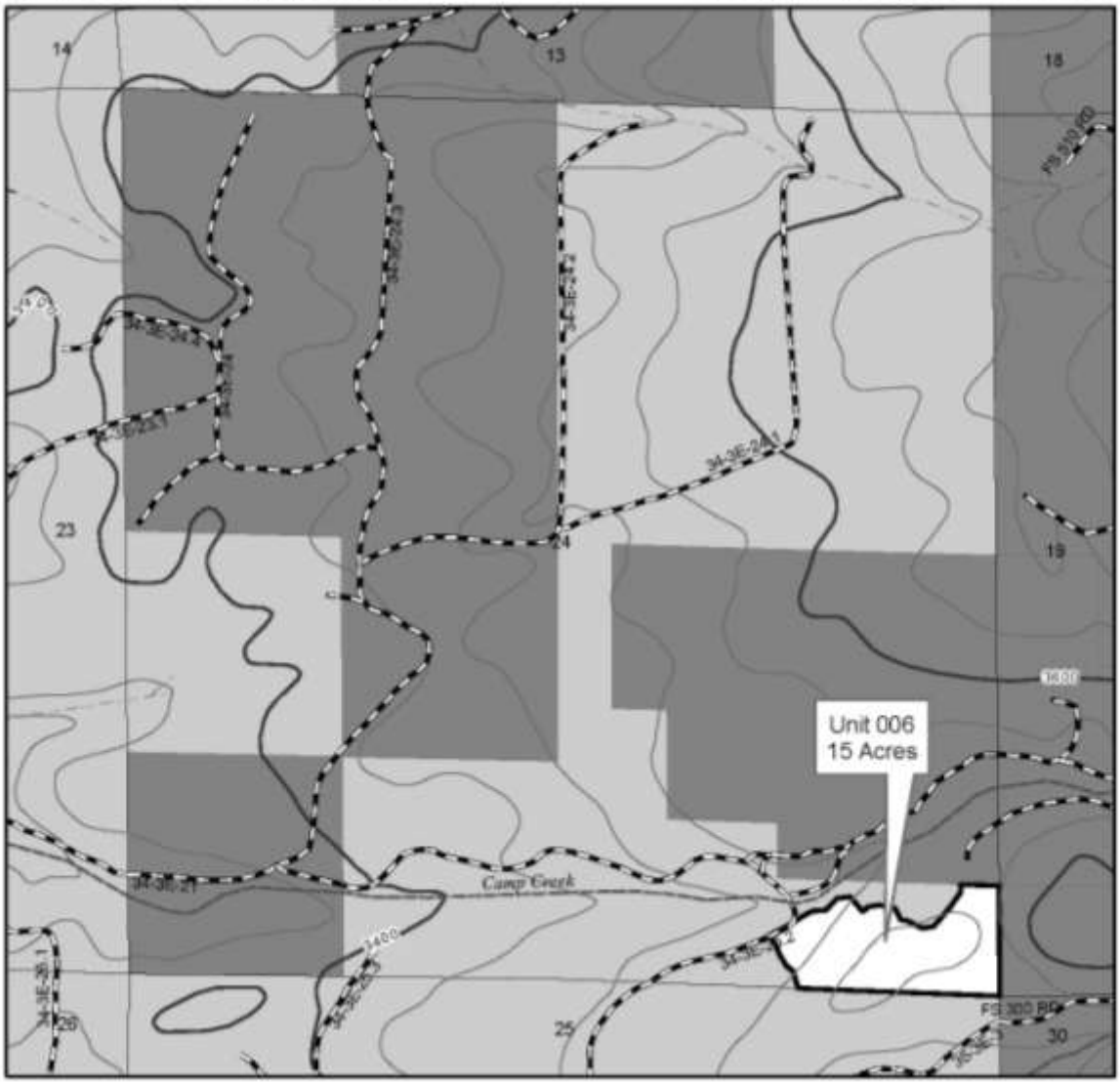
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
162261	1-F	014	18	PCT (16x) & Hdwd Cntrl
163278	1-F	018	9	PCT (16x) & Hdwd Cntrl
160748	1-F	022	4	PCT (16x) & Hdwd Cntrl
161854	1-F	172	17	PCT (16x) & Hdwd Cntrl
		Total	48	

Medford District
Butte Falls Resource Area
June 2011

Map 5. Frozen Titanic T34S, R3E, section 24



LEGEND

Treatment Area
Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

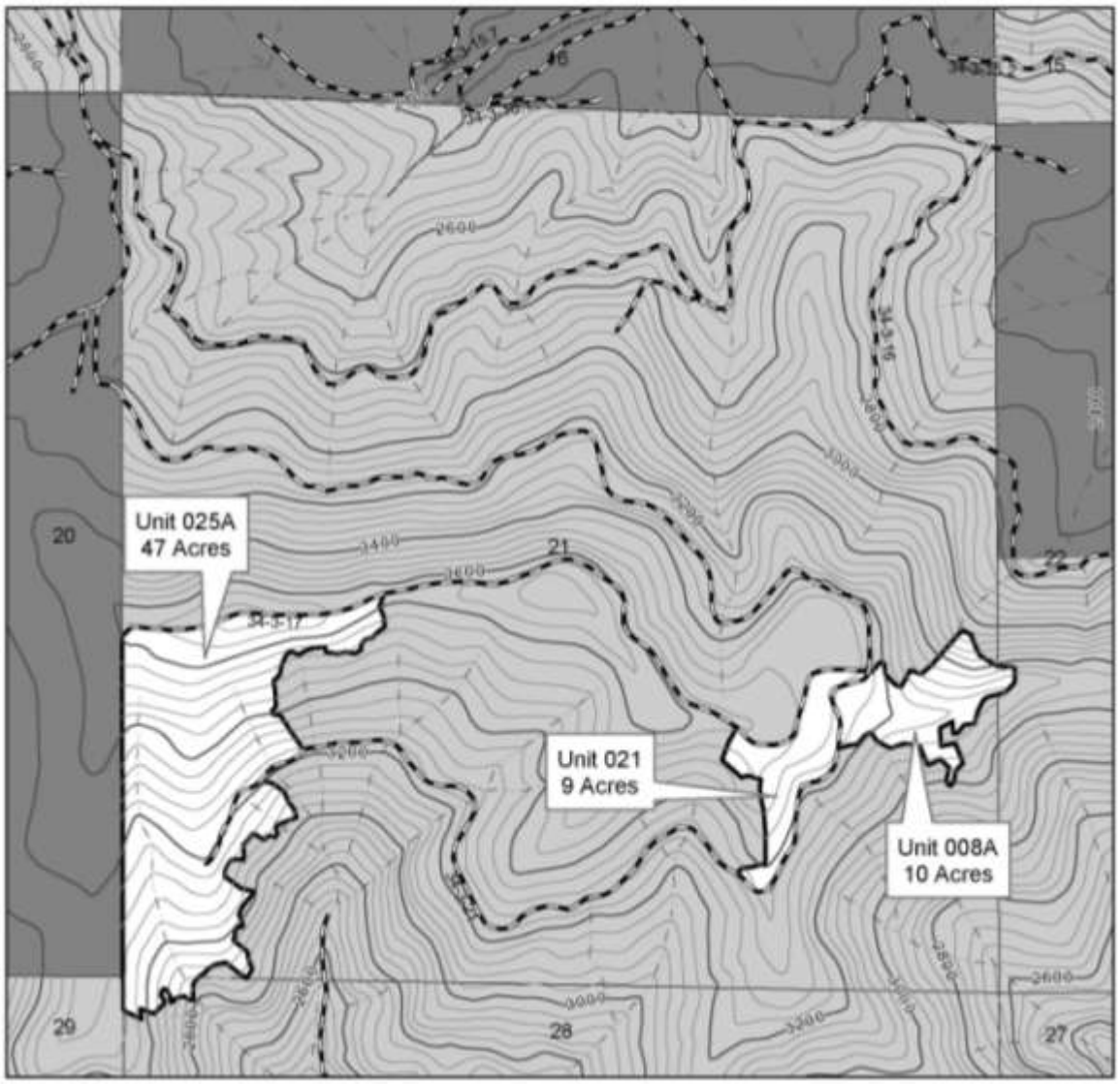
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
162922	1-E	006	15	PCT (16x)
		Total	15	

Medford District
Butte Falls Resource Area
June 2011

Map 6. May Fly Fire Salvage T34S, R3W, section 21



LEGEND

Treatment Area
Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

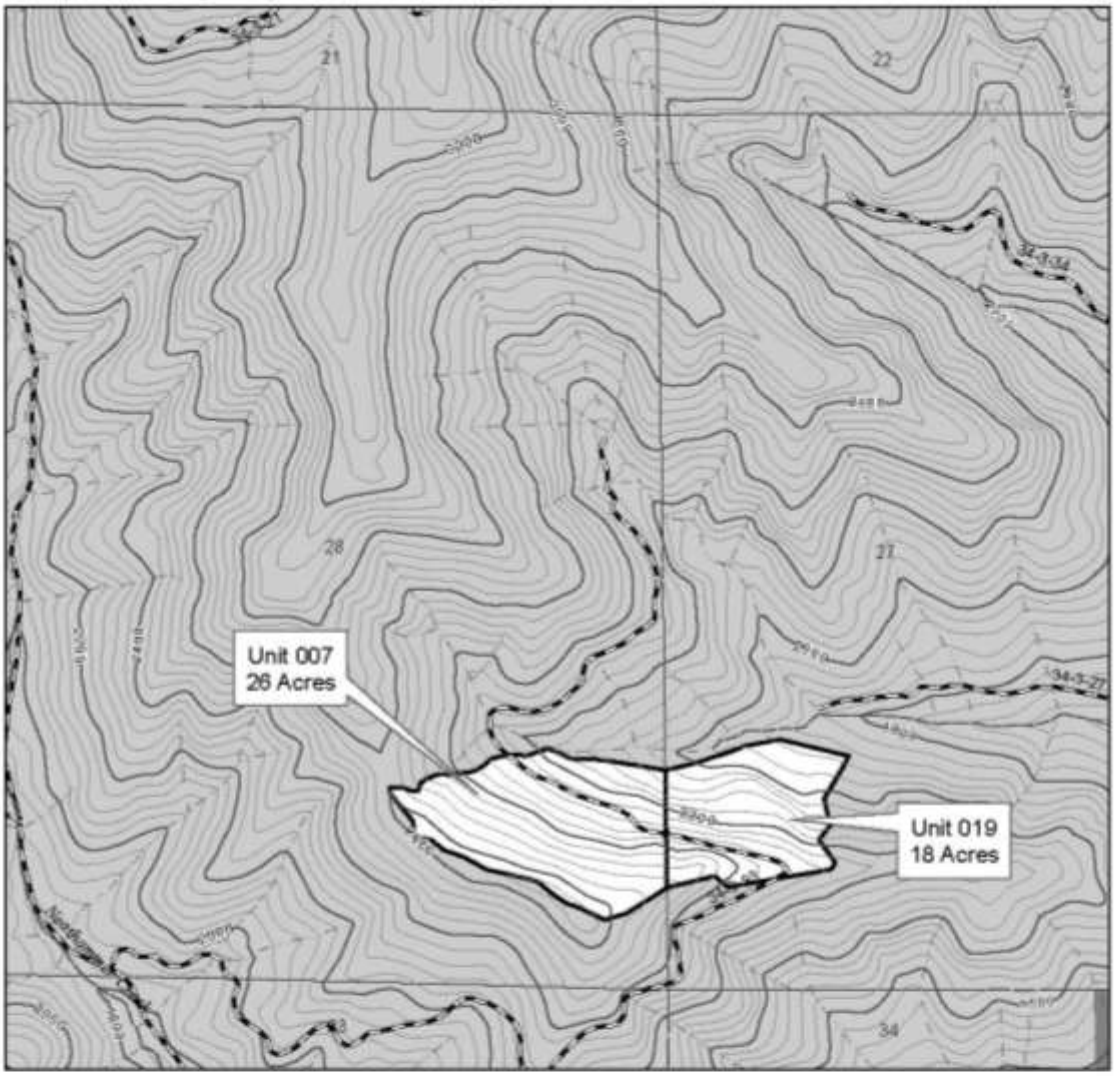
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
155376	1-F	008A	10	PCT (16x) & Hdwd Cntrl
155389	1-F	021	9	PCT (16x) & Hdwd Cntrl
164342	1-F	025A	47	PCT (16x) & Hdwd Cntrl
		Total	66	

Medford District
Butte Falls Resource Area
June 2011

Map 7. May Fly Fire Salvage T34S, R3W, sections 27, 28



LEGEND

Treatment Area
Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

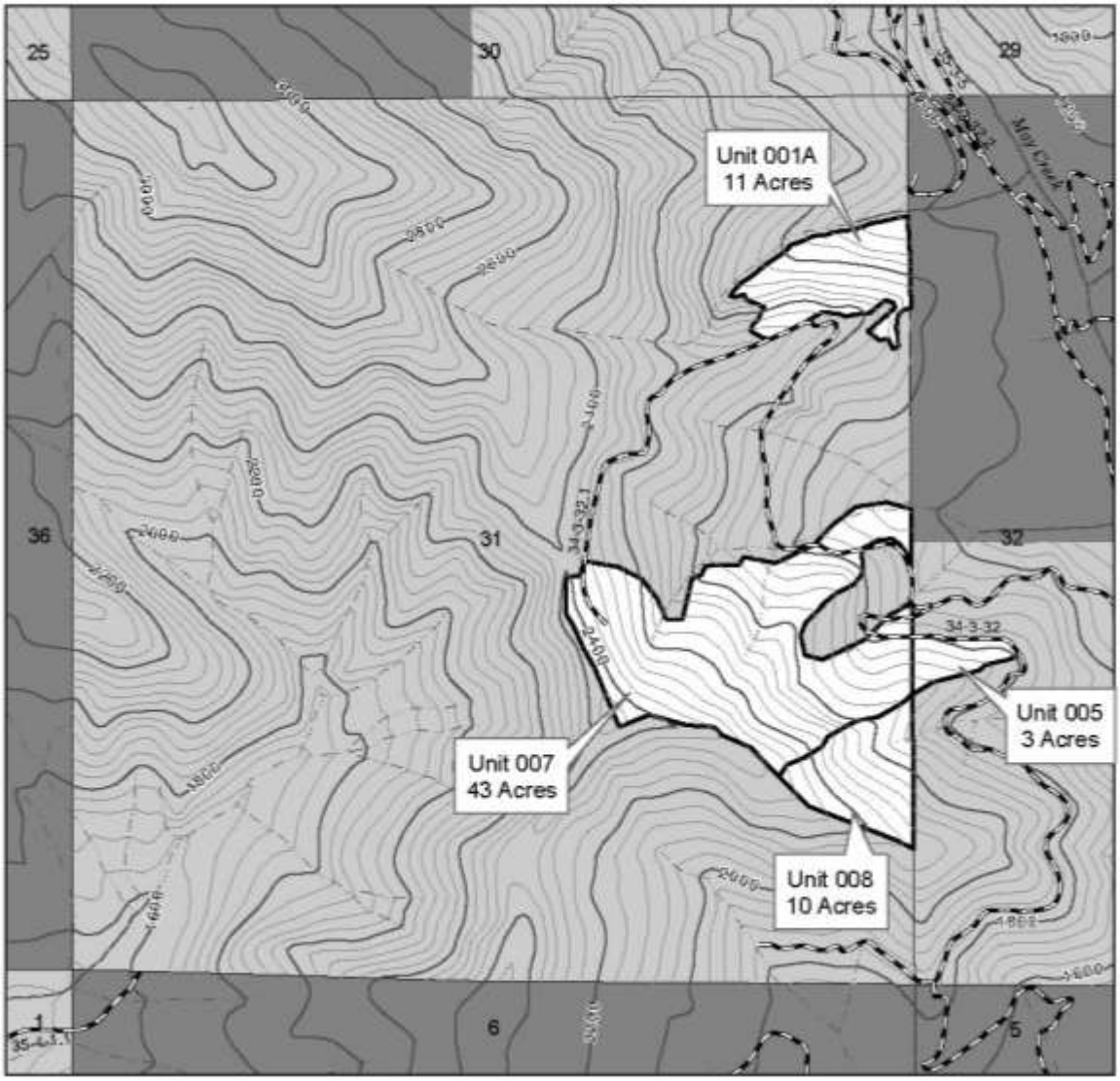
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
155456	1-F	007	26	PCT (16x) & Hdwd Cntrl
164257	1-F	019	18	PCT (16x) & Hdwd Cntrl
		Total	44	

Medford District
Butte Falls Resource Area
June 2011

Map 8. May Fly Fire Salvage T34S, R3W, sections 31, 32



LEGEND

Treatment Area
Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

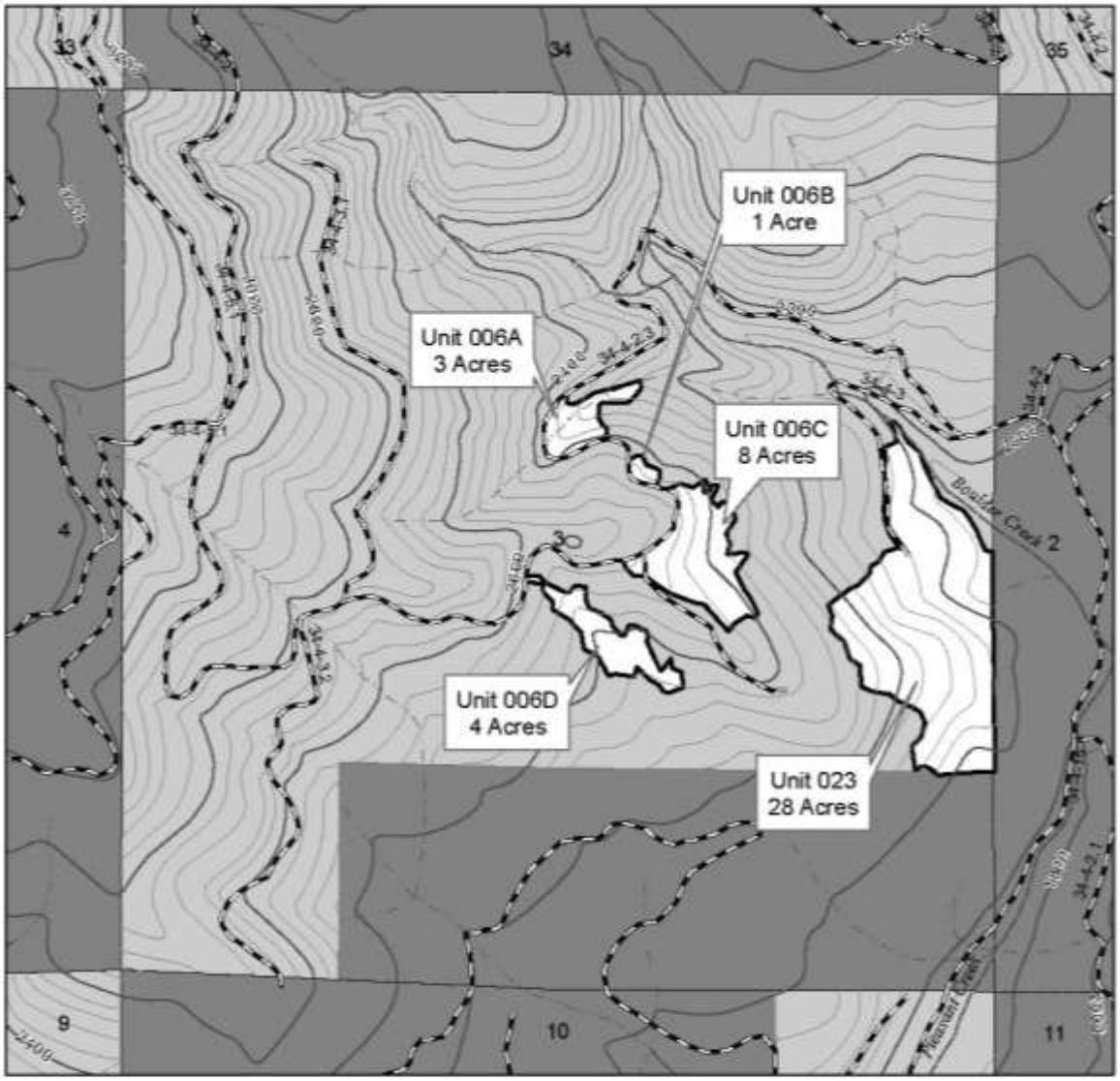
0 500 1,000 1,500 2,000
Feet

N

FOI Key	Bid Item	Unit #	Acres	Treatment
155479	1-E	001A	11	PCT (16x)
155485	1-E	007	43	PCT (16x)
155486	1-E	008	10	PCT (16x)
155499	1-E	005	3	PCT (16x)
		Total	67	

Medford District
Butte Falls Resource Area
June 2011

Map 9. Pleasantly Hot T34S, R4W, section 3



LEGEND

Treatment Area
Road
Perennial Stream
Intermittent Stream
Intermediate 40-ft contour
Index 200-ft contour
BLM Administered
Non-BLM Land

0 500 1,000 1,500 2,000
Feet

FOI Key	Bid Item	Unit #	Acres	Treatment
155597	1-F	006A	3	PCT (16x) & Hdwd Cntrl
155597	1-F	006B	1	PCT (16x) & Hdwd Cntrl
155597	1-F	006C	8	PCT (16x) & Hdwd Cntrl
155597	1-F	006D	4	PCT (16x) & Hdwd Cntrl
155614	1-F	023	28	PCT (16x) & Hdwd Cntrl
		Total	44	

N

Medford District
Butte Falls Resource Area
June 2011