

## **Categorical Exclusion Determination and Decision Record for Beaver Dam Creek Livestock Exclosure DOI-BLM-OR-M050-2010-0025-CX**

---

### **Description of Proposed Action**

The Butte Falls Resource Area, Medford District Bureau of Land Management (BLM) proposes to construct a five acre livestock exclosure in the Beaver Dam Creek wetland area in Township 34 South, Range 3 East, Section 9 located in the South Fork Rogue River fifth field watershed. The Beaver Dam Creek wet meadow was identified in the Flat Creek-Summit Prairie Grazing Lease Renewal Environmental Assessment as having degraded streambanks, compacted soils, heavy grazing pressure on native plants and the area was recommended for cattle exclusion. The objectives of fencing this wetland area would be to improve bank stability, improve cutthroat and aquatic habitat, and encourage regrowth of riparian vegetation (Bureau of Land Management 2009, 22).

The wet meadows in the Beaver Dam Creek sixth field watershed located northeast of Butte Falls are unique to the Butte Falls Resource Area. Most grassy openings in the resource area are rocky with shallow soils on gentle to steep slopes and contain predominantly annual nonnative grasses. The wet meadows proposed for fencing have deeper soils and high water tables and have historically contained native grasses, rushes, sedges and riparian shrubs.

### **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 in conformance with objectives, land use allocations, and management direction of the 1995 *Medford District Record of Decision and Resource Management Plan* (ROD/RMP) and any plan amendments in effect at the time this document is published.

This project also conforms with the 1994 *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)

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

“Provide for livestock grazing in an environmentally sensitive manner, consistent with management objectives and land use allocations” (1995 ROD/RMP, p. 91).

“Maintain and restore habitat to support well-distributed populations of native plant, invertebrate, and vertebrate riparian-dependent species” (1995 ROD/RMP, p. 22).

## Project Design Features

- Fences will be designed to prevent the passage of livestock without stopping the movement of wildlife.
- Wire spacing specifications found in Illustration 2, BLM Wire Spacing Standards in BLM Manual Handbook H-1741-1, Fencing (see Appendix A) will be followed.
- Steel “t-posts” will be spaced 16 to 24 feet apart.
- Brace posts, tree scabs, or rock jacks (rock cribs) will be constructed to enhance fence integrity with one at least every 0.25 miles.
- Brushing and tree limb removal will be limited to only that necessary for surveying, placing, and constructing a fence.
- Brush or trees that have fallen across the fence line will be manually cleared only to the extent needed to complete the fencing project.
- Hand tools only will be used during fence construction to minimize ground disturbance and damage to adjacent trees.
- Mechanized vehicles will only be allowed in designated areas as determined by the Authorized Officer.
- All fence construction activities will occur between May 15 and October 15, or when soil moisture content is less than 35 percent by weight in the upper 6 inches of the soil to prevent soil compaction and erosion.
- Fences will be constructed so livestock are not forced onto roads or highways or placed in hazardous situations.
- All fire precautions will be observed as specified in the contract; ensure proper fire prevention equipment is on-site.
- Fencing activities will be seasonally restricted from January 1 to August 31 within 0.25 mile of known, occupied bald eagle nests and 0.5 mile if the nest is within line-of-sight.
- Stop work and notify the BLM within 12 hours if an archaeological site is discovered during the project.

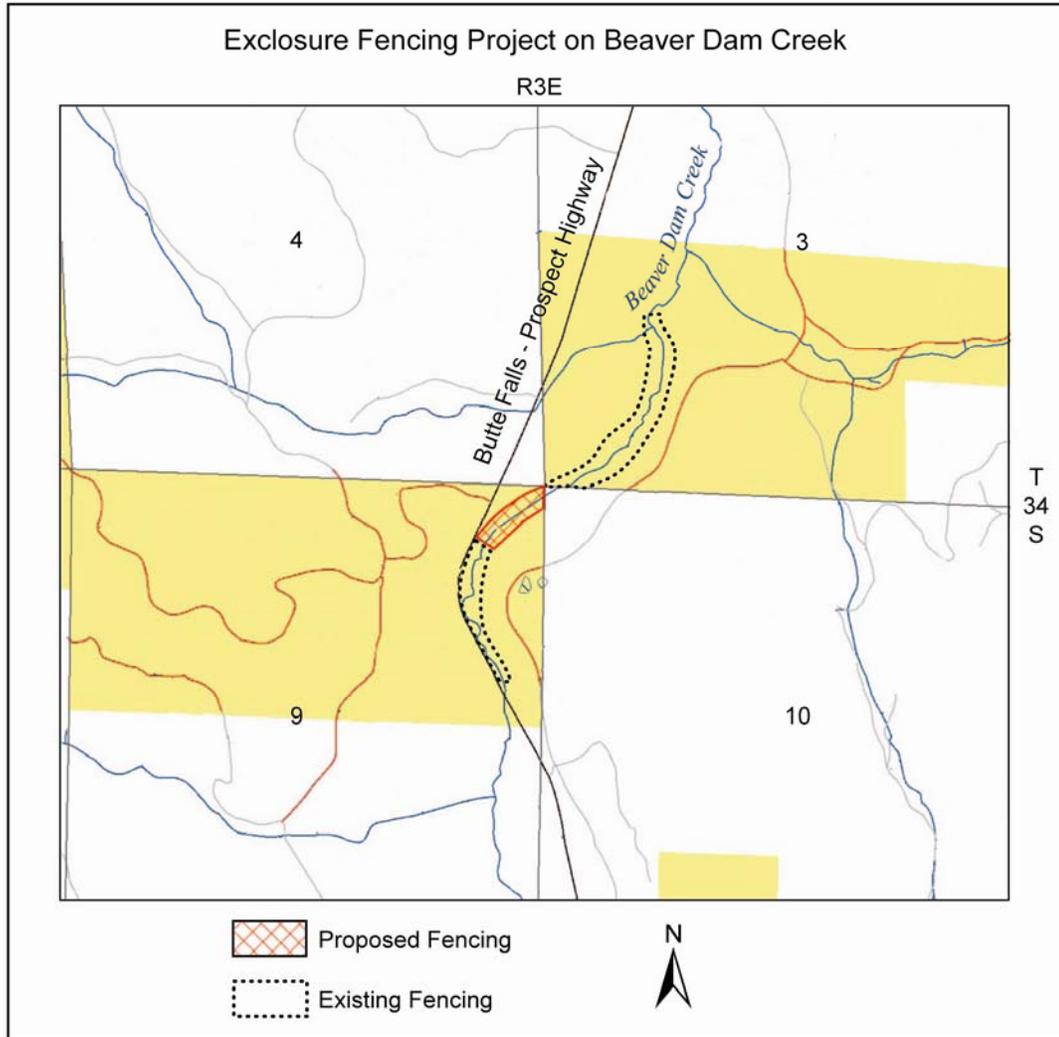
## Categorical Exclusion Determination

This proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 J(9). This section allows for construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas.

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 Angela San Filippo, Project Leader, at (541) 618-2495.



### NEPA Categorical Exclusion Review

#### Proposed Action:

This action would exclude a five acre portion of the Beaver Dam Creek wetland area from livestock grazing resulting in improved bank stability, improved cutthroat and aquatic habitat, and regrowth of riparian vegetation.

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 JW 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 JW 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 JW Remarks:

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

Yes  No

Initial JW 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 JW 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 RJM 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 AK Remarks:

Fish  Yes  No

Initial AS 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 SW Remarks:

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

Yes  No

Initial SW 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 SW 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 fence the wetland area of Beaver Dam Creek in Township 34 South, Range 3 East, Section 9, 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 (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.

*Matthew R. Azhwan*  
for Jon K. Raby  
Field Manager  
Butte Falls Resource Area

9/13/2010

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	9/13/10	JW
Marcia Wineteer	Botanist	9/10/10	mw
Dave Roelofs	Wildlife Biologist	9/10/10	DR
Angela San Filippo	Fisheries Biologist	9/10	AS
Shawn Simpson	Hydrologist	9/10/10	SS
Ken Van Etten	Soil Scientist	9/10/10	KBV
Ron Gregory	Archaeologist	9/13/10	R2Y
Steve Slavik	Range Specialist	9/10/10	SS