

# Categorical Exclusion Documentation & Decision Record

## A. Proposed Action and Location

BLM Office: Ashland Resource Area      CE Number: DOI-BLM-OR-M060-2009-0026-CX

Proposed Action Project Name: Roadside Hazard Tree Removal, Road 38-2-31.2

The purpose of this project is to improve worker and public safety along road 38-2-31.2 in T. 38 S., 2 W., in Section 31. The project will remove road side hazard trees and utilize dead or dying timber within 100 feet of the roadside. The project would remove and sell commercial-sized trees that were fire killed in the Squires fire in 2002. The project is limited to 100 feet on either side of open road systems. Roads will be temporarily closed to public travel during removal operations.

The trees described above would be removed and sold commercially only when all the following criteria are met:

- The tree is dead or highly likely to die in the next two years from 'natural' causes.
- The tree has fallen across or is within 100 feet of a system road (a road currently inventoried in the BLM transportation system and includes gated roads).
- The tree is not needed on site for coarse woody debris. Coarse woody debris standards call for a minimum of 120 linear feet per acre greater than or equal to 16" diameter and 16 feet long.

Trees would be yarded to the road using a cable winch and self-loading log truck. Mechanized equipment would not be allowed off the road surface. Directional falling would be used to the extent possible to minimize disturbance to the ground. Slash would be lopped and scattered. Ditch lines and road surfaces would be cleaned by the operator. Known sensitive plant sites have been excluded from the cutting area. Activities will be suspended when the road surface is wet or during heavy precipitation when off-site damage could occur. No trees are to be sold or removed from areas previously designated as Riparian Reserves. To prevent the spread of star thistle, equipment will be pressure washed to remove all dirt and debris prior to entering BLM lands, and equipment must stay within designated road corridors and turnouts.

## B. Land Use Plan Conformance

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

**C. Compliance with NEPA**

The Proposed Action is categorically excluded from further documentation under the NEPA in accordance with the Department of the Interior Manual Section 516 DM 11.9 C, 2 and as follows:

*"Sale and removal of individual trees, or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for removal requires no more than maintenance to existing roads."*

These categorical exclusions are appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment as documented in the following table. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply.

**D. Categorical Exclusion Extraordinary Circumstances Documentation**

The proposed categorical exclusion action will:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Hazard tree removal operations will follow Occupational Safety and Health Administration standards designed to prevent job-related illness or injuries. The project will remove or fall standing trees that represent a hazard to workers and the public. The BLM will require the use of signs and flaggers for controlling traffic on roads that pass through the project area when necessary for public safety.		
2.2 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.		X
Hazard trees will only be removed within 100 feet of existing roads. The project area is not located within any unique geographic areas listed above. There are no park, recreation, or refuge lands; wilderness areas; wild and scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; or other ecologically significant or critical areas within the project area.		
The project was reviewed for heritage sites and there are no known sites that will be affected by the implementation of the project. Heritage surveys were previously conducted in the project area no heritage resources discovered. This project will be a no effect undertaking relative to heritage resources.		
The proposed project is in Bird Conservation Region 5 (Northern Pacific Forest). Olive-sided Flycatchers exhibit some preference for foraging and nesting in habitat conditions created by fire, e.g., open foraging areas and abundant snags (Altman 2003). The removal of some snags in the project area could adversely impact this species to a minor degree. Limiting removal of hazard trees to a 100 foot corridor along the road would mitigate the impact, and nesting and foraging opportunities for this species would remain adequate in the general area of the project. No other species would be affected by this proposal.		

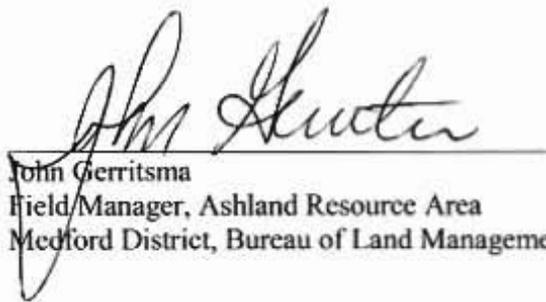
<b>The proposed categorical exclusion action will:</b>	<b>YES</b>	<b>NO</b>
<b>2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].</b>		X
This hazard tree removal project is similar in nature to other hazard tree removal projects across the Medford District and within the scope of the Medford District Resource Management Plan, and does not involve highly controversial effects or unresolved conflicts.		
<b>2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</b>		X
The BLM interdisciplinary team of resource specialists reviewed this project and determined there is no threat of significant environmental effects or unique or unknown environmental risks.		
<b>2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.</b>		X
Operations of this nature have occurred for years across the Medford District will continue to occur in the future in association with road management and maintenance. This project does not establish precedence for future projects.		
<b>2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</b>		X
The BLM interdisciplinary team of resource specialists reviewed the project based on current conditions on the ground. The team did not find any resource issues of concern that will be affected by this project. Implementation of Project Design Features will aid in effects to resources. The Project Design Features serve as a basis for resource protection in the implementation of this project.		
<b>2.7 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.</b>		X
The project was reviewed for heritage sites and there are no known sites that will be affected by the implementation of this project.		
<b>2.8 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.</b>		X
BLM has reviewed the proposed project for potential for effects to Bureau special status species and completed any required surveys.		
The proposed project area is not located in suitable Northern Spotted Owl habitat; therefore, suitable habitat would not be modified. The nearest known nest site is approximately 0.75 mile from the project area so noise disturbance during the nesting season would not be an issue. The proposed project area also is not located in designated critical habitat for any listed wildlife species.		
The area was survey for Bureau Special Status plants. One special status plant species, <i>Rafinesquia californica</i> , is located near but excluded from the project area to avoid impacts.		
Because there is no hydrological connectivity to any stream channels, there is no potential for this activity to impact any aquatic resources, including designated critical and essential fish habitats. Aquatic Conservation Strategy objectives would not be affected either.		

The proposed categorical exclusion action will:	YES	NO
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
This project has been reviewed for compliance with applicable laws such as the Federal Land Policy and Management Act, Endangered Species Act, Clean Water Act, National Environmental Policy Act, Clean Air Act, and Archaeological Resources Protection Act, among others.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
The proposed project will provide job opportunities. No disproportionately high and adverse effect on low income or minority populations was identified for this project.		
2.11 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).		X
No Indian sacred sites have been identified in the project area.		
2.12 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).		X
No noxious weed populations occur on the road where the project will take place. Noxious weed populations are present on the road systems that lead into and out of this unit. The following PDFs will be followed to prevent further resource damage: washing equipment prior to entry to the project area and using native seed and weed-free mulch after final disturbance, and the ongoing treatment of noxious weeds in the project area will reduce the risk of introduction or spread of noxious weeds. Vehicles accessing the project area would stay on existing roads (no road construction is proposed), reducing the potential of picking up and dispersing noxious weeds or seed.		

**E. Authorization**

I considered the potential for significant impacts to Threatened and Endangered or Bureau sensitive species of fish, wildlife, and plants; cultural resources; noxious weeds; and soil and hydrologic resources. Where appropriate, BLM has completed surveys for those resources and implemented appropriate management recommendations where deemed necessary. The Design Features in Section A of this Categorical Exclusion Documentation and Decision Record will further protect those resources from the potential for significant impacts resulting from implementation of the Proposed Action.

It is my decision to approve the implementation of this Hazard Tree Removal Project as described in the Proposed Action (Section A) above.

  
John Gerritsma  
Field Manager, Ashland Resource Area  
Medford District, Bureau of Land Management

6/11/09  
Date

**F. Contact Person**

For additional information concerning this Categorical Exclusion review, contact Kristi Mastrofini Environmental Coordinator, 541-618-2384, Medford District BLM, 3040 Biddle Road, Medford, OR 97504

**G. 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.