

CATEGORICAL EXCLUSION (CE) DETERMINATION & DECISION RECORD (OR116-08-31)

Project Name: Ashland Resource Area Road Clearing & Roadside Hazard Removal

BLM Office: Ashland RA, Medford District Phone #: (541) 618-2200

Location: BLM system roads within the Ashland Resource Area (excluding the Cascade- Siskiyou National Monument) Medford District, Oregon.

Description of the Proposed Action

A recent storm having hurricane force winds occurred in early January 2008. The storm blew down numerous trees which are now blocking roads accessing private property, private industrial forest lands, and BLM-administered lands. Some trees are partially uprooted and leaning towards the road. The BLM proposes to remove trees blocking system roads, as well as hazardous trees leaning toward the road that could fall onto the road. This action would provide private land owners with access to their land, allow the BLM to access Federal lands for resource management and fire protection, and provide the public with safe passage on these roads. Only trees lying fully or partially within the road prism will be removed and hazard trees leaning toward the road that could fall onto the road will be felled and removed. The intent of this Categorical Exclusion is to allow scattered individual or small clumps of down trees to be removed to provide the opening of road systems.

Project Design Features

- Only trees lying fully or partially within the road prism will be removed.
- Uprooted or broken trees leaning toward the road that could fall onto the road will be felled and removed.
- Large coarse woody debris of 120 lineal feet (16" X 16') per acre will maintained where practical.
- Motorized equipment will not leave the road prism.
- Slash will be lopped and scattered, as determined by the sale administrator.
- Road surfaces, ditches and culvert catch basins will be cleaned of slash and debris.
- Road use will be discontinued during periods of wet weather.
- Purchaser will be required to meet current state fire regulations.
- Decommissioned roads and roads with existing earth barricades will not be salvaged unless access is necessary for other management needs.
- Remove only the portion of the tree within the road prism in Riparian Reserves and Spotted Owl Cores.
- Protect known locations of BSS plants as recommended by BLM's botanist.
- To avoid spreading noxious weeds, no work will occur in known noxious weed locations during the seeding period.
- Yarding equipment will be cleaned of dirt, mud, and plant parts before entering BLM-managed lands.
- Seasonal restrictions for Threatened and Endangered and Special Status Species will apply as follows: Removing downed trees within 1/4 mile of a nesting northern spotted or great gray owl may require delaying work until after the nesting seasons (nesting season is March 15 to September 30 for spotted owl, and March 1 to 15 July for great gray owls). If no nesting is taking place, restrictions may be modified upon field review by a Resource Area wildlife biologist.

Plan Conformance Review

The Bureau of Land Management completed internal scoping with BLM resource specialists. The public was not involved in the development of this project proposal. This proposal is consistent with policy directed by the following:

- *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* (PRMP/EIS, 1994 and RMP/ROD, 1995)
- *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (ROD, 2007)
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985)

The proposed action is in conformance 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 Resource Management Plan that directs the BLM to “Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources.” “Provide for the safety of forest users (including removing hazard trees along roads and trails, in camp grounds, and administrative sites, etc.)” (USDI 1995, p. 72).

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 I(1). This section allows “Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition as a result of the event. Such activities shall be limited to: repair and installation of essential erosion control structures; replacement of repair of existing culverts, roads, trails, fences, and minor facilities; construction of protection fences; planting, seeding, and mulching; and removal of hazard trees, rocks, soil, and other mobile debris from, on, or along roads, trails, campgrounds, and watercourses.

This categorical exclusion is 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 apply.

<u>Edward Reilly</u>	<u>Environmental Coordinator</u>	<u>5/06/08</u>
Prepared by	Title	Date

Categorical Exclusion Review

To implement the removal and use of hazardous trees and blowdown timber, as described in the Proposed Action. Department of the Interior Manual 516 2.3.A(3) 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:

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
()	(X)	1. Have significant adverse effects on public health or safety.
()	(X)	2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; 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)	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)] not already decided in an approved land use plan.
()	(X)	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
()	(X)	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
()	(X)	6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (40 CFR 1508.7 and 1508.25(a)).
()	(X)	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
()	(X)	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.
()	(X)	9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
()	(X)	10. Have disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).
()	(X)	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)	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).

Decision

It is my decision to harvest blown down trees lying fully or partially within the road prism and hazard trees leaning toward the road that could fall onto the road as described in the proposed action.

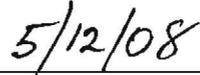
Decision Rationale

The proposed action has been reviewed by Ashland Resource Area staff and appropriate Project Design Features, as specified above, will be incorporated into the proposal. Based on the 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.

Signature of Authorizing Official



John Gerritsma
Field Manager
Ashland Resource Area



Date

Contact Person

For additional information concerning this Categorical Exclusion, contact: Ed Reilly at (541) 618-2497.

Administrative Remedy

The forest management decision to be made on the action described in this categorical exclusion is subject to protest under 43 CFR subpart 5003. Under 43 CFR 5003.3 subsection (a), protests may be filed with the authorized officer within 15 days of the notification date of a decision. The date this Decision Record is published on BLM's Website serves as the effective date of this decision. Under 43 CFR 5003.3 (b), protest filed with the authorized officer shall contain a written statement of reasons for protesting the decision. A decision on this protest would be subject to appeal to the Interior Board of Land Appeals, although, under 43 CFR 5003.1 subsection (a), filing a notice of appeal under 43 CFR part 4 does not automatically suspend the effect of a decision governing or relating to forest management under 43 CFR 5003.2 or 5003.3.