

RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CE) DETERMINATION

Project Name: Wagner Hazard Tree **BLM Office:** Ashland RA, Medford District
Phone #: (541) 618-2200

Location: *Wagner Creek drainage - T 39S R1W Section 14*

Description of the Proposed Action:

A request was made by a landowner for the removal of dead, standing hazard trees along a shared BLM/private property line. There are approximately 40 dead trees averaging 17 inches in diameter. All trees are in the Matrix land allocation. No trees are in Riparian Reserve or Late Seral Reserve land allocations. The area was previously surveyed for Bureau Sensitive Species. No Bureau Sensitive Species were found. The site is on or near a ridge top and is not within any riparian area. Trees will be 'bull-lined' to existing roads and skid roads.

This proposal would be consistent with management direction in the Medford District Resource Management Plan that directs the BLM to "Manage for the production and sale of special forest products (SFPs) when demand is present and where actions taken are consistent with primary objectives for the land use allocation"

Plan Conformance

The proposed action is in compliance with and is tiered to the *Medford District Record of Decision and Resource Management Plan (RMP)* as amended by the *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* (USDI 2007). The 1995 Medford District Resource Management Plan incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994).

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 (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.

CATEGORICAL EXCLUSION REVIEW

This proposed action qualifies as a categorical exclusion under 516 DM 11.9 C (2). The proposed action has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 4.2 apply. The proposed action will:

<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. (<i>40 CFR 1508.7 and 1508.25(a)</i>).

