

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
GRANTS PASS AND GLENDALE RESOURCE AREAS

**Categorical Exclusion Determination and Decision Record
for the
2011 Archaeological Field Schools – Glendale and Grants Pass Resource Areas**

DOI-BLM-OR-M070-2011-004-CX

Project: Southern Oregon University Field School

Location: Medford District, Grants Pass and Glendale Resource Areas, Douglas and Josephine Counties. HUC-5 – Jumpoff Joe and Grave Creek fifth-field watersheds

Applicant: Dr. Mark Tveskov of the Southern Oregon University Laboratory of Anthropology

Description of Proposed Action:

Dr. Mark Tveskov, of the Southern Oregon University Laboratory of Anthropology (SOULA), proposes to conduct two archaeological field schools on the Medford District in 2011, in collaboration with the Medford District Bureau of Land Management (BLM), through issuance of an Archaeological Resource Protection Act permit, from the Oregon/Washington BLM State Office, for the excavation and removal of archeological artifacts.

The first archaeological field school involves archaeological survey of several parcels of land administered by the Medford District BLM located in Josephine and Douglas counties, Oregon to identify the location of the Battle of Hungry Hill that took place on October 31, 1855. The second archaeological field school would be conducted on BLM managed land within the Rogue River Corridor. The field school involves archaeological survey of the BLM land parcel and recording/evaluating any cultural resources found during survey. This is an area known to contain at least one archaeological site. The site has not been fully recorded to modern recording standards or formally evaluated for significance and eligibility to the National Register of Historic Places.

The purpose of the Proposed Action is to: 1) generate useful information to help the Medford District BLM and other relevant stakeholders, such as the Oregon State Historic Preservation Office (SHPO) and federally recognized Indian tribes, manage the cultural resource sites located on these BLM managed parcels; 2) provide a “field school” experience in archaeology for Southern Oregon University anthropology students; and 3) contribute research to our understanding of the archaeology of southern Oregon.

Documentary research by SOULA and BLM staff members suggest three possible locations for the Battle of Hungry Hill, and each of these locations is on land administered by the Medford

District BLM. SOULA staff and students would conduct pedestrian and metal detector surveys of one or more of these possible locations. Following field methods developed during collaborative BLM/SOULA project that identified a portion of the Oregon California Trail on BLM administered land (Tveskov et al. 2001), positive metal detector hits would be investigated using a shovel scrape and magnet.

For the first field school survey, all identified diagnostic artifacts would be collected, sediment would be screened through 1/8 inch mesh, and the location would be recorded using a Trimble GPS unit. Shovel scraped areas and any holes dug to recover metal artifacts would be backfilled and contoured to blend in with the surrounding terrain. If appropriate, sod wads would be replaced back over the holes. All identified diagnostic artifacts would be returned to SOULA and cataloged, analyzed, and reported as part of the final report. No formal excavations using test pits or excavation units would be employed during this survey.

For the second field school, all identified cultural resources found would be recorded on standardized forms, photographed, and their locations GPSed using a Trimble GPS unit. The one archaeological site known to exist in the area will be recorded and evaluated to modern standards. The boundaries of the site itself would be determined by the excavation of transects of not more than 40 individual 50 cm x 50 cm quarter test units, and the depth and significance of the site would be determined through the excavation of not more than 10 individual 1 m x 1 m excavation units. All sediment in the shovel test pits would be screened through 1/8 inch mesh. Three of the four quadrants of each excavation unit would be screened through 1/4 inch mesh, with the remainder screened through 1/8 inch mesh. The locations of all cultural and natural features at the site (including evidence of past pot hunting as well as SOCLA's new excavation units) would be determined with a Trimble GPS unit. All recovered artifacts from testing/excavation will be returned to SOULA and cataloged, analyzed, and reported as part of the final report.

The full results of both field schools would be reported in a monograph due to the Medford District BLM by 12/31/11 and shared with the Oregon SHPO office and relevant federally recognized Indian Tribes. Dr. Mark Tveskov and SOULA's staff have engaged students in various field schools on the Medford District for over 10 years and the results of several of their earlier field schools have been published in a major monograph (Tveskov and Cohen 2006).

Project Design Features

In the event that human remains are discovered during ground disturbance, any work at the discovery location would stop and the Grants Pass and Glendale Resource Areas Archaeologist would be immediately notified. Measures would be taken to protect the discovery until such time that BLM officials have examined the discovery, notified and consulted with Tribes, and provided directions for protection/treatment.

Areas within 1/4 mile of designated owls sites would be avoided to reduce disturbance to nesting spotted owls (RMP 1995) and comply with standard U.S. Fish and Wildlife Service consultation terms and conditions for disturbance restrictions. Protocol surveys may determine the site to not be occupied, non-nesting, or failed in their nesting attempt, in such cases the project activities may continue. Contact would be made with a Grants Pass and Glendale Resource Areas wildlife biologist prior to entry of these areas through August 15, 2011.

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.

Categorical Exclusion Determination

The proposal action qualifies as a categorical exclusion under DM 2, Appendix 1 (1.6): "Non-destructive data collection, inventory (including field, aerial and satellite surveying and mapping), study, research and monitoring activities."

Before any action described in the list of categorical exclusions may be used, the "extraordinary circumstances," included in Code of Federal Regulations at 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 (See attachment).

NEPA Categorical Exclusion Review

1. *Have significant impacts on public health or safety.*

Yes No

() Remarks: All proposed activities follow established rules concerning health and safety.

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.*

Yes No

() Remarks: The proposed action would help identify cultural resource sites on BLM managed land and provide helpful information to manage those sites, such as determining its eligibility to the National Register of Historic Places. In addition, efforts to locate the battle site location may help resolve the debate between historians about where the battle actually took place.

3. *Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

Yes No

() Remarks: Ground disturbance would be limited to specific locations and to the use of hand tools (trowels and shovels). Archaeological testing methods would strictly confine ground disturbance. All test/excavation holes would be backfilled and contoured to blend in with the surrounding landscape.

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

Yes No

() Remarks: Past experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown risks.

5. *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

Yes No

() Remarks: Similar actions have taken place on the Medford District and there is no evidence that this type of action would establish a precedent or decision for future action.

6. *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Yes No

() Remarks: The BLM has conducted this type of activity in the past with no significant direct, indirect, or cumulative effects.

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.*

Yes No

() Remarks: The proposed action will help identify any significant properties located on BLM managed land that is surveyed and identify those properties that warrant protection or preservation according to the National Historic Preservation Act (NHPA).

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

Remarks: There would be no impact on *Fritillaria genterii* (FRGE), the only T/E plant (on Medford District) with a range that extends into the T35S-R7W project area. The northern project area – in T33S-R6W and T33S-R7W – is not within the range of FRGE or any of our other T/E plants. Surveys of the southern project area were conducted in 2003, and no FRGE sites were located.

Animals Yes No

Remarks: There would be no disturbance to nesting spotted owls since areas within ¼ mile of designated owls sites would be avoided or cleared by a Grants Pass and Glendale Resource Area wildlife biologist, if protocol surveys determine site to not be occupied, non-nesting, or failed in their nesting attempt. The Proposed Action would comply with standard U.S. Fish and Wildlife Service consultation terms and conditions for disturbance restrictions. Contact would be made with a Grants Pass and Glendale Resource Areas wildlife biologist prior to entry of these areas through August 15, 2011 to make site determinations.

Fish Yes No

() Remarks: The proposed activities would be limited to ridgeline and mid-slope locations that are isolated in scope (scrapping and holes dug with shovels) and do not provide a transport mechanism for sediment to enter any water bodies or affect aquatic species. Therefore, there would no effect to any T&E fish species.

9. *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes No

() Remarks: The Proposed Action would abide by the Antiquities Act of 1906; National Historic Preservation Act (NHPA) 1966, including amendments 1992 and 2001; Archaeological and Historic Preservation Act (ARPA) 1979; Native American Graves Protection and Repatriation Act (NAGPRA) 1990; Executive Order 11593 (1971) - protection and enhancement of cultural resources on federal lands; and Executive Order No. 13007 (1996) - Protection of Religious Practices and Sacred Sites.

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

Yes No

() Remarks: The BLM is in consultation with all local federally recognized Native American tribes on this project. The Proposed Action is not expected to have a disproportionately high and adverse effect on low income or minority populations. The field school provides educational opportunities for university students from diverse backgrounds to learn more about archaeology and the prehistory/history of southwestern Oregon.

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

() Remarks: Letters were mailed to local federally recognized Native American Tribes to notify them of the proposed archaeological investigations and to ask them if the proposed locations of archaeological work would harm places of religious or cultural importance to their tribes. No known sacred sites or concerns have been identified by the tribes to this date regarding this Proposed Action. The Proposed Action would not limit access to these sites to

Native American tribes. The Proposed Action would not affect the physical integrity of sacred sites.

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

() Remarks: The activities involved within these project areas would not affect current populations of noxious weeds or increase the risk of introducing new sites.

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Decision and Rationale

It is my decision to authorize Dr. Mark Tveskov of SOULA to conduct two archaeological field schools on the Medford District in 2011, in collaboration with the Medford District BLM, through issuance of an Archaeological Resource Protection Act permit, from the Oregon/Washington BLM State Office, for the excavation and removal of archeological artifacts. The project is planned for implementation June 2011.

The proposed action has been reviewed by the Grants Pass and Glendale Resource Areas staff and appropriate Project Design Features, as specified above, will be incorporated into the Proposed Action. Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the Proposed Action involves no significant impact to the environment and no further environmental analysis is required.

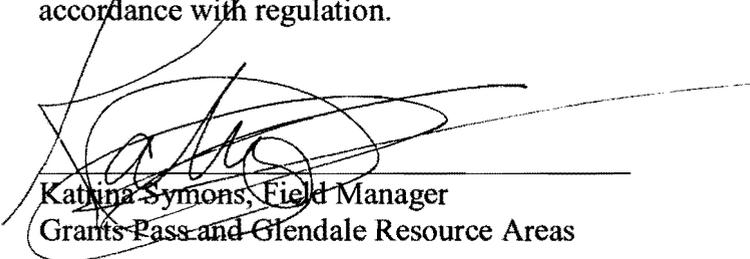
Administrative Review

This decision is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this decision. The protest period will be open for formal protest starting May 26, 2011. To protest a forest management decision, a person must submit a written and signed protest to the Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526 by the close of business (4:30 p.m.) not more than 15 days after May 26, 2011. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Faxed or emailed protests will not be considered.

For additional information concerning this decision contact Michelle Calvert, Planning and Environmental Coordinator, telephone (541) 471-6505, 2164 NE Spalding Avenue, Grants Pass, Oregon 97526.

Implementation Date

If no protest is received by the close of business (4:30 P.M.) of June 10, 2011, this decision would become final and may be implemented immediately. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and a final decision will be issued which will be implemented in accordance with regulation.



Katina Symons, Field Manager
Grants Pass and Glendale Resource Areas

5/26/11
Date