A. Project: Hazardous Tree Felling/Removal within the Medford District BLM

Location: Various locations throughout the Medford District BLM

Project Description: This project will fell hazard trees and leave these trees on site, or utilize them for commercial or noncommercial purposes. Hazard trees will be felled within 1-1/2 tree lengths of roads and adjacent to developed facilities or private property on BLM lands within the Medford District; this distance can extend beyond 1-1/2 tree lengths if the tree is uphill of roads or facilities. Only trees identified as hazardous by the Field Guide for Danger Tree Identification and Response (Toupin et al. 2008) will be felled.

The project is limited to felling trees within 1-1/2 tree lengths on either side of open or seasonally open road systems, or adjacent to developed facilities or private property, and the tree is identified as a hazardous tree. Trees will either be left on site as coarse woody debris or removed; removed trees will be used for habitat restoration projects such as for large woody debris placement in streams, improvement of recreational areas, bridge or trail construction, or sold as firewood or commercial timber. Felled trees will be removed when the tree is within the Matrix land allocation and is not needed on site for coarse woody debris. Trees within Riparian Reserves would be felled away from roads where possible. If felled toward the road, the tree would be left on site except for the portion of the tree that falls within the road prism. Coarse woody debris retention levels will adhere to the requirements for the particular land-use allocation in which it is located as per the 1995 Medford District RMP (RMP pp. 27, 33, 34, 39, 44, 47), a minimum of 120 linear feet of logs per acres ≥ 18 inches in diameter and 16 feet long in all land allocations. In the Late-Successional Reserve (LSR) land allocation, retain coarse woody debris at higher levels if determined to be inadequate by an interdisciplinary review to meet LSR objectives.

This Categorical Exclusion authority is limited to, “individual trees, or small groups of trees;” therefore, individual projects that remove trees for sale are restricted to relatively small areas along roads or adjacent to facilities or private property. Tree removal will be consistent with current consultation and as such is restricted to:

- 300 trees prior to January 2017 (100 trees per Resource Area)
  - Additional consultation could increase this number up to a maximum of 150 trees per year, 50 per Resource Area per year
- No more than 15 hazard trees per mile would be removed in suitable spotted owl habitat

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2 Until, and unless additional consultation is completed, this Categorical Exclusion is restricted to 300 trees prior to 2017
• Projects are not intended to capture stand mortality (e.g., reduce hazards that could occur in the future)

Trees identified for removal will be yarded to the road using a cable winch or equivalent, and hauled offsite. Mechanized equipment will not be allowed off system roads. Directional falling will be used to the extent possible to minimize disturbance to the ground.

**Project Design Features**

Specific to different types of activities, these processes will occur prior to project activities:

If removal or cutting of hazard trees would result in less than 40 percent of the mean number of snags found in unentered stands (RMP p. 45) (which averages approximately two to three snags per acre across the District), the hazard tree removal may require additional NEPA analysis. The snags per acre would be calculated at the stand level.

Resource Area or District Resource Specialists, as noted below, will be notified at least 10 days prior to any tree removal to assess risks to resources, and special status species and their habitats. Project design will be modified to protect these resources using the Project Design Features listed below.

• Cultural Resource Specialists will be notified prior to any removal of trees except for parts of trees immediately within the road prism.
• Cultural resource sites and known Native American religious sites will be protected from disturbance.
• The Resource Area or District Botanist will be notified prior to any removal actions to ensure special status or endangered plants will be protected from direct mortality, disturbance, or significant habitat loss and to facilitate implementation of best management practices such as weed control, and native seed or mulch application for weed and erosion control.
• The Resource Area or District Wildlife Biologist will be notified prior to any removal actions to ensure special status, big game, raptors, neotropical migratory birds, or threatened or endangered wildlife species will be protected from direct mortality, disturbance, or significant habitat loss. If reasonable, seasonal restrictions will be implemented to avoid disturbance to nesting raptors.
• The Resource Area Soil Scientist or Hydrologist will be notified prior to any removal actions on soils identified as fragile due to gradient (slopes 60 percent or greater), erosion, or groundwater.
• Coordination with recreation staff will occur prior to any felling or removal actions near recreation areas or trails to ensure minimal visitor disturbance and to discuss potential utilization of trees as natural physical barriers or for recreation area improvement.

The following project design features (PDF’s) are required conditions for this project:

- No removal from native surface roads will occur during the wet season (generally Oct. 15 – May 15).
- Removal activities will be suspended when the road surface is wet enough to result in road damage and/or off-site resource damage.
- Slash will be lopped and scattered, as determined by the project administrator and consistent with recommendations from resource specialists.
- Road surfaces, ditches and culvert catch basins will be cleaned of slash and debris.
- No trees are to be sold or removed from areas designated as no-harvest (e.g., withdrawn lands, Riparian Reserves) except for the portion of the tree that falls within the road prism. However,
hazard trees that prevent the safe use of roads and developed facilities may be felled and left in
place
- Felled trees in RA32 stands will be left on site as CWD
- Felled trees in NSO CHU, NSO nest patches, will be left on site at the same level as in Late-
successional Reserves
- All vehicles will be restricted to existing system roads. This Categorical Exclusion does not
authorize any road improvement or maintenance.
- Ground disturbance will be minimized during yarding. One-end suspension of logs will be
required where feasible. If one-end suspension cannot be achieved, then employ erosion control
measures as appropriate.
- Erosion control measures such as waterbars, slash placement, mulching and native seeding will be
implemented where ground disturbance results in the potential for erosion and sediment delivery
to streams, water-bodies, floodplains, and wetlands. All mulch will be certified weed-free.

**Project Design for use of ground disturbing equipment**

- All yarding equipment that will be used on projects will be washed prior to entering federal
lands so that any mud or debris adhering to equipment will not contribute to the spread of
non-native invasive species.
- Equipment refueling will not occur within 150 feet of streams or other water bodies to prevent
toxic materials from degrading water quality. Equipment will not be stored within 150 feet of
a stream channel. Hydraulic fluid and fuel lines will be in proper working condition to
prevent leakage into streams or other water-bodies.

**B. Land Use Plan Conformance**

The Proposed Action is in conformance with the following plans:

- 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 and Resource Management Plan (EIS, 1994 and RMP/ROD, 1995)
- Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in
Southwest Oregon (FSEIS 2004) and ROD (2004)
- Medford District Integrated Weed Management Plan Environmental Assessment (1998) and
tiered to the Northwest Area Noxious Weed Control Program (EIS, 1985)
- Cascade-Siskiyou National Monument Record of Decision and Resource Management Plan
(2008) and PRMP/FEIS (2005)
- Rogue National Wild and Scenic River: Hellgate Recreation Area, Recreation Area Management
- Final Supplemental Environmental Impact Statement and Record of Decision and Standards and
Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation
Measures Standards and Guidelines (FSEIS, 2000 and ROD, 2001)

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 of 1973 (ESA) , the Clean Water Act
of 1987 (CWA), Safe Drinking Water Act of 1974 (as amended 1986 and 1996) (SDWA), Clean Air Act

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, C (2):

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.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances having effects that may significantly affect the environment as documented in the following review. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR § 46.215 rise to the level of significance. A summary of the extraordinary circumstances is listed below. The action must have a significant or a disproportional effect on the listed categories to warrant further analysis and environmental review.

D. Categorical Exclusion Review

Department of the Interior Regulations 43 CFR § 46.205 (c) require that any action that is normally categorically excluded must be evaluated to determine whether it meets any of the extraordinary circumstances found at 43 CFR § 46.215. An action would meet one of the extraordinary circumstances if the action may:

1. Have significant impacts on public health or safety.
   Yes  No (X)  Remarks: While no significant impacts on public health and safety are expected, this project will have a positive effect on public health and safety by removing hazardous trees from along roads, other developed facilities, or along private property.

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 (X)  Remarks: Activities may occur within Wild and Scenic River corridors, National Monuments, Areas of Critical Environmental Concern, other land allocations, and other ecologically significant or critical areas; however, resource specialists will review all such projects to assure compliance with applicable regulations and management direction for these areas.

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].
   Yes  No (X)  Remarks:

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
   Yes  No (X)  Remarks:
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
   Yes No (X) Remarks:

6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
   Yes No (X) Remarks:

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 (X) Remarks: While felling of hazard trees may occur within these types of sites, sites will be protected from disturbance that would affect their listing or eligibility for listing.

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 (X) Remarks:
   Animals Yes No (X) Remarks: While felling of hazard trees may occur within Critical Habitat Units, the amount would not be significant due to the small scope, scattered distribution of occurrence, and project design features integral to this project.
   Fish Yes No (X) Remarks:

9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
   Yes No (X) Remarks:

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
    Yes No (X) 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 (X) 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 (X) Remarks:
E. Document Preparation and Review

Anthony Kerwin  District Environmental Coordinator
Prepared by Title  Date

Reviewers:

Recreation / Visual Resources  Date  Wildlife  Date
Botany  Date  Soils/Hydrology  Date
Cultural Resources  Date  Fire and Fuels  Date
Fisheries  Date  Special Forest Products  Date
Planning Coordinator/NEPA  Date
F. Decision

I have reviewed this Categorical Exclusion Documentation, including the plan conformance, NEPA compliance review, and extraordinary circumstances review, and have determined the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the action as described.

Dayne Barron
District Manager, Medford District BLM

Date 01/06/18

Contact Person

For additional information concerning this Categorical Exclusion review, contact Anthony Kerwin, District Planning and Environmental Coordinator, 3040 Biddle Road, Medford, Oregon (541) 618-2402.

Administrative Remedies

Notice of this decision will be posted on the District internet website:

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer Dayne Barron within 15 days of the publication date of the notice of decision/timber sale advertisement on the Medford District website.

Notice of the forest management decision to be made on the action described in this categorical exclusion will be posted on the District internet website: http://www.blm.gov/or/districts/medford/plans/index.php.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Medford District office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error. 43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business, 4:30 p.m. within 15 days after posting of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Medford District will issue a protest decision.