

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT

DECISION RECORD

BLM Office: Roseburg District, Swiftwater Field Office CX#: **DOI-BLM-OR-R040-2013-0007-CX**
777 NW Garden Valley Blvd
Roseburg, Oregon, 97471
Phone: 541-464-4930

Action Title: North Umpqua Archaeological Investigations

Location of Proposed Action: North Umpqua Wild and Scenic River Corridor

Decision: Based upon the attached Categorical Exclusion, I have determined that the proposed North Umpqua Archaeological Investigations involves no significant impacts to the human environment and no further environmental analysis is required.

It is my decision to implement limited archaeological excavation and testing at the site 35DO383 located in the North Umpqua River corridor.

Authorizing Official:  _____ Date: 7-16-13
Max Yager
Field Manager
Swiftwater Field Office

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT

NEPA CATEGORICAL EXCLUSION REVIEW

BLM Office: Roseburg District, Swiftwater Field Office
777 NW Garden Valley Blvd
Roseburg, Oregon, 97471
Phone: 541-464-4930

CX#: **DOI-BLM-OR-R040-2013-0007-CX**

Proposed Action Title: North Umpqua Archaeological Investigations

A. Background:

Location of Proposed Action: North Umpqua Wild and Scenic River Corridor

Description of Proposed Action: The proposal is to perform limited archeological testing of ten acres at site 35DO383 located near the North Umpqua River between September 9th and September 20th, 2013. The purpose of this project is to conduct a public archaeology program, in partnership with the Umpqua National Forest, to determine the horizontal and vertical extent of the cultural deposit. Approximately four square meters of ground surface, in 1 meter by 1 meter units, would be excavated to depths greater than 100 centimeters. The units will be backfilled upon completion of the project.

Design Features:

Access – The project area is within walking distance to a rock road that requires no maintenance for access.

Fire Season – All current fire restrictions will be adhered to in the project area.

Wetland – A small portion (0.85 acres) of the proposed project area is within a wetland that will be protected from disturbance.

B. Land Use Plan Conformance:

Land Use Plan Name: *Roseburg District Proposed Resource Management Plan/Final Environmental Impact Statement and Record of Decision and Resource Management Plan (ROD/RMP, 1995).*

Date Approved/Amended: June 1995/January 2001

The North Umpqua Archaeological Investigations Project is consistent with the ROD/RMP direction to “[e]valuate cultural resource sites to determine their potential for contributing to public, cultural heritage, and/or scientific purposes” (p. 51), and direction to “[d]evelop educational and interpretive programs to increase public awareness and appreciation of cultural resources...” (p. 51).

North Umpqua River Management Plan (NURMP, 1992)

Date Approved: July 1992

The North Umpqua Archaeological Investigations Project is consistent with the NURMP direction to:

- Protect cultural resource sites within the Corridor
- Utilize cultural resources for interpretation and public education purposes
- Inventory all public lands within the Corridor for cultural resources
- Stabilize cultural resource sites
- Implement a monitoring plan (p. 29)

Survey & Manage

The North Umpqua Archaeological Investigations Project is consistent with the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines, as incorporated into the Roseburg District Resource Management Plan.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Rey, et al.*, No. 08-1067 (W.D. Wash.) (Coughenour, J.), granting Plaintiffs' motion for partial summary judgment and finding a variety of NEPA violations in the BLM and USFS 2007 Record of Decision eliminating the Survey and Manage mitigation measure.

Judge Coughenour deferred issuing a remedy in his December 17, 2009 order until further proceedings, and did not enjoin the BLM from proceeding with projects. Plaintiffs and Defendants entered into settlement negotiations that resulted in the 2011 Survey and Manage Settlement Agreement, adopted by the district court on July 6, 2011.

The Ninth Circuit Court of Appeals issued an opinion on April 25, 2013, that reversed the District Court for the Western District of Washington's approval of the 2011 Survey and Manage Settlement Agreement. The case is now remanded back to the District Court for further proceedings. This means that the December 17, 2009, District Court order which found National Environmental Policy (NEPA) inadequacies in the 2007 analysis and records of decision removing Survey and Manage is still valid.

The project may proceed even if the District Court sets aside or otherwise enjoins use of the 2007 Survey and Manage Record of Decision. This is because the North Umpqua Archaeological Investigations Project meets the provisions of the last valid Record of Decision, specifically the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (not including subsequent Annual Species Reviews). Details of the project surveys are described in Appendices A and B.

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 2, Appendix 1, 1.11 "*Activities which are educational, informational, advisory or consultive to other agencies, public and private entities, visitors, individuals or the general public*".

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed and none of the extraordinary circumstances described in 516 DM 2 apply.

D. Categorical Exclusions - Extraordinary Circumstances Documentation:

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The action will follow established Occupational Safety and Health Administration rules concerning health and safety. The activity is not located within urban/residential areas and will not impede public access on the nearby rock road.		
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
Rationale: The project area is not located in any national park or refuge lands, wilderness areas, or national natural landmarks. There are no prime farmlands, floodplains, national monuments or other ecologically significant or critical areas present in the project area. There is a small wetland located within the project area; however no disturbance will occur within ten meters of this area. There will be no notable impacts to water resources. The project will not affect migratory birds at the population level. The project will be of short duration and outside the breeding season and will not cause disturbance of nesting birds in surrounding habitats.		
The project area is located within the North Umpqua Wild and Scenic River Corridor. However, the Outstandingly Remarkable Values (fish, scenery, recreation, water quality and quantity, cultural) assigned to the North Umpqua Wild & Scenic River will not be affected by archeological excavation with short term removal and then replacement of soil. Scenery will not be affected as the project area is not within the viewshed of the North Umpqua River. Recreation will not be affected as the excavation is not in an area people typically use for recreation and the excavation will be temporary.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: Past experience demonstrates that the proposed archaeological excavation will not have controversial effects, nor does it involve unresolved conflicts concerning alternative uses of available resources.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: Previous archaeological excavation in western Oregon has demonstrated that such activities do not have highly uncertain or potentially significant impacts, or involve unique or unknown risks.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: Archaeological excavation is common in western Oregon. Previous experience indicates that the proposed action does not establish any precedent for or represent any decisions about future actions.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: The proposed archaeological excavation is not related to or dependent on other actions. Limited excavation in the small project area (less than 10 acres) does not effectively alter the existing environmental conditions of the area.		
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.		X
Rationale: The purpose of the action is to collect data to help determine the boundaries of the site, which is eligible to be listed on the National Register of Historic Places. The limited testing will provide more data to work towards listing the site on the National Register and will not significantly impact the site.		
2.8 Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
Rationale: The project will not remove or modify Northern spotted owl suitable habitat. The project takes place within suitable habitat (disturbance distance), however, the project disturbance will be of short duration. The area has been surveyed for spotted owls during the past two years and the nearest known occupied spotted owl site 0.7 miles from the project area. The project activity will take place at the end of the nesting season and will not interfere with dispersing spotted owls. The project occurs within Designated Critical Habitat (Unit WCS-6) for the spotted owl, however, the project will not remove or modify primary constituent elements of critical habitat.		

The excavation areas are located outside of Riparian Management Areas of occupied coho salmon habitat and designated Critical Habitat for coho salmon. There are no direct or indirect impacts to coho salmon or its Critical Habitat.		
The Swiftwater area botanist has cleared the project area and there are no concerns for Special Status plants.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: The proposed action is in conformance with the direction given for the management of public lands in the 1995 Roseburg District ROD/RMP, which complies with all applicable laws, such as Federal Land Policy Management Act, Endangered Species Act, Historic Preservation Act, Clean Water Act, and others.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).		X
Rationale: No potential impacts have been identified by the BLM internally or through public involvement indicating that archaeological excavations would have an impact on low income or minority populations in Douglas County.		
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
Rationale: The proposed action will not limit access to or use of any Indian sacred sites. Also, the project will not impact the integrity of known Indian sacred sites.		
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
Rationale: There will be no off-road operation of any heavy equipment that would result in soil displacement or disturbance which could create circumstances favorable to establishment of noxious weeds or non-native species. Native grass straw will be used to mitigate soil disturbance areas. The project area will be treated as one of the Roseburg District 2013 weed treatment areas.		

E. Signature:



 Max Yager
 Field Manager
 Swiftwater Field Office

7-16-13

 Date

F. Contact Person & Interdisciplinary Team Reviewers:

For additional information concerning this Categorical Review, contact:

Molly Casperson, District Archaeologist
Roseburg District, BLM
777 NW Garden Valley Blvd
Roseburg, Oregon, 97471
Phone: 541-464-3284

Interdisciplinary Team Reviewers			
Name	Resource	Signature	Date
Molly Casperson	Project Lead/Originator	<i>Molly Casperson</i>	7/10/13
Julie Knurowski	Botanist	<i>Julie Knurowski</i>	7/10/13
<i>for</i> Sidney Post	Hydrologist	<i>Sid Post</i>	7/10/13
Krisann Kosel	Fire and Fuels	<i>Krisann Kosel</i>	7/15/13
Dan Dammann	Fisheries Biologist	<i>Dan Dammann</i>	7/10/13
Melanie Roan	NEPA Compliance	<i>Melanie Roan</i>	7/10/13
Ariel Hiller	Recreation Planner	<i>Ariel Hiller</i>	7.11.13
Alexandra Barner	Soil Scientist	<i>Alex Barner</i>	7/10/13
Angie Worthing	Wildlife Biologist	<i>Angie Worthing</i>	7/10/13

Appendix A. Survey & Manage Wildlife Species

Survey & Manage Tracking Form: Wildlife Species Survey and Site Management Summary

Roseburg District BLM – Swiftwater Field Office

Project Name: North Umpqua Archaeological Investigations
Location: Swiftwater Field Office, Roseburg BLM

Prepared By: Angie Worthing
Date: June 25, 2013

Table A: Survey & Manage Wildlife Species

The Roseburg District compiled the species listed below from the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (not including subsequent Annual Species Reviews). The list includes those vertebrate and invertebrate species with pre-disturbance survey requirements (Category A, B, or C species) whose known or suspected range includes the Roseburg District, according to:

- *Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004.
- *Survey Protocol for the Red Tree Vole: Arborimus longicaudus (= Phenacomys longicaudus in the Record of Decision of the Northwest Forest Plan)*, Version 2.1, Revision October 2002 (refer to IM-OR-2003-003, October 23, 2002).
- *Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan*, Version 3.0, 2003 (refer to IM-OR-2003-044, February 21, 2003).

This list also includes any Category D, E, or F species with known sites located within the Swiftwater Field Office. Applicable management recommendations include:

- *Management Recommendations for the Oregon Red Tree Vole: Arborimus longicaudus*, Version 2.0 (refer to IM-OR-2000-086, September 27, 2000).
- *Management Recommendations for Survey and Manage Terrestrial Mollusks*, Version 2.0, October 1999 (refer to IM-OR-2000-003, October 15, 1999 and to IM-OR-2000-015, November 23, 1999).

Species	S&M Category	Survey Triggers			Survey Results			Site Management
		Within Range of the Species?	Contains Suitable habitat?	Habitat Disturbing*?	Surveys Required?	Survey Date (month/year)	Sites Known or Found?	
Vertebrates								
Great Gray Owl (<i>Strix nebulosa</i>)	C	Yes	Yes ¹	No	No	N/A	0	N/A
Red Tree Vole (<i>Arborimus longicaudus</i>)	C	Yes	Yes	No	No	N/A	0	Yes ²
Mollusks								
Siskiyou Sideband (<i>Monadenia chaceana</i>)	B	Yes	Yes ³	No	No	N/A	0	N/A

Crater Lake Tightcoil (<i>Pristiloma arcticum crateris</i>)	A	Yes	Yes ⁴	Yes	No ⁴	N/A	0	Yes ⁴
Oregon Megomphix (<i>Megomphix hemphilli</i>)	F ⁵	Yes	Yes	Yes ⁵	No	N/A	0	N/A
Oregon Shoulderband (<i>Helminthoglypta hertlieni</i>)	A	Yes ⁶	No	No	No	N/A	0	N/A

N/A = Not Applicable

¹ Pre-disturbance surveys for Great Gray Owls are not required since the project will take place outside the breeding season for the species. There is suitable nesting habitat within the project area or within proximity of the project area that would not be impacted by disturbance, again, the disturbance will be outside the breeding season for the species. The required habitat characteristics of suitable habitat include: (1) large diameter nest trees, (2) forest for roosting cover, and (3) proximity [within 600 feet] to openings that could be used as foraging areas (*Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004; and mitigation language in the 2011 Settlement Agreement Species List). The stands in the project do not have proximity to natural-openings ≥ 10 acres (Angie Worthing, staff review, 2013) and pre-disturbance surveys are not suggested in suitable nesting habitat adjacent to man-made openings at this time (pg. 14, *Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004).

Pre-disturbance surveys for Great Gray Owls are not required because there will be no impact to suitable nesting or foraging habitat through the removal of special forest products. Collection of SFP will not remove suitable habitat features and are widespread and generally of short duration therefore would not cause disturbance of suitable habitat. The required habitat characteristics of suitable habitat include: (1) large diameter nest trees, (2) forest for roosting cover, and (3) proximity [within 600 feet] to openings that could be used as foraging areas (*Survey Protocol for the Great Gray Owl within the range of the Northwest Forest Plan v3.0*, January 12, 2004; and mitigation language in the 2011 Settlement Agreement Species List).

² Surveys for Red Tree Voles is not required because there will be no habitat removal or disturbance within the project area for the species in accordance with the *Survey Protocol for the Red Tree Vole: Arborimus longicaudus (= Phenacomys longicaudus in the Record of Decision of the Northwest Forest Plan)*, Version 2.1, Revision October 2002 (refer to IM-OR-2003-003, October 23, 2002).

³ Equivalent-effort pre-disturbance surveys are required for this species.

Suitable habitat for the Chace Sideband is “rocky areas, talus deposits and associated riparian areas” and in mesic, forested habitats, associated with large woody debris where the rocky habitat may not occur (pg. 42, *Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan, Version 3.0, 2003*). Suitable habitat occurs within the project area, however, the project will not remove or disturb the habitat, therefore suitable habitat for this species would not be impacted thus pre-disturbance surveys are not required.

⁴ Suitable habitat for the Crater Lake tightcoil is “perennially wet situations in mature conifer forests, among rushes, mosses and other surface vegetation or under rocks and woody debris within 10 meters of open water in wetlands, springs, seeps and riparian areas...” (pg. 43, *Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan, Version 3.0, 2003*). Habitat disturbing activity will not occur within 10 meters from the wetland area located within the project area thus suitable habitat for Crater Lake tightcoil would not be impacted and surveys for this species are not required.

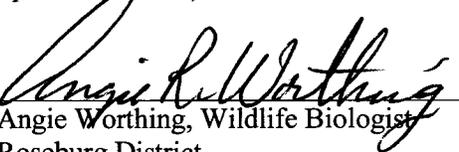
⁵ Suitable habitat for the Oregon Megomphix is “usually in hardwood leaf litter and decaying non-coniferous plant matter under bigleaf maple trees. . . . moist sites where deciduous shrubs, coarse woody debris, rotten logs and large sword ferns provide abundant cover” (pg. 42, *Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan, Version 3.0, 2003*).

Management of known sites is NOT required for Category F because species are uncommon, not rare, and species within this category will be assigned to other categories or removed from Survey and Manage as soon as new information indicates the correct placement. Until that time, inadvertent loss of some sites is not likely to change the level of rarity (2001 ROD, Standards and Guidelines, pgs. 13-14).

⁶ Suitable habitat for the Oregon Shoulderband is rocky areas, including talus deposits and outcrops, which contain stable interstitial spaces large enough for snails to enter. (pg. 41, *Survey Protocol for Survey and Manage Terrestrial Mollusk Species from the Northwest Forest Plan, Version 3.0, 2003*). Surveys are not required for this species since habitat is not present.

Statement of Compliance.

The North Umpqua Archaeological Investigations Project meets the provisions of the last valid Record of Decision, specifically the *2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (not including subsequent Annual Species Reviews).


Angie Worthing, Wildlife Biologist
Roseburg District
Swiftwater Field Office

7/10/13
Date

Appendix B. Survey & Manage Botany Species

Botany Species Survey and Site Management Summary

Roseburg District BLM – Swiftwater Field Office

Project Name: North Umpqua Archaeological Investigations
Location: Swiftwater Field Office, Roseburg BLM

Prepared By: Julie Knurowski
Date: July 9, 2013

Table A. Survey & Manage Botany Species

The Roseburg District compiled the species listed below from the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (not including subsequent Annual Species Reviews). This includes those vascular and non-vascular plant species with pre-disturbance survey requirements (Category A or C species), whose known or suspected range includes the Roseburg District according to:

- *Survey Protocol for Bridgeoporus nobilissimus v 3.0* June 2008.
- *Survey Protocols for Survey & Manage Strategy 2 Vascular Plants v 2.0*; December 1998.
- *Survey Protocols for Category A & C Lichens v 2.0*; September 2002.
- *Survey Protocols for Component 2 Lichens v 2.0*; March 12, 1998. *Survey and Manage Survey Protocol-Lichens v 2.1 Addendum*
- *Survey Protocols for Survey and Manage Component 2 Bryophytes v 2.0*; December 11, 1997.

Species	S&M Category	Survey Triggers			Survey Results			Site Management
		Within Range of the Species?	Contains Suitable habitat?	Habitat Disturbing*?	Surveys Required ?	Survey Date (month/year)	Sites Known or Found?	
List Category A & C lichens, bryophytes and vascular plants Surveys practical, document and manage.								
Fungi								
<i>Bridgeoporus nobilissimus</i>	A	Yes	No	N/A	No	N/A	0	No
Lichens								
<i>Hypogymnia duplicata</i>	C	No	N/A	N/A	No	N/A	0	N/A
<i>Leptogium cyanescens</i>	A	Yes	No	N/A	No	N/A	0	N/A
<i>Lobaria linita</i>	A	Yes	Yes	No	No	N/A	0	No
<i>Nephroma occultum</i>	A	Yes	No	N/A	No	N/A	0	No ⁷
<i>Pseudocyphellaria rainierensis</i>	A	Yes	No	N/A	No	N/A	0	N/A
Bryophytes								
<i>Schistostega pennata</i>	A	No	N/A	N/A	No	N/A	0	N/A
<i>Tetraphis geniculata</i>	A	Yes	No	N/A	No	N/A	0	N/A
Vascular Plants								

<i>Botrychium minganense</i>	A	Yes	No	N/A	No	N/A	0	N/A
<i>Botrychium montanum</i>	A	No	N/A	N/A	No	N/A	0	N/A
<i>Cypripedium fasciculatum</i>	C	Yes	No	N/A	No	N/A	0	N/A
<i>Cypripedium montanum</i>	C	Yes	No	N/A	No	N/A	0	N/A
<i>Eucephalis vialis</i>	A	Yes	Yes	No	No	July 2013	0	N/A

Statement of Compliance. The North Umpqua Archaeological Investigations Project meets the provisions of the last valid Record of Decision, specifically the *2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (not including subsequent Annual Species Reviews), by completing pre-disturbance surveys, (equivalent effort surveys, and management of known sites (Table A) required by Survey Protocols and Management Recommendations.

Project surveys discovered no new sites for Survey and Manage botany species and no known sites are located in the project area. The project site meets the requirement for surveys of Survey and Manage lichens, bryophytes and vascular plants but does not need the requirement for fungi surveys.

Julie Knurowski
Julie Knurowski, Botanist
Swiftwater Field Office

July 10, 2013
Date