

Categorical Exclusion Documentation for All Projects Other Than Hazardous Fuels and Fire Rehabilitation Projects

A. Background

BLM Office: Tillamook Resource Area , Salem District **Lease/Serial/Case File No:** N/A

Categorical Exclusion Number: DOI-BLM-OR-S060-2015-0006-CX

Date: 6/4/2015

Proposed Action Title/Type: Bear Ridge Culvert Replacement and Road Repair

Location of Proposed Action: T.3S., R.7W., Sec. 30 Willamette Meridian, Tillamook County, Oregon

Land Use Allocation(s): Late Successional Reserve (LSR) and Riparian Reserve (RR).

Description of Proposed Action:

The Tillamook Resource Area of the Bureau of Land Management (BLM) is proposing to repair two road failures and associated culverts on Bear Ridge Road #3-7-32.1.

At milepost 0.50 on Bear Ridge Road, a fillslope is failing due to fillslope erosion. Proposed actions to repair the failing fillslope include removing the existing culvert and approximately 600 cubic yards of embankment, rebuilding the fillslope with riprap, installing a new 24" x 36' culvert and 20' flume, rebuilding the embankment, placing a new lift of base and surface aggregate, and felling of several (approx. 3) red alder trees.

At milepost 1.50, an improperly sized and failing culvert led to a substantial wash-out of Bear Ridge Road during a weather event in December, 2014. Proposed actions to repair this location on Bear Ridge Road include removing the remaining section of culvert and approximately 800 cubic yards of embankment, installing a new 48" x 100' culvert, rebuilding the embankment, placing a new lift of base and surface aggregate, and felling of several (approx. 6) red alder trees.

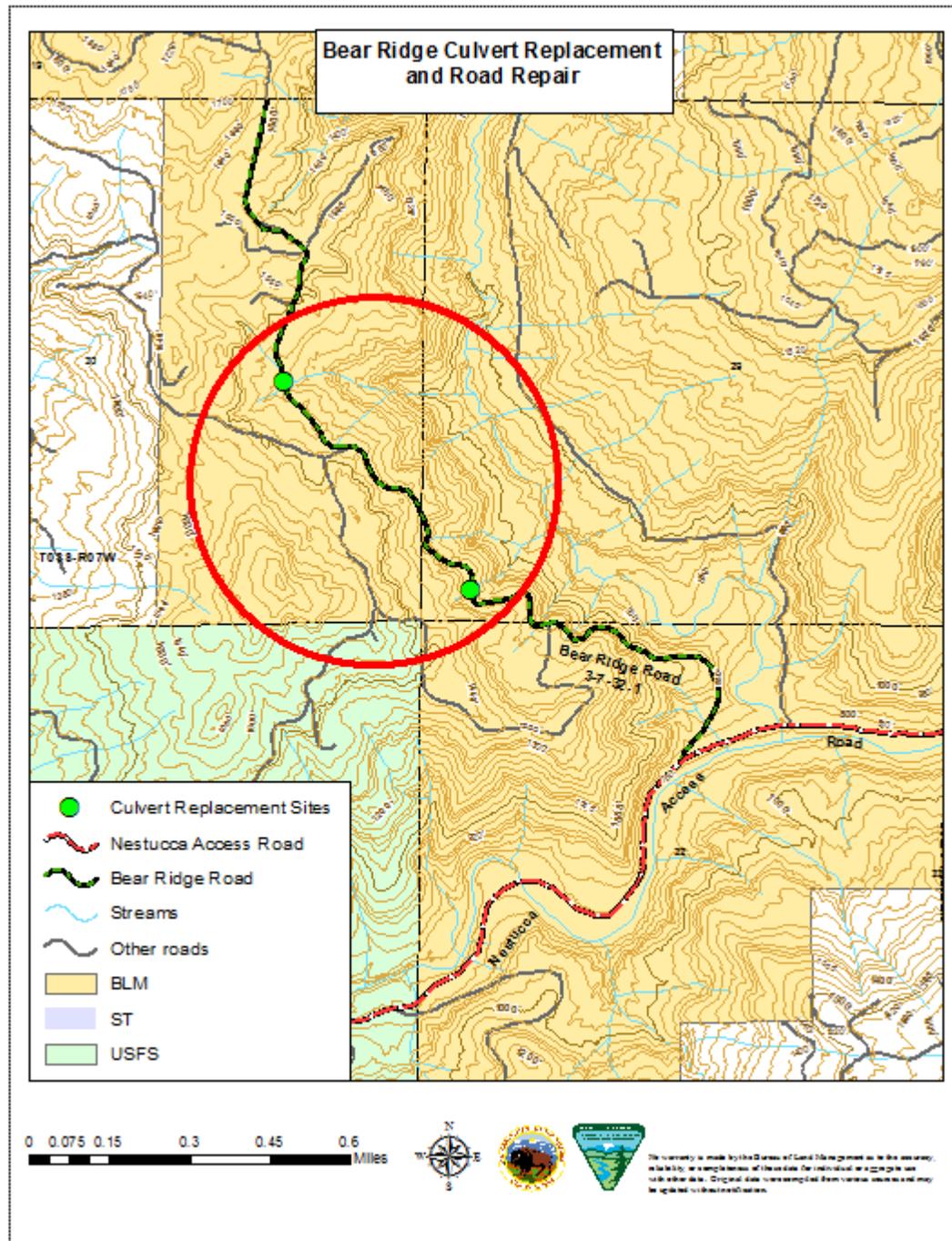
The proposed action will occur on BLM land and on a BLM controlled road.

Project Design Features:

1. Existing structures will be replaced with culverts designed to meet 100-year peak flood events.
2. Excavated fill material removed during replacement of culverts will be temporarily stored on, or immediately adjacent to, the existing road. Excavated material deemed excess or unsuitable for reuse (waste material) will be end hauled to nearby suitable, stable locations that are outside of floodplains and riparian management areas.
3. To replace existing culverts some trees may need to be felled. Felled trees, slash and cut brush will be removed and disposed of in the following manner:
 - With approval of the area fisheries biologist, larger material will be placed downstream of the culvert or left on site.

- Minimal amounts of brush will be scattered on site in the areas away from the road surface, but no accumulations will be created.
4. Culvert replacement activities will occur during the summer period with lowest streamflow (July 1 to September 15), and comply with *Oregon Guidelines for Timing of In-water Work to Protect Fish and Wildlife Resources*.
 5. All work performed prior to August 5 will not begin until two hours after sunrise and will end two hours before sunset.
 6. Best Management Practices (BMPs) will be followed, as detailed in the RMP, when performing in-stream work, including monitoring of turbidity by the contractor immediately downstream (within 50 feet) of the project area.
 7. A Spill Prevention, Control and Countermeasure Plan (SPCC) will be in place before performing any operation, provided by the contractor and approved by BLM staff prior to project implementation.
 8. Stream sedimentation will be mitigated through an Erosion Control Plan, which will be provided by the contractor and approved by BLM staff prior to project implementation.
 9. A Stream Management Plan shall be provided by the contractor and approved by BLM staff, detailing plans to dewater the live stream during culvert replacement.
 10. All disturbed areas within the clearing limits of the road, and all excessively disturbed areas outside of the clearing limits of the road, will be applied with native seed and mulch following project installation.
 11. All project equipment will be pressure-washed free of seeds, plants, plant fragments, dirt and debris, and approved by BLM staff, prior to entering the BLM lands.
 12. Power equipment will be staged and refueled outside the riparian zone (a minimum of 150 feet off of stream), at designated locations where no spilled material will reach flowing water.
 13. If any Special Status or Special Attention Species (vegetation, terrestrial or aquatic) are found in the project area, appropriate mitigation measures, as described in the Salem District RMP, will be implemented.
 14. If any cultural sites are discovered in the project areas, work would stop until appropriate mitigation measures can be implemented and the BLM archaeologist would be contacted immediately.

Figure 1 – Bear Ridge Culvert Replacement and Road Repair Project Map



B. Land Use Plan Conformance:

The proposed action is in conformance with the 1995 Salem District ROD/RMP, specifically provided for by the following management direction:

- “Develop and maintain a transportation system that serves the needs of the users in an environmentally sound manner.” (1995 RMP p. 62)
- “Reconstruct roads and associated drainage structures that pose a substantial risk.” (1995 RMP p. 62)
- “Best Management Practices - F. Road Renovation/Improvement; 5. Replace undersized culverts and repair damaged culverts and downspouts.” (1995 RMP p. C-5)

C. Compliance with NEPA:

The Proposed Actions are categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2. Appendix 1.7 which allows for “Routine and continuing government business, including such things as supervision, administration, operations, maintenance, **renovations, and replacement activities** having limited context and intensity; e.g. limited size and magnitude or short-term effects”.

The proposed action is determined to have limited context and intensity as it constitutes two defined road segments, totaling approximately 300 feet in area, compared to the 2,600 miles of roads on the Salem District. It is determined that the proposed action will have only short-term effects, as sediment generated by the road renovation activities will quickly dissipate and not result in continuing effects.

Table 1: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)

Will the Proposed Action documented in this Categorical Exclusion...	Yes	No
(a) Have significant impacts on public health or safety? <i>Rationale:</i> The Bear Ridge Culvert Replacement and Road Repair project will have no impacts on public health and will have a beneficial impact on public safety, as the segment of Bear Ridge Road that has failed will be renovated to a standard condition.		X
(b) 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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas? <i>Rationale:</i> The Bear Ridge Culvert Replacement and Road Repair project is not located in the management areas, or areas of unique ecological significance, described above. As such, the project will not have significant impacts on those natural resources and unique geographic features.		X
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]? <i>Rationale:</i> The effects of the Bear Ridge Culvert Replacement and Road Repair project are not controversial and there are no unresolved conflicts concerning alternative uses of available resources.		X
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? <i>Rationale:</i> The Bear Ridge Culvert Replacement and Road Repair project is not unique or unusual. The BLM has experience implementing similar actions in similar areas without highly uncertain, unique or unknown risks.		X
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X

Will the Proposed Action documented in this Categorical Exclusion...	Yes	No
<p><i>Rationale:</i> Implementation of the Bear Ridge Culvert Replacement and Road Repair project does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. See (d), above.</p>		
<p>(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</p>		X
<p><i>Rationale:</i> There are no cumulative effects associated with the Bear Ridge Culvert Replacement and Road Repair project; therefore there are no significant cumulative effects as a result of these actions.</p>		
<p>(g) 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?</p>		X
<p><i>Rationale:</i> There are no eligible or listed National Register of Historic Places properties in or around the Bear Ridge Culvert Replacement and Road Repair project area.</p>		
<p>(h) 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?</p>		X
<p><i>Rationale:</i> There is unsurveyed suitable spotted owl and marbled murrelet habitat near the project area and the proposed project could have a slight possibility of disturbing unknown owls or murrelets. The potential for disturbance impacts to spotted owls and marbled murrelets are addressed through informal programmatic consultation, with notification occurring in the Spring of 2015 (USFWS reference 01EOFW00-2013-I-0190). The project area is within Designated Critical Habitat for the Northern Spotted Owl and the Marbled Murrelet but due to the nature and scope of the project, none of the habitat features associated with habitat for these species would be affected by the project.</p>		
<p>The work on Bear Creek Road is not anticipated to have affects to Oregon Coast coho salmon (<i>Oncorhynchus kisutch</i>) or their designated critical habitat. This work will improve hydrologic function and help to minimize future road related slide problems at these sites. None of the proposed work would have “significant” impacts to any listed fish. Notification of this action was sent to National Marine Fisheries Service (NMFS) in the Spring of 2015 to cover both Endangered Species Act and Magnuson-Stevens Fishery Conservation Management Act, Essential Fish Habitat (BLM 2013/NWP-2013-9664) dated April 25, 2013.</p>		
<p>A plant survey of the proposed project locations was conducted by a BLM qualified botanist and no ESA listed Threatened or Endangered botanical species were observed within the vicinity of the project area.</p>		
<p>(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</p>		X
<p><i>Rationale:</i> The Bear Ridge Culvert Replacement and Road Repair would follow all known Federal, State, or local or Tribal laws or requirements imposed for the protection of the environment.</p>		
<p>(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</p>		X
<p><i>Rationale:</i> The proposed action will not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. The proposed action will not exist in proximity to low income or minority populations.</p>		
<p>(k) 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)?</p>		X
<p><i>Rationale:</i> Little new ground disturbance is anticipated beyond what has already occurred as a result of the road failure. Past road repair actions within this area have not resulted in identified tribal concerns and will not limit access to religious practitioners, or the integrity of known sacred sites.</p>		

Will the Proposed Action documented in this Categorical Exclusion...	Yes	No
(l) 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
<p><i>Rationale:</i> An invasive non-native plant survey was completed in May of 2015. All populations of non-native invasive plant species are located in and adjacent to the proposed project area and are mostly confined to the road edges where historic ground disturbance has occurred. Most of these species are category B species that have numerous populations throughout the Nestucca River Watershed and throughout the Pacific Northwest. One of the invasive plant species found, <i>Brachypodium sylvaticum</i> (False Brome), is designated a Category A or (T) target species on the ODA invasive / non-native plant list. False Brome is also considered an “Early Detection Rapid Response” plant by the BLM and all “Cooperative Weed Management Area” partners throughout the Northwest Corner of Oregon. The actual location of the false brome is at a road junction inbetween the two proposed project areas where it is ideal to stage or turn large equipment around. Based on the current status of this plant, control of isolated populations is important to minimize its spread. The proposed projects will not start until after July 1, 2015 and manual maintenance for all known invasive plant species, including False Brome, within the vicinity of the proposed project locations will be completed on June 23, 2015. Because we are pre-treating the proposed project area vicinity for all known invasive plant sites and have a contractual requirement that all equipment will be pressure washed and inspected, by BLM personnel, prior to entering BLM managed lands, these design features will reduce the risk for new introductions and further spread of known invasive species populations.</p>		

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 12 extraordinary circumstances described in 43 CFR Part 46, Section 46.215 (see Table 1, above) apply.

I considered and reviewed the effects of the following additional elements of the environment required by management direction. Table 2 shows the effects of the proposed action on these elements of the environment.

Elements of the Environment	Status: Not Present, Not Affected, or Affected	Remarks
Aquatic Conservation Strategy	Affected	The work associated with the repair of Bear Ridge Road is designed to minimize potential effects to elements of ACS and are considered a restoration action.
Energy (Executive Order 13212)	Not Affected	There are no known energy resources located in the project area. The proposed action will have no adverse effect on energy development, production, supply and/or distribution.

Table 2: Additional Elements of the Environment		
Elements of the Environment	Status: Not Present, Not Affected, or Affected	Remarks
Essential Fish Habitat (Magnuson-Stevens Fisheries Cons. /Mgt. Act)	Not Affected	The work on Bear Creek Road is not anticipated to have affects to Oregon Coast coho salmon or Oregon Coast chinook salmon. This work will improve hydrologic function and help to minimize future road related slide problems at these sites. None of the work to be completed or proposed to be completed would have “significant” impacts to any listed fish. Notification of this action was sent to National Marine Fisheries Service (NMFS) in the Spring of 2015 to cover both Endangered Species Act and Magnuson-Stevens Fishery Conservation Management Act, Essential Fish Habitat (BLM 2013/NWP-2013-9664) dated April 25, 2013.
Hazardous or Solid Wastes	Not present	No hazardous or solid wastes are on the lands proposed to be repaired. No hazardous or solid wastes would be produced by the proposed action.
Survey and Manage, Special Status (except T/E) or other rare or uncommon species/habitat	Not Affected	Oregon Coast steelhead are a Bureau Sensitive Species present in Bear Creek. None of the work to be completed or proposed to be completed would have “significant” impacts to Oregon Coast steelhead. There are no known terrestrial wildlife or plant Special Status Species or Survey and Manage sites within the project area. Based upon the nature and scope of the project as well as the habitats to be impacted, no Survey and Manage or Special Status wildlife or plant species would be impacted.

The proposed action has no effect on the elements of the environment described above; therefore there is no potential for significant impacts. Project Design features are described in Section A. above.

Additional Mitigation Measures: None

D. Signature:

Specialist Review and Concurrence: None required or

Review Required	Review Not Required	Resource	Name	Initial
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aquatic/Fisheries	Matt Walker	<i>MJW</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Botany/Invasive Weeds	Kurt Heckerth	<i>KWH</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cultural Resources	Heather Ulrich	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineering	Joel Churchill	<i>JJC</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydrology	Matt Walker	<i>MJW</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NEPA Compliance	Andy Pampush	<i>ATP</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Recreation		
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Silviculture		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Team Lead	Landon Rhodes	<i>LSR</i>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Timber		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wildlife	Steve Bahe	<i>SAB</i>

Authorized Official:  Date: 6/5/2015

Name: ^{for} Karen M. Schank

Title: Tillamook Resource Area Field Manager

Contact Person: For additional information concerning this CX review; contact Andy Pampush, Planning and Environmental Coordinator at 503-815-1143

NEPA CATEGORICAL EXCLUSION DECISION RECORD

TILLAMOOK RESOURCE AREA DOI-BLM-OR-S060-2015-0006-CX

PROPOSED ACTION

The proposed federal action is to repair two road failures and replace associated culverts, in locations described in the attached Categorical Exclusions Documentation DOI-BLM-OR-S060-2015-0006-CX. The proposed action would repair road segments to a drivable condition and reduce or eliminate sediment delivery to waterways by replacing failing culverts.

DECISION AND RATIONALE

I have determined that the proposed action, which qualifies as a categorical exclusion under 43 CFR 46.210 (f) and 516 DM 2, Appendix 1, 1.7 involves no significant impact to the human environment and no further environmental analysis is required. It is my decision to authorize the repair of road failures and associated culvert replacements.

Authorized Official: 
 Karen Schank
Field Manager
Tillamook Resource Area

Date: 6/5/2015

RIGHT OF APPEAL

This decision may be appealed to the Interior Board of Land Appeals (Board or IBLA) according to 43 CFR Part 4 – Department of Interior Hearings and Appeals Procedures, found on the internet at: <http://www.gpo.gov/fdsys/pkg/CFR-2002-title43-vol1/xml/CFR-2002-title43-vol1-part4.xml> Appeals can be made by those who have a “legally cognizable interest” to which there is a substantial likelihood that the action authorized in this decision would cause injury, and who have established themselves as a “party to the case.” (See 43 CFR subpart 4.410). If an appeal is taken, a written notice of appeal must be filed with Karen Schank, Tillamook Field Manager, 4610 Third Street, Tillamook, OR 97141 by close of business (4:30 p.m.) not more than 30 days after the date of service of the decision. Only signed hard copies of a notice of appeal received in the Tillamook Field Office at the address above will be accepted. Appeals faxed, e-mailed, or sent by any other electronic format will not be considered. In order to request a stay of the decision, an appellant must file a petition for stay at the same time as the appeal in accordance with 43 CFR Subpart 4.21(b).

The Tillamook Field Manager plans to implement this project sometime after the 31st day beyond the date of the posting of this decision on the Salem District Planning web page which can be found on the internet at: <http://www.blm.gov/or/districts/salem/plans/index.php>.