

Categorical Exclusion Documentation Format When Using Categorical Exclusions Not Established by Statute

A. Background

BLM Office: Marys Peak Resource Area **Lease/Serial/Case File No:** _____

Categorical Exclusion Number: DOI-BLM-OR-S050-2012-0017-CX **Date:** 9/13/2012

Proposed Action Title/Type: Communication Hill Vegetation Removal

Location of Proposed Action: Yaquina Head Outstanding Natural Area, Lincoln County, Oregon.

Land Use Allocation(s): Congressionally Withdrawn

Description of Proposed Action:

Communication Hill is the most eastern hill of the Yaquina Head Outstanding Natural Area and is a popular recreation area. This once open hillslope has changed dramatically in the last thirty years with the encroachment of woody shrubs and shore pines. The headland once comprised of grasses and forbs with uninterrupted views of Agate and Nye Beach and the community of Newport to the south and east.

The purpose of this project is to reclaim the traditional take-off location for recreational hang-gliders & para-gliders by removing and servicing encroaching trees and shrubs. Woody vegetation removal will mitigate the safety hazards associated with contact between gliders and vegetation during take-off. The proposal to restore this hill originated from local gliding groups who frequently recreate there. Local hang-gliders and para-gliders have requested this work to reopen the commonly used south-facing take-off point on Communications Hill.

Tree and shrub removal will benefit others who recreate in the area as well. It will reopen the viewshed and enhance visitor enjoyment with views from the trail terminus to the open headland, cliff, ocean, and beaches below. The public-driven request is to brush cut low growing shrubs such as trailing blackberry (*Rubus ursinus*), salal (*Gaultheria shallon*), and nootka rose (*Rosa nutkana*) in an approximately 24' by 24' square area and to cut and remove six (6) 10'-20' tall and eight (8) < 10' tall shore pine (*Pinus contorta*).

Work will be completed by a volunteer crew of approximately four to six gliders directed by bureau staff. In addition, the bureau will provide a certified sawyer to cut and limb trees and flush cut all stumps to remove potential hazards. The volunteer crew will cut shrubs and forbs and remove all severed debris from the project area. This project will take less than two days to complete and will occur by the end of September 2012¹. Once the clearing is completed the bureau will monitor to ensure no invasive species replace native species. In addition, the bureau will continue to work with the recreational user groups to maintain the vegetation at a favorable height.

¹ The exact end date is dependent up on the availability of qualified volunteers and bureau personnel to complete the work.
Communication Hill Vegetation Removal
DOI-BLM-OR-S050-2012-0017-CX

Location of the Communication Hill Vegetation Removal project



Yaquina Head Outstanding Natural Area

-  Bureau of Land Management
-  U.S. Fish and Wildlife Service
-  U.S. Coast Guard



200 100 0 200 Feet

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Data was compiled from multiple sources and may not meet U.S. National Mapping Accuracy Standard of the Office of Management and Budget.

Photos of vegetation targeted for removal at Communication Hill

Photo 1. Salal



Photo 2. Trailing blackberry



Photo 3. Shore pine



Project Design Features

To Protect Water Quality

- No refueling will be allowed within 100 feet of any standing or running water.

To protect Special Status Species

- The resource area biologist and/or botanist will be notified if any Bureau Special Status botanical, fungal, or animal species are found occupying any portion of the trees to be cut and removed. If the species is a federal listed ESA species then all of the known trees will be withdrawn from any timber removal activity. If the species is other than a federal listed ESA species, then appropriate mitigation action will be taken.

To minimize the spread of noxious weeds

- All equipment moved into the project area will be required to be clean and free of dirt and vegetation as directed by the Authorized Officer.
- All large areas of exposed mineral soil, as determined by the contracting officer will be grass sown with Oregon Certified (blue tagged) red fescue (*Festuca rubra*) at a rate equal to 40 pounds per acre or sown/planted with other native species as approved by the resource area botanist. Prior to sowing any seed, the seed label and blue tag will be given to the resource area botanist for approval (**R 97**).

To protect Cultural Resources

- The project area occurs within the Coast Range Physiographic Province. Survey techniques are based on those described in Appendix D of the Protocol for Managing Cultural Resource on Lands Administered by the Bureau of Land Management in Oregon. A post-project survey would be conducted according to standards based on slope defined in the Protocol appendix.
- If any cultural and/or paleontological resource (historic or prehistoric site or object) is discovered during project activities all operations in the immediate area of such discovery shall be suspended until an evaluation of the discovery can be made by a professional archaeologist to determine appropriate actions to prevent the loss of significant cultural or scientific values.

To protect public health and safety

- The project area may be staffed with flaggers or posted with signs to notify the public of project activities.

B. Land Use Plan Conformance

Land Use Plan Name: *Salem District Record of Decision and Resource Management Plan (1995 RMP)* **Date Approved** May 1995 **Date Amended:** The 1995 RMP was amended in January 2001 as documented in the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines*, dated January 2001 (SM/ROD) as modified by the 2011 Settlement Agreement.

The proposed action is in conformance with the Land Use Plan (LUP) because it is specifically provided for in the following LUP decision(s):

- Manage scenic, natural, and cultural resources to enhance visitor recreation experiences and satisfy public land users.

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, 11.9, C(4), which allows for “precommercial thinning and brush control using small mechanical devices.”

Table 1. Categorical Exclusions: Extraordinary Circumstances Review

Will the Proposed Action documented in this Categorical Exclusion:	Yes	No
<p>a) Have significant impacts on public health or safety?</p> <p>Rationale: The proposed project activities will have no impacts on public health or safety therefore will have no significant impacts on public health or safety. All activities associated with the proposed action will conform to established Occupational Safety and Health Administration rules concerning health and safety.</p>		No
<p>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?</p> <p>Rationale: The projects will not have significant impacts on the aforementioned resources or characteristics. The project is limited to a small area outside of sensitive natural and cultural areas.</p>		No
<p>c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</p> <p>Rationale: The effects of the proposed action are not controversial and there are no unresolved conflicts concerning alternative uses of available resources. Past experience has shown that the environmental effects of the proposed project are not highly controversial. The ROD/RMP established the land use allocation and goals for the affected lands. As such, there is no unresolved conflict regarding other uses of these resources.</p>		No
<p>d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p>Rationale: Commercial thinning is not unique or unusual. The BLM has experience implementing similar actions in similar areas without highly controversial, highly uncertain, or unique or unknown risks.</p>		No
<p>e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</p> <p>Rationale: The proposed project is addressed and authorized under the existing ROD/RMP, and as such, this project will represent implementation of that land use plan decision, not a decision in principle on future actions.</p>		No

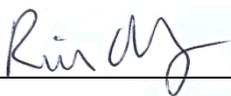
Will the Proposed Action documented in this Categorical Exclusion:		Yes	No
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?			No
Rationale: There are no cumulative effects associated with the proposed project and therefore no significant cumulative effects as a result of these actions.			
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?			No
Rationale: There are no NRHP listed or eligible sites located within the project area on Communication Hill.			
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened (T&E) Species, or have significant impacts on designated Critical Habitat for these species?			No
Rationale: <u>Botany:</u> No T&E or Bureau Special Status botanical or fungi will be affected. <u>Wildlife:</u> No T&E or Bureau Special Status wildlife will be affected. <u>Fish:</u> No T&E or Bureau Special Status fish species will be affected.			
i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?			No
Rationale: The proposed project is in conformance with direction given for the management of public lands in the Salem District ROD/RMP, which complies with all applicable laws such as the Federal Land Policy Management Act, Endangered Species Act, Historic Preservation Act, Clean Water Act, and others.			
j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?			No
Rationale: The proposed project is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.			
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)?			No
Rationale: Past actions within the Communication Hill area have not resulted in tribal identification of concerns.			
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)?			No
Rationale: The risk rating for the long-term establishment of noxious weeds through the implementation of this project is low because: a) the project area is limited in size, and b) the project area will be monitored and any noxious weed infestation targeted for removal. The BLM has actively been treating blackberries and Cotoneaster within the project area.			

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.

D. Interdisciplinary Team Review and Signature

Interdisciplinary Team Review

Name	Title	Initial
Ron Exeter	Botanist	<i>RLE</i>
Scott Hopkins	Wildlife Biologist	<i>DSH</i>
Stefanie Larew	NEPA Coordinator	<i>SNL</i>
Heather Ulrich	Archaeologist	<i>HAU</i>
Steve Wegner	Hydrologist and Soil Scientist	<i>SJW</i>

Authorized Official:  _____ **Date:** 09/13/2012
Name: Rich Hatfield
Title: Marys Peak Field Manager

Contact Person

For additional information concerning this Categorical Exclusion, contact Tim Fisher, YHONA Manager, 750 NW Lighthouse Dr., Newport, Oregon, 97365, or at (541) 574-3142.

