Categorical Exclusion Documentation

A. Background

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

Categorical Exclusion Number: DOI-BLM-OR-S050-2014-0005-CX Date: 6/10/2014

Proposed Action Title/Type: Maxfield Creek Salvage

Location of Proposed Action: T. 10 S., R. 5 W., Section 29, Willamette Meridian, Polk County, Oregon.

Land Use Allocation(s): Adaptive Management Area

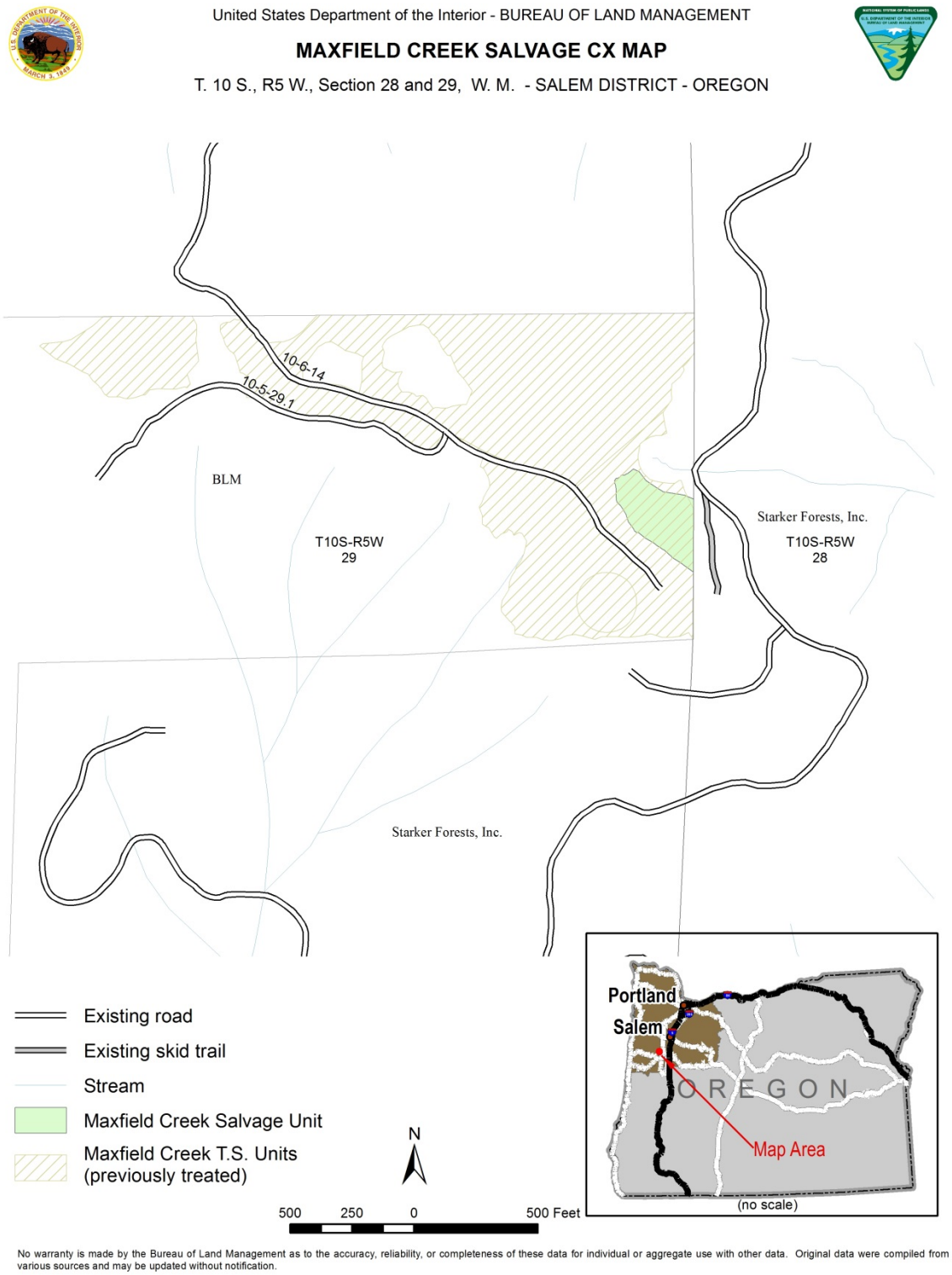
Background and Description of the Proposed Action:

Much of western Oregon was hit with severe wind, snow, and rain storms in early 2014. Such storms caused substantial windthrow and damage within the former Maxfield Creek timber sale. The Maxfield Creek timber sale was a project that consisted of commercial thinning, density management, and oak meadow restoration on approximately 268 acres in the Adaptive Management Area (AMA) and Riparian Reserves land use allocations. Timber Sale operations were completed in 2013. In March 2014, Bureau of Land Management (BLM) specialists visited the site and reviewed the applicable NEPA documents and determined that salvage is appropriate in this area. The project area is less than two acres in size.

The volume of down wood near the adjacent stream is in excess of what the Salem District Resource Management Plan (RMP) requires for coarse woody debris (CWD) levels in the Matrix land use allocation. A 75 foot buffer will be applied to the adjacent stream. Within that 75 foot buffer, trees will not be removed. Present and future woody debris needs would be met within the Riparian Reserves from existing down wood within the 75 foot protection zone, down trees retained within the Riparian Reserves outside the salvage area, and remaining standing trees within the full Riparian Reserve width in the salvage area. Based on the distance of proposed yarding from stream channels and extent of retained down wood on site, Aquatic Conservation Strategy objectives would not be adversely affected.

The harvest unit will be yarded by ground-based methods. The operation will use an existing skid trail on adjacent privately-owned land and will use one new skid trail on BLM land. The operation will be limited to one pass in and one pass out. Landing and decking will occur on existing roads on private land. Exposed soil on ground-based skid roads and landings will be grass seeded or covered with slash. Large accumulations of slash with be scattered or piled and burned. Following harvest operations, the BLM will evaluate the need to plant.

Project Map – Approximate location in which trees would be salvaged



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

Project Design Features

Table 1. Season of Operation or Operating Conditions

Season of Operation or Operating Conditions	Applies to Operation	Objective
During periods of low soil moisture[1], generally July 15 to October 15	Ground-based yarding (Tractor)	Minimize soil erosion and compaction
During periods of low soil moisture, generally June 15 to October 31	Ground-based yarding (Harvester/Forwarder) and (Hydraulic Loader) and machine chipping and/or piling	Minimize soil erosion and compaction
Generally year round	Timber hauling would be allowed year-round on rock-surfaced roads except where the surface is deeply rutted or covered by a layer of mud and where runoff is causing a visible increase in turbidity to adjacent streams.	Minimize soil erosion and stream sedimentation

*Low soil moisture is generally defined as less than 15%

Project Design Features

To protect water quality, to minimize soil erosion as a source of sedimentation to streams, to minimize soil productivity loss from soil compaction and loss of slope stability or loss of soil duff layer, and to contain and/or reduce noxious weed infestations on BLM-managed lands using an integrated pest management approach.

All project activities will utilize the Best Management Practices (BMPs) required by the Federal Clean Water Act (as amended by the Water Quality Act of 1987). The BMPs listed below will be applied to this project (see Appendix A – Water Quality Management Plan).

To meet soil productivity standards

- Timber harvest yarding practices **(BMPs: TH 10, 11, 18**)

To meet the objectives of the Riparian Reserves

- No refueling will be allowed within 100 feet of any standing or running water **(BMPs: SW 8, 9 and SP 1**)
- Woody material removed from stream crossing for culvert maintenance must be

[1] Low soil moisture is defined as 15 percent or lower. Actual conditions supersede calendar dates in determining operational periods.

retained in the stream network.

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 federally listed ESA species, known trees will be withdrawn from any timber harvesting activity. If the species is other than a federal listed ESA species, then appropriate mitigation action will be taken.

To protect and enhance stand diversity and maintain coarse woody debris conditions

- Recommendations for the Matrix land use allocation will be followed to provide sufficient levels of CWD for this stand type, while mitigating potential for subsequent beetle damage to adjacent stands by:
    - Reserving (leaving on site) trees within the stream protection zone (SPZ) in the Riparian Reserves,
    - retaining all existing CWD that is decay class 2 or higher, and all fresh logs (decay class 1) that are over 30 inches (few expected), and
    - Retaining all green trees and snags that are not root-sprung and are not deemed a safety hazard.
- Replant treated area with appropriate mix of native conifer species to potentially include disease resistant and non-host species.

To minimize the spread of noxious weeds

- All equipment moved into the project area by a lowboy will be required to be clean and free of dirt and vegetation as directed by the Authorized Officer.
- Large areas of exposed mineral soil, as determined by the Authorized 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 **(BMP - 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.

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).

This project conforms and is consistent with the Land Use Plan (LUP) because it is specifically provided for in the following LUP decision (RMP p. 41):

- Manage coarse woody debris, green trees and snags in a manner which meets the intent of the management actions/direction for the Matrix. There are no specific management actions/direction for these forest components in the Adaptive Management Area (p.20).

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(8), which allows for "salvaging dead or dying trees not to exceed 250 acres, requiring no more than 0.5 mile of temporary road construction."

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 DM2 apply.

Table 1

Categorical Exclusions: Extraordinary Circumstances Review

Will the Proposed Action documented in this Categorical Exclusion	***Yes***	***No***
1) Have significant impacts on public health or safety? **Rationale:** The project will have no impacts on public health or safety therefore will have no significant impacts on public health or safety. All activities will be conducted in a forested location outside of population centers and will conform to established Occupational Safety and Health Administration rules concerning health and safety.		No
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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas?		No

Will the Proposed Action documented in this Categorical Exclusion	*Yes*	*No*
Rationale: The project 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.		
3) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?		No
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.		
4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		No
Rationale: Experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown environmental risks.		
5) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		No
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.		
6) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?		No
Rationale: 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?		No
Rationale: There are no listed or eligible properties existing within the project area.		
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?		No

Will the Proposed Action documented in this Categorical Exclusion	*Yes*	*No*
Rationale: Botany: There are no known sites of any T&E botanical species within the project area. Wildlife: This project area lies outside of any designated critical habitat for listed wildlife species. There is no suitable habitat for spotted owls or marbled murrelets within 0.25 miles, and surveys for spotted owls (2010-2013) have found no active owl sites within 1.0 mile of the project area. This action would have no effect on listed wildlife species or their critical habitat. Fish: The project occurs within the Luckiamute River watershed. The Upper Willamette River (UWR) spring Chinook salmon Evolutionarily Significant Unit (ESU), UWR winter steelhead ESU, and Oregon chub are all listed as threatened under the Endangered Species Act. Listed spring Chinook and winter steelhead are present in the Luckiamute watershed. Nearest occupied habitat for listed fish is more than 5 miles downstream from the project area. Due to the distance to the known populations of UWR Chinook, UWR steelhead, and Oregon Chub to the project area, the distances to historic habitats, and the lack of any connected effects of proposed actions to any known populations or habitat a No Effect determination has been made. No consultation with the National Marine Fisheries Service (NMFS) would be necessary for these species.		
9) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment? **Rationale:** The proposed action follows all known Federal, State, local, Tribal laws, or requirements imposed for the protection of the environment.		No
10) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)? **Rationale:** The proposed action is not anticipated to have disproportionately high or adverse human health or environmental effects on minority populations and low-income populations.		No
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)? **Rationale:** This project is not known to have any effects on access to or use of sacred sites.		No
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)?		No

Will the Proposed Action documented in this Categorical Exclusion	*Yes*	*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, b) the project area will be monitored for the establishment of noxious weed species, c) the resource area has a weed management plan in place which allows for control of non-native and noxious weed species and d) the Authorized Officer would require sowing grass seed on mineral soil areas which would reduce the amount of potential noxious weed habitat.		

D. Interdisciplinary Team Review and Signature

Interdisciplinary Team Review

Name	**Specialty**
Ron Exeter	Botanist
Kevin Foster	Forester
Scott Hopkins	Wildlife Biologist
Stefanie Larew	NEPA Coordinator
Kent Mortensen	Fuels Specialist
Scott Snedaker	Fisheries Biologist
Heather Ulrich	Archaeologist
Steve Wegner	Hydrologist and Soil Scientist

Authorized Official: /s/ Rich Hatfield Date: 6/11/2014
Name: Rich Hatfield
Title: Marys Peak Field Manager

Contact Person

For additional information concerning this Categorical Exclusion, contact Kevin Foster, Forester, 1717 Fabry Road SE, Salem, Oregon, 97306 or (503) 589-6850.

U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT, MARYS PEAK RESOURCE AREA

Decision Record

Based on the attached Categorical Exclusion Review, DOI-BLM-OR-S050-2014-0005-CX, I have determined that the proposed action, salvage of approximately two acres of windthrown timber, involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to authorize the implementation of the proposed action as described in the attached Categorical Exclusion Documentation.

Administrative Remedy: The forest management decision to be made on the action described in this categorical exclusion is subject to protest under 43 CFR subpart 5003. Under 43 CFR 5003.2 subsection (b), a notice of decision will be published in local newspaper(s), and this notice shall constitute the decision document. Under 43 CFR 5003.3 subsection (a), protests may be filed with the authorized officer within 15 days of the publication date of the notice of decision. The notice of this decision will appear in the Benton County Gazette-Times newspaper on or around June 18, 2014. Under 43 CFR 5003.3 (b), protests filed with the authorized officer shall contain a written statement of reasons for protesting the decision. A decision on this protest would be subject to appeal to the Interior Board of Land Appeals, although, under 43 CFR 5003.1 subsection (a), filing a notice of appeal under 43 CFR part 4 does not automatically suspend the effect of a decision governing or relating to forest management under 43 CFR 5003.2 or 5003.3.

Implementation: This project will be offered for sale in July 2014.

Contact Person: For additional information concerning this Categorical Exclusion, contact Kevin Foster, Forester, 1717 Fabry Road SE, Salem, Oregon, 97306 or (503) 589-6850.

Authorized Official: /s/ Rich Hatfield **Date:** 6/11/2014
Rich Hatfield
Marys Peak Field Manager

Appendix A - Water Quality Management Plan

Introduction

Water quality management on BLM-administered lands that are covered under the Maxfield Creek Salvage CX is based on the site-specific application of Best Management Practices (BMPs) and disclosed as Project Design Features (PDF).

Best Management Practices

Best Management Practices are required by the federal Clean water Act as amended to mitigate the potential for non-point source pollution. Non-point source pollution is pollutants detected in concentrated water (e.g. stream or lake) from a wide range of forest management activities on federal lands administered by the Bureau of Land Management (BLM). BMPs are considered the primary methods for achieving Oregon's water quality standards.

The overall goal is not to strictly adhere to the wording of the BMP, but rather to implement the intent of the prescribed BMP. That is to protect, promote and enhance water quality in order to meet federal and state water quality objectives. In that matter, BMPs are site specific and the implementation of the BMP is tailored to the "on the ground" conditions. The following BMPs are site specific application to forest management activities undertaken by Maxfield Salvage CX on the Marys Peak Resource Area.

Table 1.0 Best Management Practices

BMP No.	Roads
R97	Apply erosion control, such as seeding and mulching, to all hydrologically connected road related bare soil surfaces, where erosion could occur, including stream banks and stream-adjacent side slopes following culvert removal. Place sediment trapping materials such as straw bales and jute netting at the toe of stream-adjacent side slopes following culvert removal. Complete seeding and mulching erosion control work by October 15 of each year. When straw mulch or rice straw mulch is used; require certified weed free, if readily available. Mulch shall be applied at no less than 2000 lbs. /acre. Vegetative cuttings, shrubs and trees may be considered as needed for erosion control. Planting of shrubs and trees should occur during the winter dormant season.
BMP No.	**Timber Harvest**
TH10	Limit the width of the skid trails to be what is operationally necessary for the equipment.
TH11	Ensure one-end suppression of logs.
TH18	Apply erosion control practices to skid roads and other disturbed areas with potential for erosion and subsequent sediment delivery to water bodies, floodplains, or wetlands.

BMP No.	Surface Source Water for Drinking Water
SW8	Avoid loading, or storing chemical, fuel, or fertilizer in sensitive zones in surface source watersheds.
SW9	Conduct equipment maintenance outside site-specific sensitive zones in surface source watersheds.
BMP No.	**Spill Preventation and Abatement**
SP1	Inspect and clean equipment before it reaches the site. Refuel all equipment a minimum of 100 feet away from streams. Immediately remove waste or spilled materials and contaminated soils near any stream or waterbody in accordance with the applicable regulatory standard. Notify Oregon Emergency Response System of any spill over the material reportable quantities within 24 hours.