

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

A. Background

BLM Office: Cascades Resource Area

Lease/Serial/Case File No: N/A

Categorical Exclusion Number: DOI-BLM-OR-S040-2011-0013-CX

Date: October 2, 2012

Proposed Actions Title/Type: Mini Flats Commercial Thinning

Location of Proposed Action: Section 13 , T.4 S., R 4 E (Figures 1 and 2).

Land Use Allocation: General Forest Management Area

Description of Commercial Thinning Proposed Action

The proposed action is commercial thinning of 67 acres of conifer plantation approximately 60 years old within the General Forest Management Area land use allocation (LUA). The stands are primarily composed of Douglas-fir (*Pseudotsuga menziesii*), with some western hemlock (*Tsuga heterophylla*), with an understory of vine maple (*Acer circinatum*).

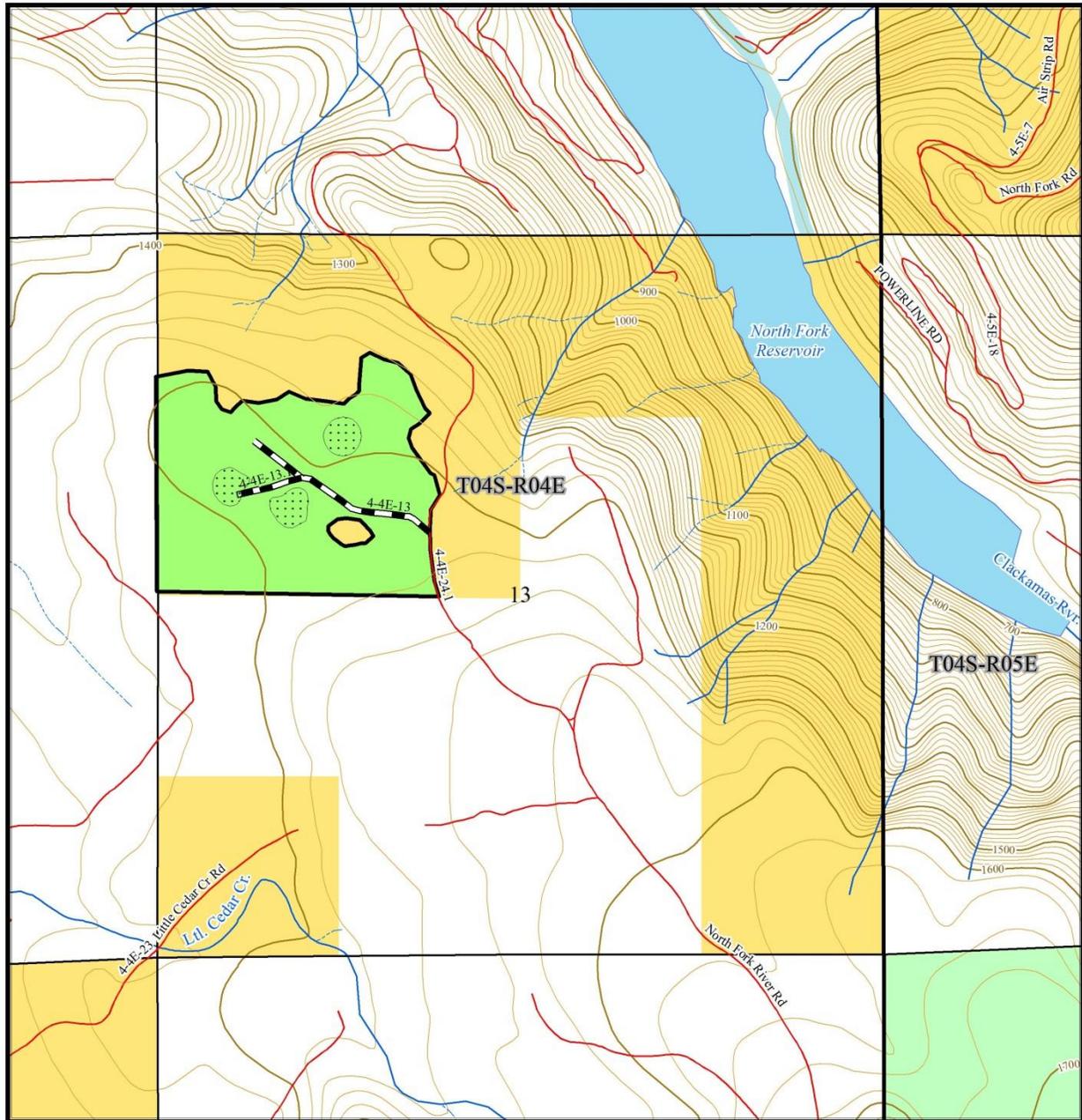
There are no intermittent, perennial or fish bearing streams within the treatment area. No thinning treatments are proposed within the Riparian Reserve LUA. Approximately 2000 feet of temporary, natural surface road will be built, and decommissioned after the project is completed.

Project Design Features of the Proposed Action

The proposed action will thin 64 acres, leaving approximately 70 trees per acre, and retaining the healthiest, best-formed trees. The objective of this thinning prescription is to maximize future stand volume growth. Low density thinning treatments consisting of leaving 18-20 trees per acre will be implemented on approximately 4 acres to promote the increase in mid-seral forest habitats in the stand. Thinning prescriptions will maintain a minimum average of 40% canopy cover over the entire thinning area. A leave island (no trees removed) of approximately 1 acre will be left in the stand (*see Figures 1 and 2*).

Figure 1 and 2: Unit location

Mini Flats Thinning CX (#S040-2011-0013) Proposed Action Map
T04S-R04E Sec 13



1,000 500 0 Feet
Contour Interval: 20'

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.

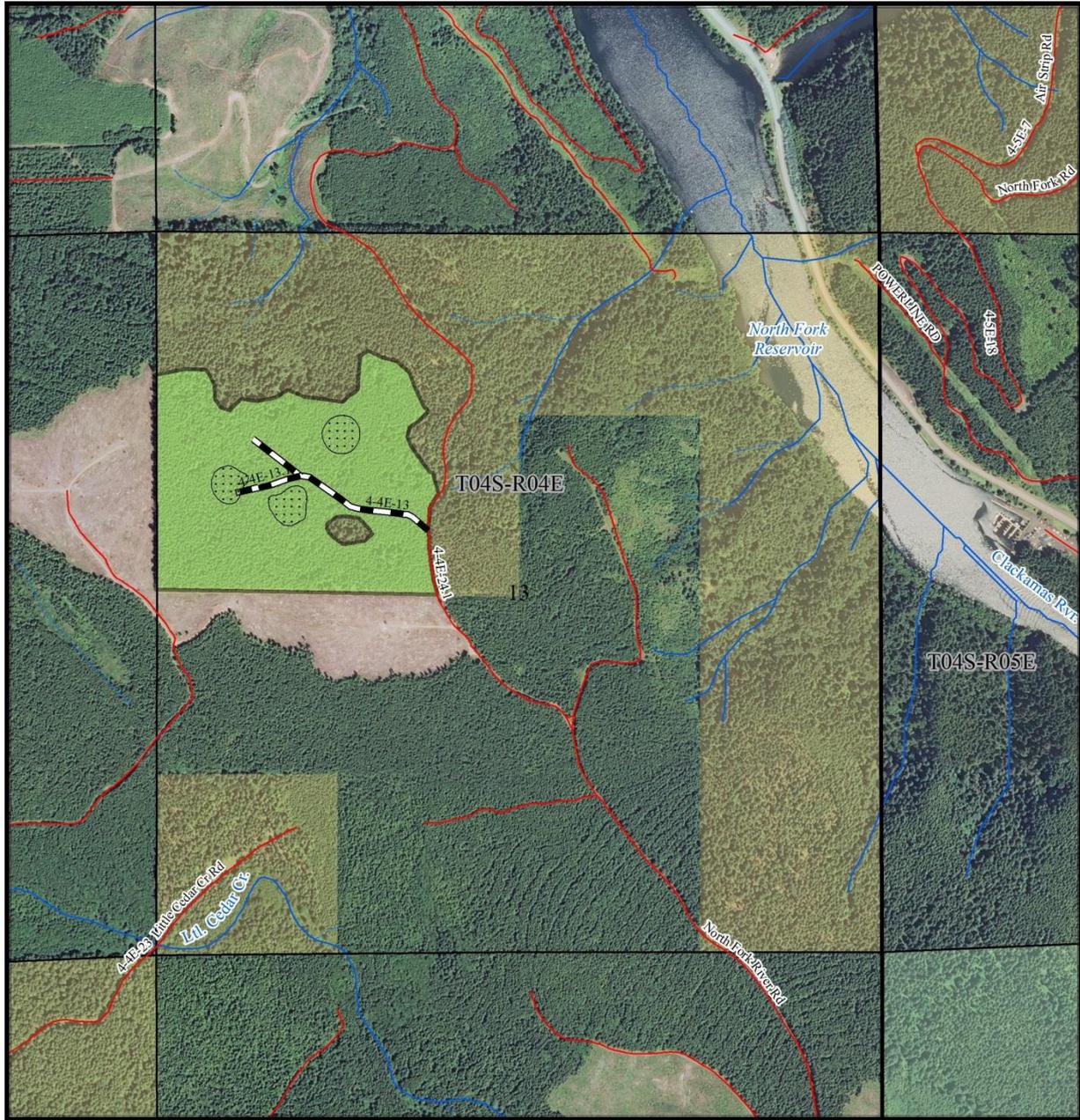
-  Intermittent Stream
-  Perennial Stream
-  Roads
-  Temp Road Construction
-  Low Density Thinning Area

-  Proposed Treatment Area: 67 acres
-  Bureau of Land Management
-  Private/Unknown
-  State Agency
-  U.S. Forest Service

September 20, 2012
Bureau Of Land Management
Salem District Office
Cascades Resource Area




Mini Flats Thinning CX (#S040-2011-0013) Proposed Action Map
T04S-R04E Sec 13



1,000 500 0 Feet Aerial Imagery from 2011 1m NAIP

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Table 1 describes current stand conditions for the proposed thinning unit and also describes anticipated average post-treatment conditions:

Table 1: Current and post treatment stand conditions

<i>Mini Flats Thinning</i>	Current Condition	Post Treatment	
		Moderate Thin	Low Density thin
Acres	67	63	4
Percentage (%) of thinning area	100%	94%	6%
Trees per acre	174	70	18
Quadratic Mean Diameter (inches)	15	18	18
Basal area (square feet)	214	125	40

The proposed action will retain:

- Snags greater than 15 inches diameter breast height and at least 15 feet tall;
- Trees around these larger snags, where appropriate, to prevent damage to the snags during harvest operations;
- Hardwood trees greater than 8 inches diameter breast height;
- Minor conifer species, where appropriate to promote diversity in the stand;
- Coarse woody debris (CWD) that are at least 20 inches diameter at the large end, 20 feet in length and decay classes 1 and 2, as much as feasible during logging operations; and
- Remnant trees, generally those that are greater than 34 inches in diameter.

Trees designated for retention will be marked with orange paint.

Approximately 2000 feet of temporary road will be constructed to access the thinning area for ground-based logging activities. The road will be constructed and utilized in the "dry" season, or summer months and closed and decommissioned after logging and hauling is complete.

Decommissioning of the constructed roads and skid trails could include the piling of logging debris and stumps on the road surface to permit the reestablishment of vegetative cover, and blocking road entrances with stumps and other debris to prevent unauthorized motorized use. Water bars will be installed where necessary to minimize any erosion from the disturbed area.

Table 2 shows potential restrictions and the time of the year when certain operations can take place in the proposed project area:

Table 2: Season of Operation/Operating conditions

Season of Operation or Operating Conditions	Applies to Operation	Objective
During periods of low tree sap flow generally June 15 th to April 1st	Special yarding outside road right-of-ways	Protecting the bark and cambium of residual trees.
During periods of low soil moisture, generally July 15 to October 31	Ground based yarding (Tractor) Ground based yarding (Harvester/Forwarder, Hydraulic Loader), road construction, and machine chipping and/or piling.	Minimize soil erosion/compaction

All proposed thinning areas will be ground-based yarded. All logging activities will utilize the Best Management Practices (BMPs) required by the Federal Clean Water Act (as amended by the Water Quality Act of 1987) (RMP Appendix C- pp. C-1 through C-10)(Instruction Memorandum No. OR-2011-074 Attach. 1). Existing skid trails will be utilized where appropriate.

After operations, skid trails will be water barred where they are determined to be necessary by the contract administrator and blocked where they meet timber haul roads. During periods of heavy rainfall, the contract administrator may restrict log hauling when the road becomes susceptible to rutting or surface erosion to prevent off-site sedimentation.

Fuels treatment will include directional falling (to keep slash away from fuel breaks, roads and property lines), followed by a reduction of surface fuels where necessary to reduce the intensity and severity of potential wildfires in the long-term. Fuels reduction techniques may include but are not limited to: piling and burning of slash, machine processing of slash on-site, or a combination of these techniques. Slash will be piled and burned in the low density thinning areas for recruitment of grasses, forbs, deciduous shrubs, understory vegetation and ground covers.

B. Land Use Plan Conformance:

Land Use Plan Name: *Salem District Record of Decision and Resource Management Plan* (1995 RMP) **Date Approved** March 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 amended by the July 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):

Thinning: 1995 RMP pg 41- Plan and design forest management activities to produce a sustained yield of products to support local and regional economic activity. A diversity of forest products (timber and non-timber) will be offered to support large and small commercial operations.

C. Compliance with NEPA:

The commercial thinning proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 **C. (7)** which allows for harvesting of live trees not to exceed 70 acres, requiring no more than 0.5 miles of temporary road construction.

Table 3: Categorical Exclusions: Extraordinary Circumstances Review

Table 3: 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?		No
<p>Rationale: Commercial thinning will have no impacts on public health or safety. All activities associated with the proposed commercial thinning will conform to established Occupational Safety and Health Administration rules concerning health and safety.</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?		No
<p>Rationale: These project areas are not located in any park, recreation or refuge lands, wilderness areas, wild or scenic rivers, or national natural landmarks. There are no floodplains, prime farmlands, wetlands, national monuments, or other ecologically significant or critical areas present in the treatment area. There are no identified historic or cultural resources in the project area. If during project activities any archaeological or historical resources are discovered, all activities must cease until a professional archaeologist can be present in order to assess the significance of the discovery and determine appropriate mitigation measures.</p> <p>Commercial thinning may alter in the short term but will not eliminate the ability of the stand to provide habitat for migratory birds, nor appreciably alter the function or abundance or mid-seral forest habitat provided by BLM-administered lands in the watershed.</p>		

Table 3: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion	Yes	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 this commercial thinning are not controversial because the project is categorically excluded under the National Environmental Policy Act (NEPA) in accordance with 516 DM for the following category:</p> <ul style="list-style-type: none"> • Thinning: 516 DM 11.9 C. (7) which allows for harvesting of live tress not to exceed 70 acres, requiring no more than 0.5 mile of temporary road construction. <p>Scoping did not identify any unresolved conflicts concerning alternative uses of available resources.</p>		No
<p>(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p>Rationale: Commercial thinnings are 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: Implementation of commercial thinnings does not set a precedent for future actions that may have significant effects, nor do they represent decisions in principle about a future consideration. Commercial thinning is a silvicultural practice, the application of which is based on forest stand conditions. It has been widely used on BLM and Forest Service lands throughout Oregon and has not been shown to have significant impacts.</p>		No
<p>(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</p> <p>Rationale: There are no cumulative effects associated with the proposed projects; therefore there are no significant cumulative effects as a result of these actions.</p> <p>Commercial thinning of these areas will not alter the forest age class distribution of BLM lands in the watershed.</p> <p>The Moderate and Low density thinning prescription will not create enough canopy gaps across an area sufficient to alter timing or magnitude of peak and base flows in the watershed. There will be no increase in permanent road density or flow routing by roads which will affect stream flows. The project neither builds a road in riparian areas nor creates a routing path for water and sediment to reach a creek; therefore the temporary road will not general off-site effects. This project is unlikely to result in a detectable increase in sediment supply to surrounding streams and therefore unlikely to add cumulatively to sediment levels.</p>		No

Table 3: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<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> <p>Rationale: Surveys conducted by the BLM have not identified any cultural or historical resources that will be affected by the proposed commercial thinning.</p>		No
<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> <p>Rationale: The proposed harvest area and vicinity was evaluated for the presence of known Threatened & Endangered (T&E) botanical species. Habitat requirements for T&E species were reviewed and the known habitat in the proposed harvest area was evaluated for suitability. No T&E vascular plant or suitable habitat was found to exist within the proposed harvest area as determined by a known site data search.</p> <p>The Mini Flats Project was submitted for Informal Consultation with U.S. Fish and Wildlife Service (USFWS). The Biological Assessment (BA) concluded that the proposed thinning and all connected actions may affect, but is not likely to adversely affect the spotted owl due to modification of dispersal habitat (BA pp.26-29). The Letter of Concurrence (LOC) concurred with the BA that the project is not likely to adversely affect spotted owls (LOC p.34). Dispersal habitat will be modified, but remain dispersal after treatment. No suitable habitat is proposed for thinning. The proposal is not within critical habitat, nor is it within the provincial home range radius (1.2 miles) of a known spotted owl site. The proposal is within 1.2 miles of a predicted known owl site (USFWS et. al.2008 p.8, Appendix 1). No harvest will occur within 300 meters of the site (LOC 2011). The predicted site is not viable and spotted owls are unlikely to be present due to the lack of suitable habitat in the vicinity.</p> <p>No streams and thus no listed fish species are present in the proposed harvest area. The project area is located on flat ground with no hydrological connection to the North Fork Reservoir on the Clackamas River. Thus, the project will not affect listed fish in the Clackamas River.</p>		No
<p>(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</p> <p>Rationale: Commercial thinning follow all known Federal, State, or local or Tribal laws or requirements imposed for the protection of the environment. The proposed action is in conformance with the 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.</p>		No
<p>(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</p> <p>Rationale: The proposed action is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.</p>		No

Table 3: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<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> <p>Rationale: There are no identified sacred, ceremonial or religious Indian sites within this area. This determination is based on past scoping for similar projects in this area.</p>		No
<p>(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)?</p> <p>Rationale: Pressure washing or steam cleaning equipment will be required prior to move-in to remove any soil or other materials that may be contaminated with seed or other propagative material as a means of reducing the risk of introducing any spread of noxious weeds or non-native invasive species into the project area.</p>		No

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 3, above) apply.

I considered and reviewed the effects of the following additional elements of the environment required by management direction. Table 4 shows the effects of the proposed action on these elements of the environment.

Table 4: Additional Elements of the Environment Review

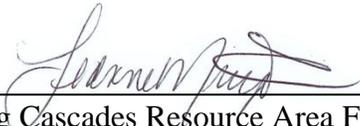
Elements of the Environment	Status: Not Present, Not Affected, or Affected	Remarks
Aquatic Conservation Strategy	Not Affected	The proposed treatment area does not include any Riparian Reserve LUA; therefore the proposed action does not retard or prevent the attainment of any of the nine ACS objectives.
Energy (Executive Order 13212)	Not Affected	There is 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.
Essential Fish Habitat (Magnuson-Stevens Fisheries Cons. /Mgt. Act)	Not Present	This action will have no effect on MSA species or EFH.
Hazardous or Solid Wastes	Not present	No hazardous or solid wastes will be produced by the proposed action.
Special Status (except T/E) or other rare or uncommon species/habitat	Not Present	There are no known Survey and Manage, Special Status Species or suitable habitat in the proposed project area.
Visual Resource Management (VRM)	Not Affected	Approximately 4 acres proposed for treatment are in Visual Resource Management (VRM) Class II. The Salem District RMP calls for managing Class II lands for low levels of change and retention of the existing landscape character. Management activities may be seen, but should not attract attention of the casual observer. Changes to the landscape character as a result of the thinning are expected to be low and will comply with Class II guidelines. The proposed thinning will maintain a minimum 40% canopy cover and seen portions of the units are expected to return to a more natural appearance within five years as disturbed understory vegetation returns.

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 under the description of the Proposed Action. No additional mitigation measures are required.

D. Signature:

Table 5: Specialist Review and Concurrence:

Review Required	Resource	Name	Initial
<input checked="" type="checkbox"/>	Aquatic/Fisheries	Bruce Zoellick	<i>BWZ</i>
<input checked="" type="checkbox"/>	Botany	Terry Fennell	<i>TGF</i>
<input checked="" type="checkbox"/>	Cultural Resources	Heather Ulrich	<i>HAU</i>
<input checked="" type="checkbox"/>	Engineering	Dan Nevin	<i>DN</i>
<input checked="" type="checkbox"/>	Fuels	Maria Caliva	<i>MAC</i>
<input checked="" type="checkbox"/>	Hydrology	Patrick Hawe	<i>WPH</i>
<input checked="" type="checkbox"/>	NEPA Compliance	Carolyn Sands	<i>CDS</i>
<input checked="" type="checkbox"/>	NRSA	Chris Papen	<i>CJP</i>
<input checked="" type="checkbox"/>	Recreation	Adam Milnor	<i>AAM</i>
<input checked="" type="checkbox"/>	Silviculture	Charley Thompson	<i>CRT</i>
<input checked="" type="checkbox"/>	Team Lead	Alisa Tanner	<i>AAT</i>
<input checked="" type="checkbox"/>	Wildlife	Jim England	<i>JSE</i>

Authorized Official:  Date: 10/11/2012
 Leanne Mruzik, Acting Cascades Resource Area Field Manager

Contact Person: For additional information concerning this CX review, contact Alisa Tanner, Forester, Salem District Office, 1717 Fabry Rd SE, at (503) 589-6844.

E. Response to Comments

An information letter dated October 25th. 2011 was sent to 26 potentially affected and/or interested individuals. Four (4) individual letters with several comments were received:

Comment suggesting the BLM retain all minor tree species (other than Douglas-fir) and protect shrubs and ground cover where possible.

The thinning prescription calls for reserving all hardwoods over 8 inches in diameter as well as any minor conifer species that may be present. Where feasible, shrubs and ground cover will be protected during logging operations.

Comment suggesting protection of large snags and large CWD in the sale area:

Project design features currently have any and all snags with a minimum height of 15' and a minimum diameter of 15" at breast height to be reserved from cutting. Coarse woody debris (CWD) that are at least 20 inches diameter at the large end, 20 feet in length and decay classes 1 and 2 will be retained during logging operations. The marking guidelines also call for trees adjacent to large snags to be marked for retention where practical to protect the snag from damage during operations. *(See page 3 of the categorical exclusion)*

Comment suggesting the use of variable thinning, including heavily thinned areas and untreated areas.

A variable thinning prescription based on trees per acre and the best trees will be implemented in the stand, with two different thinning densities *(see table 1 of the categorical exclusion)*. Although a spacing requirement will be utilized, some areas will be opened up considerably more than others, providing variability in overall stand density, while retaining trees for long term site productivity. Any large hardwoods, snags and CWD will be retained. There is a one acre no-treatment area in the south-east portion of the project area *(see map, page 2)*.

Comment expressing concern about any thinning to occur within Riparian Reserves.

There are no Riparian Reserves proposed for thinning in this project.

Comment expressing concern about protection of viewsheds to highway 224, the North Fork River Road or any hiking trails in the area.

The proposed thinning area is currently behind locked gates from the south, limiting vehicle access for recreational use. No official hiking trails are known to exist in the general area. Approximately 4 acres proposed for treatment are in Visual Resource Management (VRM) Class II. The Salem District RMP calls for managing Class II lands for low levels of change and retention of the existing landscape character. Changes to the landscape character as a result of the thinning are expected to be low and will comply with Class II guidelines *(See Table 4 of the categorical exclusion)*.

Comment suggesting the BLM conduct a cumulative effects analysis:

There are no significant cumulative effects as a result of thinning treatments proposed in this stand. Commercial thinning of this area will not alter the forest age class distribution of BLM lands in this watershed (*see Table 3, section f, of categorical exclusion*).

Comments questioning the building 2000 feet of temporary road

The temporary, native surface road will be constructed and utilized in the dry summer months. The road grade does not exceed 8%, thus having low erosion potential. The temporary roads will be closed and decommissioned after the project is completed. Hydrology, Soils and Wildlife specialists analyzed the road proposal and determined the temporary roads will have little to no effect on streams, fish, soils or wildlife (*See page 3 of the categorical exclusion or Table 3, sections f and h*).

A comment suggesting that building new road is not economically justifiable.

Reduced road building was considered, and would require rights to use adjacent private access roads. This was determined to be more costly than building, utilizing and closing a temporary natural surface road in the proposed thinning area.

Comment suggesting the BLM rock the road to be constructed for potential winter operations.

This project is being implemented under a Categorical Exclusion which restricts the building of any road to be temporary and less than 0.5 miles (516 DM 11.9 C. (7)). In this instance, if rock was applied to allow for winter operations, the road will no longer be considered temporary.

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

Decision Record

Based on the attached Categorical Exclusion Documentation OR-S040-2011-0013, I have determined that the proposed action, commercial thinning of 67 acres of a 60 year old timbered stand involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to implement commercial thinning of all areas as described in the attached Categorical Exclusion Documentation OR-S040-2011-0013.

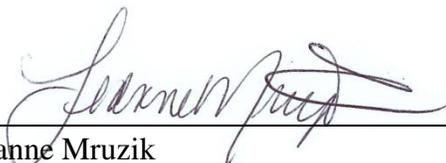
The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR 5003, protests of this decision may be made within 15 days of the publication of a notice of decision in a newspaper of general circulation. The notice for this decision will appear in *The Sandy Post* on October 31st, 2012. The planned sale date is November 28, 2012. To protest this decision a person must submit a written protest to Leanne Mruzik, Acting Cascades Field Manager, 1717 Fabry Rd SE, Salem, Oregon 97306 by the close of business (4:30 p.m.) on November 15th, 2012. The regulations do not authorize the acceptance of protests in any form other than a signed, written and printed original that is delivered to the physical address of the advertising BLM office.

The protest must clearly and concisely state the reasons why the decision is believed to be in error. Any objection to the project design or my decision to go forward with this project must be filed at this time in accordance with the protest process outlined above. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available and shall serve a decision in writing on the protesting party (43 CFR 5003.3).

Implementation: This project will be implemented in the spring and summers of 2013-2015.

Contact Person: For additional information concerning this CX review, contact Alisa Tanner, Forester, Salem District Office, 1717 Fabry Rd SE, at (503) 589-6744.

Authorized Official: _____



Leanne Mruzik
Acting Cascades Resource Area Field Manager

Date: 10/11/2012