

## Categorical Exclusion Documentation

### A. Background

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

**Categorical Exclusion Number:** DOI-BLM-OR-S050-2014-0002-CX    **Date:** 3/5/2014

**Proposed Action Title/Type:** Hazard Tree Management with Starker Forests, LLC.

**Location of Proposed Action:** Township 13 South, Range 6 West, Section 31, Willamette Meridian in Benton County, Oregon.

**Land Use Allocation(s):** Matrix

#### **Background and Description of the Proposed Action:**

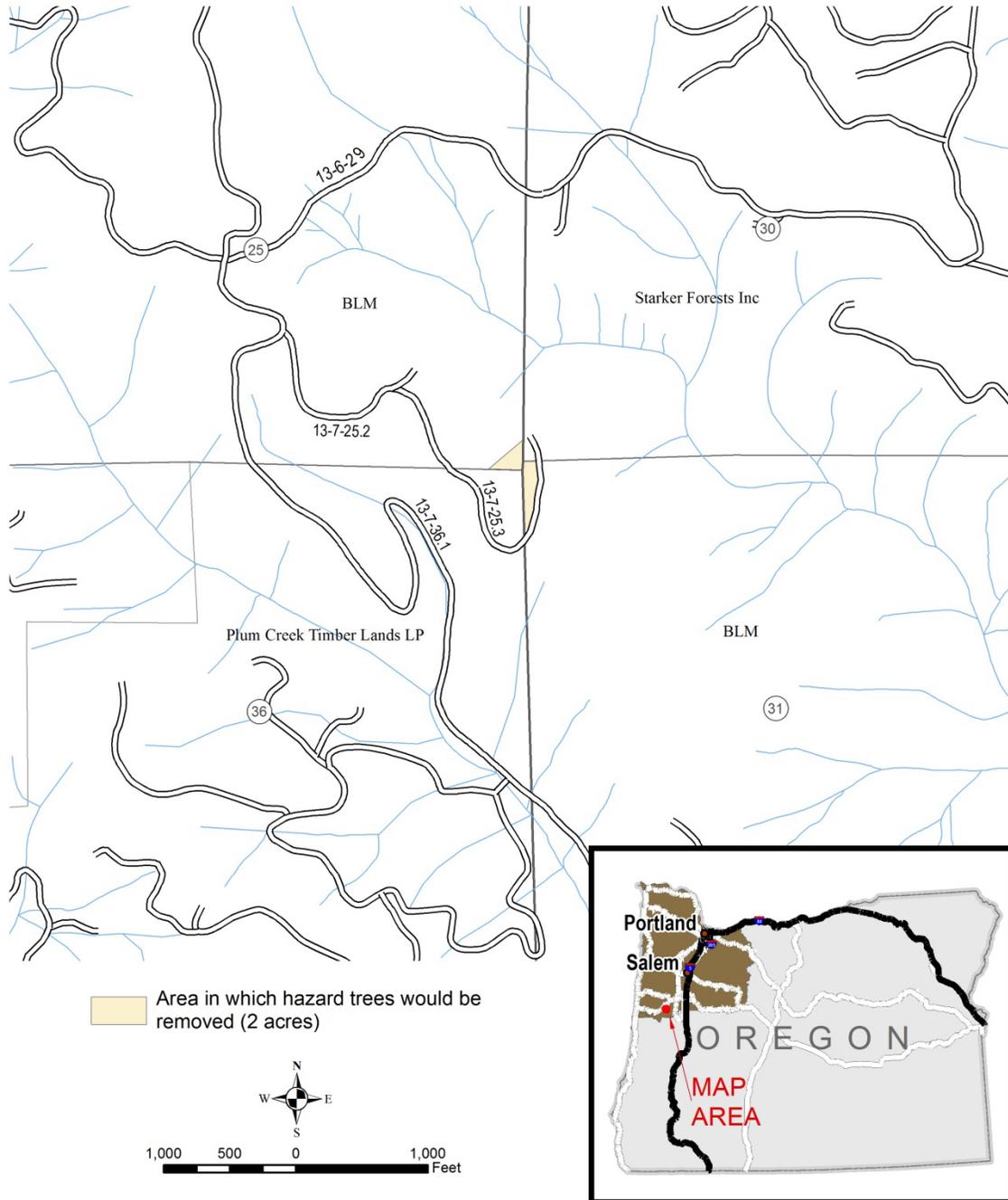
Much of western Oregon was hit with severe wind, snow, and rain storms in early 2014. Such storms caused substantial windthrow and damage to BLM-managed conifer stands in 13-6-31, which is adjacent to an active logging operation by landowner Starker Forests, Inc. In an e-mail to the BLM dated February 19, 2014, representatives with Starker Forests, LLC. expressed substantial safety concerns for the operators working in the area. Trees in the BLM lands are leaning excessively and are root sprung. Due to the local topography and aspect of the area, it serves as a wind funnel and is likely to be subjected to further wind damage. The trees are approximately 80 years old and range from 8 inches to 20 inches in diameter.

Bureau of Land Management employees met with operators and identified hazardous trees to be cut and removed to facilitate safe logging operations. The affected area includes two parcels totaling two acres. (See map on the following page.) The proposal is to allow the adjacent landowner, Starker Forests, Inc., to harvest hazardous or dangerous trees in these two areas.

Only standing trees would be harvested. Trees that are currently down will be left as coarse woody debris (CWD). The volume of down wood is in excess of what the Salem District Resource Management Plan requires for CWD levels in the Matrix land use allocation. Following harvest operations, the BLM will evaluate the need to plant.

# Project Map – Approximate area in which hazard trees will be removed

T. 13 S., R.7 W., Section 25 AND T. 13 S., R.6 W., Section 31, W. M. - SALEM DISTRICT - OREGON



## Project Design Features

### To minimize soil compaction

- Equipment must remain on graveled road surfaces.

### To minimize the spread of noxious weeds

- Soil disrupting equipment and transportation vehicles (low-boys, trailers, etc.) will be required to be clean and free of dirt and vegetation prior to arriving on BLM-managed lands as directed by the Authorized Officer (SP 1).
- Any large areas of disrupted soil as determined by the Authorized Officer will be sown with weed free red fescue or a native species mix approved by the resource area botanist.

### 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. 46):

- Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources.

### 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 (2) which allows for “Sale and removal of individual trees or small groups of trees which are dead, diseased, injured, or which constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads.”

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*

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>1) <i>Have significant impacts on public health or safety?</i></p> <p><b>Rationale:</b> This project will improve safety for operators and recreationists in the area. Proposed activities follow established rules concerning health and safety.</p>		No
<p>2) <i>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></p> <p><b>Rationale:</b> No unique geographical characteristics are within the project area or affected by this project. There are no recorded cultural resources within event area.</p>		No
<p>3) <i>Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</i></p> <p><b>Rationale:</b> Based on experience, this type of activity has no predicted environmental effects that may be considered highly controversial nor are there any unresolved conflicts concerning alternatives uses.</p>		No
<p>4) <i>Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</i></p> <p><b>Rationale:</b> Experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown environmental risks.</p>		No

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>5) <i>Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</i></p> <p><b>Rationale:</b> Similar actions have taken place throughout the district with no evidence suggesting that this type of project will establish a precedent or decision for future action.</p>		No
<p>6) <i>Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</i></p> <p><b>Rationale:</b> The BLM has conducted this type of activity in the past with no significant direct, indirect, or cumulative effects.</p>		No
<p>7) <i>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?</i></p> <p><b>Rationale:</b> No listed or eligible properties are known within the project area.</p>		No
<p>8) <i>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?</i></p> <p><b>Rationale:</b></p> <p><b>Fisheries:</b> The action area is outside the Riparian Reserve of Peak Creek, Oliver Creek, and associated tributaries. No ESA listed fish species are in proximity to the action area. Nearest listed fish habitat is below Peak Creek Falls more than 6 miles downstream. No effects to listed fish species would occur.</p> <p><b>Wildlife:</b> The action area is not designated as critical habitat for any listed wildlife species, and due to the previous windthrow, adjacency to private clearcut, simple stand structure, and lack of legacy trees, this planned unit does not provide any suitable habitat for spotted owls or marbled murrelets. This unit is located beyond a half mile from an active spotted owl site and salvage activities would not result in noise disturbance to the nesting owls. There are no occupied murrelet sites in this vicinity. Therefore, this action would have no effect to spotted owls and marbled murrelets.</p> <p><b>Botany:</b> There are no T&amp;E or any bureau special status species known from within the project area.</p>		No
<p>9) <i>Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</i></p> <p><b>Rationale:</b> The proposed action follows all known Federal, State, local, Tribal laws, or requirements imposed for the protection of the environment.</p>		No

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>10) <i>Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</i></p> <p><b>Rationale:</b> The proposed action is not anticipated to have disproportionately high or adverse human health or environmental effects on minority populations and low-income populations.</p>		No
<p>11) <i>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)?</i></p> <p><b>Rationale:</b> Use of the area has not resulted in tribal identification of concerns.</p>		No
<p>12) <i>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)?</i></p> <p><b>Rationale:</b> No increase in exposed mineral soil above the current level is expected. The risk rating for any adverse effects resulting from the establishment of noxious weed from the proposed action is low. Any additional soil disturbance to the project area is expected to be localized and minimal.</p>		No

#### D. Interdisciplinary Team Review and Signature

##### Interdisciplinary Team Review

<b>Name</b>	<b>Specialty</b>	<b>Initial</b>
Ron Exeter	Botanist	RE
Cory Geisler	Forester	CG
Scott Hopkins	Wildlife Biologist	DSH
Stefanie Larew	NEPA Coordinator	SNL
Scott Snedaker	Fish Biologist	SMS
Heather Ulrich	Archaeologist	HAU
Steve Wegner	Hydrologist and Soil Scientist	SJW

**Authorized Official:** \_\_\_\_\_ /s/ Rich Hatfield \_\_\_\_\_ **Date:** \_\_\_\_\_ 3/5/14 \_\_\_\_\_

**Name:** Rich Hatfield

**Title:** Marys Peak Field Manager

## **Contact Person**

For additional information concerning this Categorical Exclusion, contact Stefanie Larew, Natural Resource Specialist, at (503) 375-5601.



