

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-S040-2010-0001-CX **Date:** 01/10/2011

Proposed Actions Title/Type: Buckner Creek Commercial Thinning, Buckner Creek Habitat Improvement

Location of Proposed Action: Section 11, T.4 S., R 2 E (Figures 1 and 2).

Land Use Allocation(s): General Forest Management Area and Riparian Reserve Area.

Description of Commercial Thinning Proposed Action: The proposed action is commercial thinning of two forest stands approximately 50 years old for a total of approximately 52 acres in area, allocated to the General Forest Management Area and Riparian Reserve land use allocations (LUA). Approximately 2300 feet of temporary, dirt surface road will be built, and decommissioned after the project is completed.

The stands are primarily composed of Douglas-fir (*Pseudotsuga menziesii*), with western red-cedar (*Thuja plicata*), big leaf maple (*Acer macrophyllum*) and pacific madrone (*Arbutus menziesii*) is also present.

The following table describes current stand conditions for upland and Riparian Reserves in the two units, and also describes anticipated post-treatment conditions:

<i>Buckner Creek Upland and Riparian Reserve</i>	Current Condition		Post - Treatment	
	Unit 1	Unit 2	Unit 1	Unit 2
Trees per acre	209	197	89	86
Quadratic Mean Diameter (inches)	15	15	17	18
Basal area (square feet)	274	235	143	144
Curtis Relative Density (CRD)	70	61	35	34
Total Acres	24	18	24	18

Project Design Features of the Commercial Thinning Proposed Action

The upland portions of the units would be commercially thinned to maximize future stand volume growth. Approximately 86-89 trees per acre would be retained and canopy closure reduced to about 60 percent. The healthiest, best-formed trees would be retained at an appropriate spacing and stocking level to increase the health and vigor of the stand.

In the Riparian Reserve LUA, "no-harvest" buffers would be established on all intermittent streams within the unit boundaries. The buffers would be a minimum slope distance of 30 feet in width. Trees designated for cutting and removal would be felled away from these "no-harvest" buffers. There are no perennial or fish bearing streams within the treatment area.

Approximately 6 acres of the thinning would take place within the Riparian Reserve LUA, outside the "no-harvest" buffers. In the Riparian Reserve LUA, the marking prescription would not be based entirely on spacing but would also emphasize retaining the best trees available, retaining desired basal area and relative density. Thinning in the Riparian Reserve would still retain approximately 86-89 trees per acre and encourage accelerated growth of the trees as a future source of large wood for instream recruitment. Larger diameter cedars and hardwoods would be favored for retention.

In both upland and Riparian Reserves, snags that are greater than 15 inches diameter breast height and at least 15 feet tall would be designated for retention. Hardwood trees greater than 8 inches diameter breast height would be designated for retention. Where appropriate, the BLM would mark additional smaller conifers along the edges of existing openings to enhance mid-seral habitat for migratory birds and other wildlife species. 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 and much as feasible during logging operations.

Trees designated for cutting will be marked with blue paint, with the exception of the trees within a tagged right-of-way. All unmarked trees between right-of-way tags will be removed for the construction of temporary roads. All other reserve trees (trees designated to be left) will either be unmarked, or marked with orange paint.

Approximately 2300 feet of temporary road will be constructed to access portions of both unit 1 and 2 for ground-based logging activities. The road will be constructed and utilized in the "dry" season, or summer months and closed and decommissioned when logging and hauling is complete.

Decommissioning of the constructed roads 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 1 shows potential restrictions and the time of the year when certain operations can take place in the proposed project area:

Table 1: Season of Operation/Operating conditions

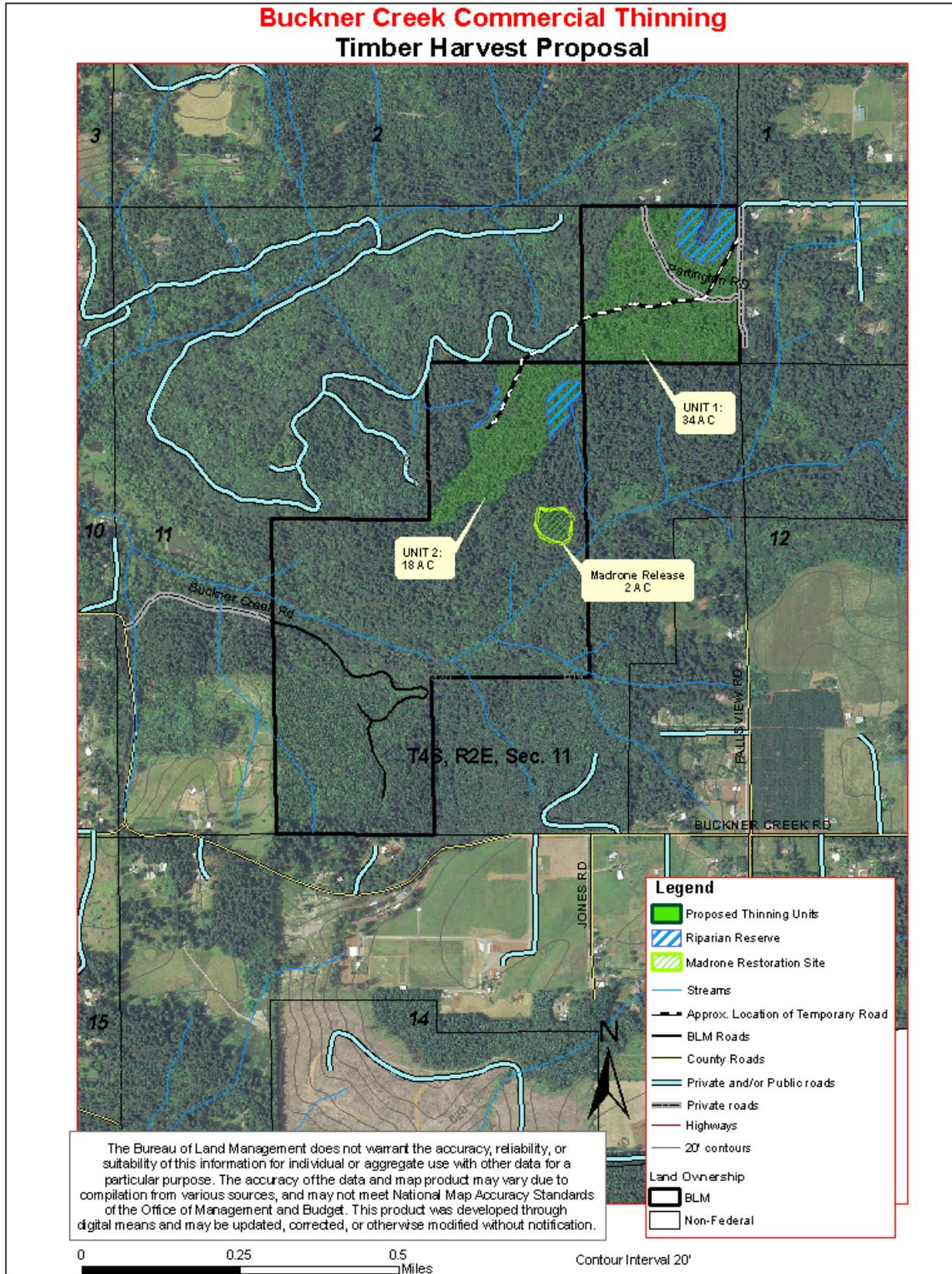
Season of Operation or Operating Conditions	Applies to Operation	Objective
During periods of low tree sap flow generally June 15 to April 1st.	Special yarding outside road right-of-ways	Protecting the bark and cambium of residual trees.
During periods of low soil moisture, generally July 15 to October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

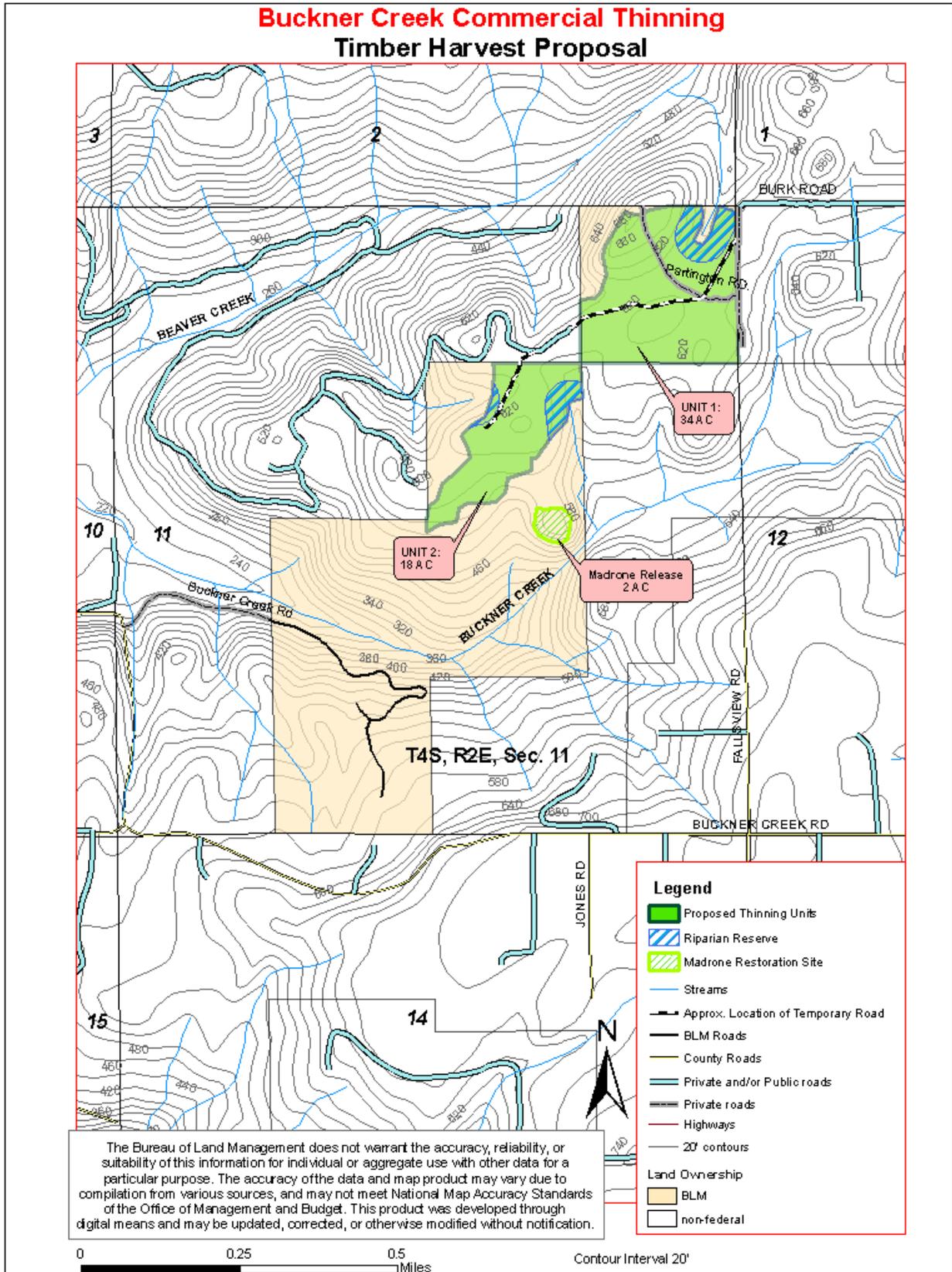
All proposed thinning areas will be ground-based yarded. All logging activities will utilize the Best Management Practices (BMPs) required by the Federal Clean Water Act (as amended by the Water Quality Act of 1987) (RMP Appendix C- pp. C-1 through C-10). Operations will likely begin after June 15th, however seasonal restrictions relating to tree sap flow could be waved if reserve tree damage from bark slippage is considered unlikely.

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.

Figures 1 and 2: Project Location





Description of Habitat Improvement Proposed Action:

The proposed action includes the release of approximately 2 acres of suppressed Pacific madrone (*Arbutus menziesii*) by girdling or falling surrounding conifers. All trees felled would remain on site. Treatments would not be incorporated into the "Buckner Creek Thinning" timber sale.

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).

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 nontimber) will be offered to support large and small commercial operations.

Habitat Improvement: [1995 RMP pg 24](#): Enhance biological diversity to contribute to healthy wildlife populations.

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.

The Habitat Improvement Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 A (3) which allows for construction of perches, nesting platforms, islands, and similar structures of wildlife use.

Table 2: Categorical Exclusions: Extraordinary Circumstances Review

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>2.1/ Have significant impacts on public health or safety?</p> <p>Rationale: Commercial thinning will have no impacts on public health or safety. All activities associated with the proposed commercial thinning and habitat improvement will conform to established Occupational Safety and Health Administration rules concerning health and safety. All necessary precautions regarding ingress and egress of equipment, including road signs and safety crew will be implemented on site by the purchaser where deemed appropriate.</p>		No
<p>2.2/ 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?</p> <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. 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>		No
<p>2.3/ 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 and the habitat improvement project are not controversial because both projects are categorically excluded under the National Environmental Policy Act (NEPA) in accordance with 516 DM for the following categories:</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. • Habitat Improvement Project: DM 11.9 A (3) which allows for construction of perches, nesting platforms, islands, and similar structures of wildlife use. <p>Scoping did not identify any unresolved conflicts concerning alternative uses of available resources.</p>		No
<p>2.4/ 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. Girdling or falling trees for wildlife objectives 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>2.5/ 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 and girdling or falling trees to enhance unique stand structures for wildlife habitat do 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

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>2.6/ Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</p>		No
<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. Commercial thinning of these areas will not alter the forest age class distribution of BLM lands in the watershed.</p> <p>Commercial thinning will not create 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. "No harvest" buffers on intermittent and perennial streams will preserve streamside shading and maintain stream temperatures and filter any sediment-laden over land flow. The project neither builds a road in riparian areas nor creates a routing path for water and sediment to reach the creek; therefore the temporary road would 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>		
<p>2.7/ 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?</p>		No
<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>		
<p>2.8/ 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?</p>		No
<p>Rationale: Upper Willamette River winter steelhead are listed as threatened under the ESA, as amended, and inhabit Buckner Creek approximately 1 mile downstream of the proposed commercial thinning units. "No-harvest" buffers would be designated within the Riparian Reserves on three intermittent streams, which would filter out sediment from overland flow before it reaches the streams. Temporary roads, which would be constructed and used during the dry season, are located on flat to gently sloping ground with no hydrologic connectivity to streams, and no stream crossings. Thus, no pathway would exist for delivery of sediment to streams generated by road construction or use. Consequently, no sediment would reach winter steelhead habitat or Essential Fish Habitat downstream of the project area. The "no-harvest" buffers and retention of 60% canopy closure outside of the "no-harvest" buffers would prevent increases in stream temperature downstream in listed fish habitat. All trees girdled or felled for habitat restoration purposes will be left on site. Large woody debris (LWD) recruitment to project area streams is expected to improve long term as a result of accelerated tree growth resulting from reducing tree density in Riparian Reserves. However, LWD would be unlikely to move downstream to listed fish habitat because of the small size of project area streams and distance to listed fish habitat.</p> <p>The proposed units were surveyed for Threatened or Endangered (T&E) botanical species. No populations of T&E vascular plants were located that could be affected by harvest operations.</p> <p>The proposed thinning would not have adverse effects to spotted owls, nor to suitable habitat for the species. The area is currently dispersal habitat and will continue to be dispersal habitat after the thinning therefore having no effect. The project area is in the Willamette Valley Physiographic province and spotted owls are not anticipated to occupy habitat within this zone. The area proposed for pacific madrone restoration is non-forest habitat and will not contribute to spotted owl habitat; therefore there would be no adverse effects to spotted owls.</p>		

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>2.9/ 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 and girdling 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>2.10/Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</p> <p>Rationale: The proposed actions are not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.</p>		No
<p>2.11/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)?</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>2.12/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)?</p> <p>Rationale: Pressure washing or steam cleaning equipment would 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 extraordinary circumstances described in 516 DM2 (see Table 2, above) apply.

I considered and reviewed the effects of the following additional elements of the environment required by management direction. Table 3 shows the effects of the proposed action on these elements of the environment.

Table 3: Additional Elements of the Environment Review

Elements of the Environment	Status: Not Present, Not Affected, or Affected	Remarks
Aquatic Conservation Strategy	Not Affected	In compliance with PCFFA IV (Civ. No. 04-1299RSM), this project complies with the Aquatic Conservation Strategy described in the Northwest Forest Plan and RMP. This project also complies with the PCFFA II (265 F.3d 1028 (9th Cir. 2001)) by analyzing the site scale effects on the Aquatic Conservation Strategy (ACS). The proposed action does not retard or prevent the attainment of any of the nine ACS objectives for the following reasons: For the thinning, the proposed action retains “no harvest buffers” on streams, limiting yarding and other activities to the dry season (See CX table 2), large snags, and large CWD (CX Table 2). For the wildlife habitat project, the proposed action, restore pacific madrone habitat.
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 would 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.

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

D. Signature:

Table 4: Specialist Review and Concurrence:

None required or

Review Required	Review Not Required	Resource	Name	Initial
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aquatic/Fisheries	Bruce Zoellick	<i>BWZ</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Botany	Terry Fennell	<i>TGF</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cultural Resources	Heather Ulrich	<i>HAU</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydrology	Patrick Hawe	<i>WPH</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NEPA Compliance	Carolyn Sands	<i>CDS</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NRSA	Rudy Hefter	<i>RJH</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recreation	Adam Milnor	<i>AAM</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Team Lead	Alisa Tanner	<i>AAT</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wildlife	Corbin Murphy	<i>JSE for CJM</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Silviculture	Dugan Bonney	<i>DPB</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Fuels	Maria Caliva	<i>MAC</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Engineering	Dan Nevin	<i>DN</i>

Authorized Official: *Cindy Enstrom* Date: *1/11/2011*
 Name: Cindy Enstrom
 Title: 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 informational letter dated March 16, 2010 was sent to 10 potentially affected and/or interested individuals. An additional letter was sent August 9, 2010. Two responses were received.

The following addresses comments from the public:

1. *Comment received supporting BLM's land and timber management practices.*
2. *Comment inquiring to the NEPA process, and further opportunity for public comment:*

All adjacent neighbors and interested parties asking to be informed received project notification. The notification was published in the April and June Salem District project planning updates. When completed, the categorical exclusion will be mailed to all individuals and groups requesting such information.

In addition, this is a forest management decision. As with any forest management decision made under a Categorical Exclusion (CX), this project is subject to protest under 43 CFR subpart 5003. A notice of decision will be published in the Molalla Pioneer newspaper and a copy of the CX will be posted on the website. Protests may be filed within 15 days of the publication date of the notice of decision.

3. *Comment questioning the building 2300 feet of temporary road:*

The temporary, native surface roads are to be constructed and utilized in the dry summer months. The road grade does not exceed 7%, thus having low erosion potential, and are outside any riparian reserve areas. The temporary roads will be closed and decommissioned after the project is complete. Hydrology, Soils and Wildlife specialists analyzed the road proposal and determined the temporary roads would have little to no effect on streams, fish, soils or wildlife. (See Page 3 of the CX, or Table 2 section 2.6 and 2.8.)

The BLM considered reduced road building. However, the BLM was unable to obtain road easements to access the project which increased the proposed road construction by approximately 600 feet. These temporary road locations are necessary in order to access BLM ownership and implement the proposed actions.

4. *Comment questioning the benefits of thinning for large wood recruitment in riparian reserve:*

The Northwest Forest Plan Record of Decision (p.B-31) and the Salem RMP (p.11) identify silvicultural treatments in the riparian reserve for the purposes to control stocking and thinning dense stands to encourage large conifers. The riparian reserve areas proposed for treatment are appropriate for implementing variable thinning in order to acquire desired forest characteristics or reducing stocking levels and increasing stand vigor and tree growth for future snag and large instream wood recruitment.

Riparian treatments in the Buckner Creek thinning meet Aquatic Conservation Strategy (ACS) objectives according to the Salem District Resource Management Plan (RMP) (*see CX Table 3*).

5. *Comment suggesting the use of variable thinning:*

A variable thinning prescription will be implemented in the riparian reserve area emphasizing the best trees available, basal area with a desired relative density. Large diameter cedars, hardwoods, snags and coarse woody debris (CWD) would be favored for retention.

A thinning prescription based on the best trees and spacing would be implemented outside the riparian reserve areas in the General Forest Management Area Land Use Allocation (LUA). Although a spacing requirement will be utilized outside of the riparian reserve areas, large hardwoods, snags and CWD will be retained and some existing openings would be enhanced, providing some variability.

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

Decision Record

Based on the attached Categorical Exclusion Documentation OR-S040-2010-0001 I have determined that the proposed actions, commercial thinning of 52 acres of 45-60 year old timbered stands and release of approximately 2 acres of suppressed Pacific madrone (*Arbutus menziesii*) by girdling or falling surrounding conifers involve 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-S040-2010-0001.

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 *Molalla Pioneer* newspaper on January 19, 2011. The planned sale date is February 16, 2011. To protest this decision a person must submit a written protest to Cindy Enstrom, Cascades Field Manager, 1717 Fabry Rd SE, Salem, Oregon 97306 by the close of business (4:30 p.m.) on February 3, 2011. 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 the summer of 2011.

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

Authorized Official: Cindy Enstrom
Cindy Enstrom
Cascades Resource Area Field Manager

Date: 1/11/2011