

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-S050-2015-0007-CX **Date:** 8/7/2015

Proposed Action Title/Type: Missouri Bend Boat Slide Replacement – Recreation

Location of Proposed Action: Missouri Bend Recreation Area T. 14 S, R. 9 W., Section 13, Benton County

Land Use Allocation(s): Late-Successional Reserves and Riparian Reserves

Description of Proposed Action: The Missouri Bend Recreation Site is located along Highway 34, approximately seven miles west of Alsea, Oregon. The existing boat slide at the Missouri Bend Recreation Site, located on the Alsea River, is in need of replacement. Deterioration of the slide boards causes the ramp to be difficult to use, and the use of pressure-treated and creosote-soaked materials may be leaching contaminants into the Alsea River. The BLM will authorize the Association of Northwest Steelheaders (Mid-Valley Chapter) to replace the existing ramp materials with improved materials that will increase ease of use and reduce or eliminate contaminant leaching. This will benefit recreational users as well as improve water quality and fish habitat.

Existing materials will be manually removed and replaced with improved materials during low river flow, between August 15 and September 15. Creosote-soaked railroad cross-ties will be replaced with steel-reinforced concrete and J-bolts. Cement will be delivered to forms via hose from a cement truck with line pumper and will be manually finished. Cement will be set and forms manually removed, then crushed rock will be placed between slide boards and cross-ties via a rock-shooter delivery truck using rocks from a local quarry. Existing pressure-treated slide boards will be replaced with cedar slide boards and a new cable and block will be installed to replace currently missing cable and block.

Ground and vegetation disturbance will be limited to the immediate area already occupied by the existing boat ramp. Work will be conducted during low river flow when water level is approximately two feet below the bottom of the slide structure. The bottom third of the slide is below the ordinary high water flow level.

The Missouri Bend Recreation Site will remain open during the project installation for picnicking and other day-use activities; however, the boat slide will be unavailable for use. Impacts are expected to be minimal, because the boat ramp is currently in a state of disrepair.

A map of the Missouri Bend Recreation Site and photos of the existing boat ramp are on the following pages.

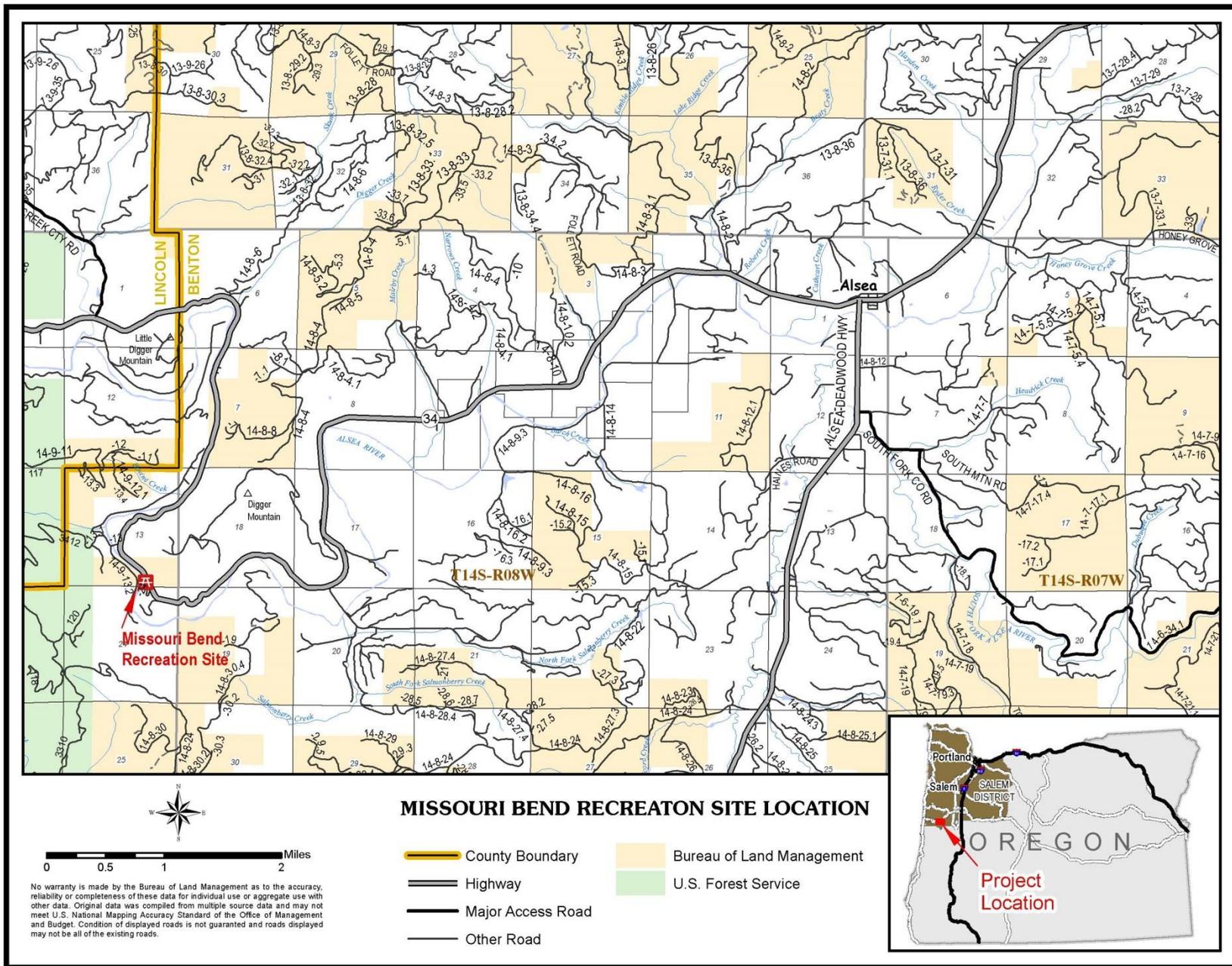




Figure 1: View of existing ramp from above
Missouri Bend Boat Slide Replacement
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Figure 2: View of existing ramp from below showing deteriorating pressure-treated slide boards



Figure 3: view of existing ramp from below showing deteriorating slides, creosote-soaked cross-tie, and erosion



Figure 4: side view of existing ramp showing creosote-soaked cross-tie and erosion



Figure 5: view of deteriorating concrete at lower end of existing ramp

Project Design Features

To minimize the spread of noxious weeds

- Soil disrupting equipment and transportation vehicles (cement truck and rock-shooter truck) 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).

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 minimize impacts to fisheries and aquatic habitat

- Complete all work within flowing streams during the ODFW preferred in-water work period (Alesia River: July 1–August 31). ODFW and NMFS must approve exceptions and exemptions. NMFS approval must be in writing prior to the extension of the work period.
- When using gasoline or diesel equipment within 150 feet of streams, develop and implement a spill containment plan that includes a spill containment kit on site.
- Do not use wood treated with pesticidal or preservative compounds above or within the bankfull width of the stream/river.
- Prepare concrete as far away from the stream as possible. Allow concrete to cure for 72 hours before allowing contact with water bodies.
- Conduct all repair work during the dry summer months and periods of low flow. Install temporary erosion control measures as needed to minimize adverse effects to water quality.

To protect Special Status Species.

- Use of noise-generating machinery (power generators, chainsaws) would occur after the critical breeding seasons for T&E wildlife (after August 5), and would follow a daily timing restriction that allows for noise-generating activities to begin two hours after sunrise and end two hours before sunset.

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):

- Manage scenic, natural, and cultural resources to enhance visitor recreation experiences and satisfy public land users (RMP p. 41)
- Retain and maintain existing recreation developments consistent with other management actions/directions for Late-Successional Reserves and Riparian Reserves (RMP p. 42)

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR Part 46, Section 46.210 (f), which allows for “Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).”

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, below) apply.

Table 1: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>(a) Have significant impacts on public health or safety?</p> <p>Rationale: Replacing the existing boat ramp with improved materials will have no impacts on public health or safety therefore would have no significant impacts on public health or 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 project area is located within a designated recreation site of the Marys Peak Resource Area. Project activities are of small context and intensity and are designed to enhance visitor experiences and safety. Projects are not located in any refuge lands, wilderness areas, wild or scenic rivers, or national natural landmarks. No aquifers, floodplains, prime farmlands, wetlands, national monuments, or other ecologically significant or critical areas are present in the project 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 replacing the existing boat ramp with improved materials are not controversial and there are no unresolved conflicts concerning alternative uses of available resources.</p>		No

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p>Rationale: The effects of replacing a deteriorating boat ramp 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 a boat ramp replacement does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration.</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 replacing a deteriorating boat ramp with improved materials; therefore, there are no significant cumulative effects as a result of these actions.</p>		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: No listed or eligible properties are within the project area.</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:</p> <p>Botany: There are no known agency special status plant or fungi species currently found at the site and replacement of the existing boat ramp structure with improved materials is not expected to have significant impacts to listed or proposed T&E species, or to critical habitat for these species.</p> <p>Wildlife: There would be no modification of suitable habitat for T&E wildlife species. Daily timing restriction would ensure that no disturbance would occur to marbled murrelets that may be present in adjacent unsurveyed suitable habitat.</p> <p>Fisheries: The proposed actions affects to Endangered Species Act listed threatened Oregon Coast coho salmon is covered by the <i>Endangered Species Act Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Conservation Recommendations for the Programmatic Activities of USDA Forest Service, USDI Bureau of Land Management, and Coquille Indian Tribe of Western Oregon (2010/02700)</i>. The 30 day pre-notification for the project was submitted to NMFS on June 11, 2015. No comments were received on the pre-notification.</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: Replacement of the boat ramp with improved materials follows all known Federal,</p>		No

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
State, or local or Tribal laws or requirements imposed for the protection of the environment.		
(j) 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 and adverse human health or environmental effects on minority populations and low-income populations.		No
(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)? Rationale: Minimal ground disturbance is anticipated. The currently existing boat ramp within this area has not resulted in tribal identification of concerns.		No
(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)? Rationale: Noxious weeds currently found at low levels in the Missouri Bend recreation area include <i>Rubus armeniacus</i> , <i>Cytisus scoparius</i> , <i>Geranium robertianum</i> , and <i>Ranunculus repens</i> . The non-native grass <i>Phalaris arundinacea</i> is also present in the immediate vicinity of the existing boat ramp. Ground disturbance for this project is expected to be minimal and therefore the risk of introduction of new invasive plant species or expansion of the range of those aforementioned species already present at the site is considered low.		No

D. Specialist Review and Signature

Interdisciplinary Team Review

Name	Specialty	Initial
Dan Davis	Recreation	<i>DLD</i>
Douglass Fitting	Hydrology and Soils	<i>DWF</i>
Charity Glade	Botany	<i>CBG</i>
Scott Hopkins	Wildlife	<i>DSH</i>
Stefanie Larew	NEPA	<i>SNL</i>
Scott Snedaker	Fisheries	<i>SMS</i>
Heather Ulrich	Archaeology and cultural resources	<i>FMG (for Heather Ulrich)</i>

Authorized Official: _____ /s/ Diane Morris

Date: 8/7/2015

Name: Diane Morris

Title: Acting Marys Peak Field Manager

Contact Person

For additional information concerning this CX review, contact Jay Moeller, Acting Manager, Yaquina Head Outstanding Natural Area, 750 NW Lighthouse Dr., Newport, OR 97365, (541) 574-3145.

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

Decision Record

Based on the attached Categorical Exclusion Documentation DOI-BLM-OR-S050-2015-0007-CX, I have determined that the proposed action, replacement of an existing, deteriorating boat ramp with newer, improved materials involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to replace the existing boat ramp, as described in the attached Categorical Exclusion Documentation DOI-BLM-OR-S050-2015-0007-CX.

Administrative Remedy: Notice of the decision to be made on the action described in this categorical exclusion will be posted on the Salem District website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Implementation: This project will be implemented August 15, 2015 or 2016.

Contact Person: For additional information concerning this CX review, contact Jay Moeller, Acting Manager, Yaquina Head Outstanding Natural Area, 750 NW Lighthouse Dr., Newport, OR 97365, (541) 574-3145.

Authorized Official: /s/ Diane Morris
Diane Morris
Acting Marys Peak Field Manager

Date: 8/7/2015