

Categorical Exclusion Documentation for All Projects Other Than Hazardous Fuels and Fire Rehabilitation Projects

A. Background

BLM Office: Marys Peak Resource Area

Lease/Serial/Case File No: NA

Categorical Exclusion Number: DOI-BLM-OR-S050-2009-0008-CX **Date:** 6/12/2009

Proposed Action Title/Type: Gooseneck Road and Mill Creek Road Fish Log Donation

Location of Proposed Action: Project is located in Township 7 South, Range 7 West, Sections 3, 11 and 15 in Polk County. Down trees are located along Roads 7-7-4 and 7-6-8 (Mill Creek Road). Map 1 indicates known sites where logs are available for removal.

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

Description of Proposed Action: For all project sites remove approximately 40 pieces of fallen timber across or adjacent to the existing road network. Logs will be transported to a staging area, located on private property. Logs will be utilized in future stream restoration activities. The logs will remain the property of the BLM. Project activities will utilize a log truck only.

Project Design Features:

- No heavy equipment is allowed off the existing roads.
- Within 50 feet of streams no removal of down trees allowed from the fillslopes or cutslopes of the road; removal allowed within 50 feet of streams from the running surface of the road so long as removal actions do not disturb stream channels.
- Sow grass seed areas where mineral soil have been displaced. Sow with 100% Oregon Certified (blue tag) *Festuca rubra* (red fescue) at a rate equal to 40 pounds per acre. The Authorized Official will determine the need for sowing based on the amount of soil disturbed.

B. Land Use Plan Conformance:

Land Use Plan Name: Salem District Record of Decision and Resource Management Plan (RMP)

Date Approved/Amended: May, 1995

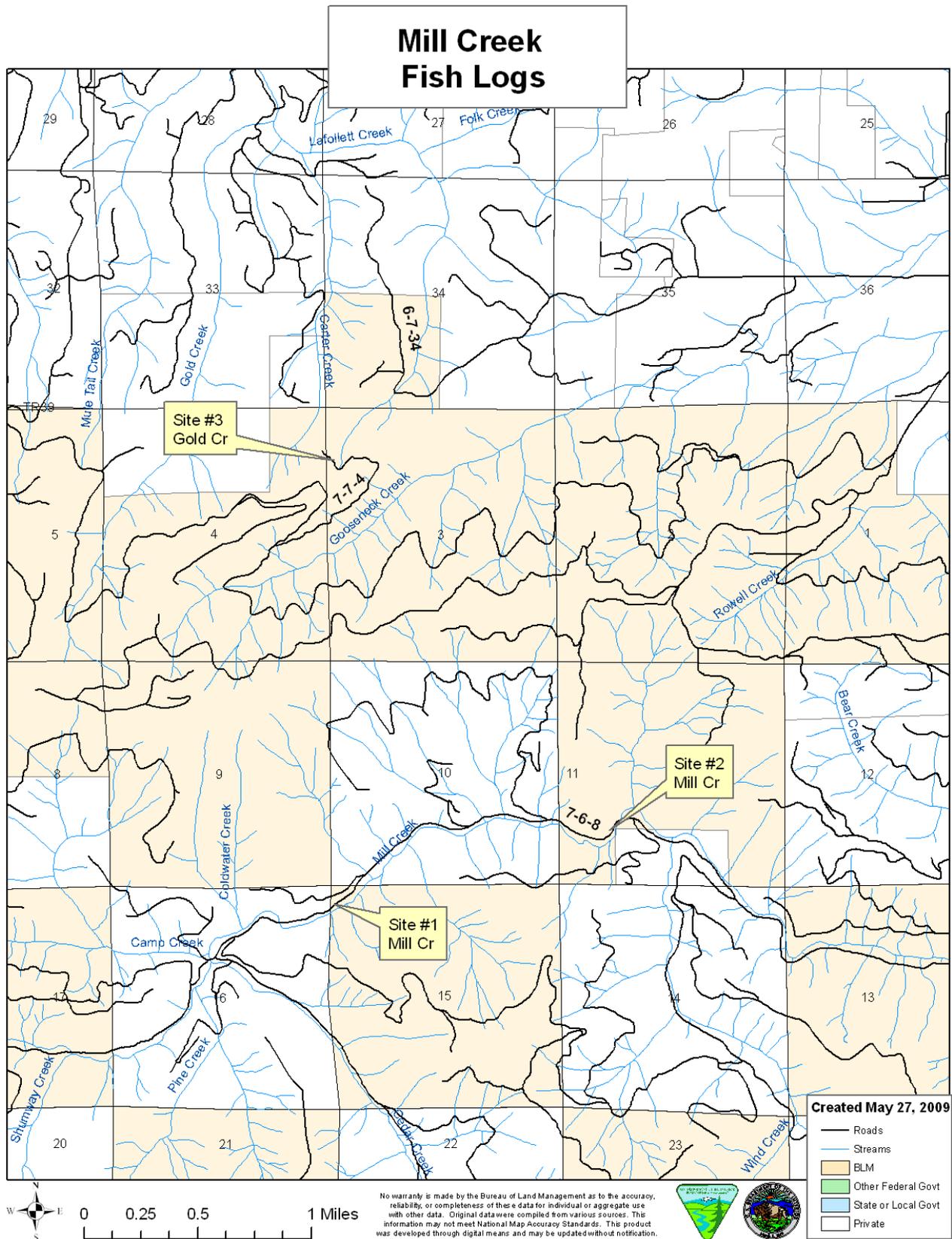
This project conforms with the 2008 Record of Decision and Resource Management Plan (2008 ROD/RMP) and is also consistent with the objectives, land use allocation, and management direction of the 1995 Record of Decision and Resource Management Plan (1995 ROD/RMP) as amended. The design of this project will not have differed under either the 2008 or the 1995 Plans. This proposal also complies with the direction given for the management of public lands in the Salem District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979. The design features for this

project that is consistent with the 1995 RMP and with the 2008 RMP include:

Table 1: Summary of Comparison between 1995 RMP and 2008 RMP

Design Feature	1995 RMP	2008 RMP
Land Use Allocation	Late Successional Reserve/Riparian Reserve	Late Successional Management Area/Riparian Management Area
Management Direction	This action will help to “restore the distribution, diversity, and complexity of watershed and landscape features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted;” one of the objectives identified in the Aquatic Conservation Strategy (ACS) on page 5-6 of the 1995 RMP.	Removal of trees as needed for road maintenance (pp 36, 39 and 40. In addition, the 2008 RMP pg. 39 provides Management Direction for the implementation of stream restoration projects.

Map 1: Map of location of trees to be removed for instream fish logs



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 the “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 removal requires no more than maintenance to existing roads.”

Categorical Exclusions: Extraordinary Circumstances Review

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? Rationale: Proposed log removal and transport to a staging area will have no impacts on public health or safety therefore will have no significant impacts on public health or safety.</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? Rationale: No unique geographical characteristics are within the project area or affected by this project.</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)]? Rationale: The effects of log removal and transport to a staging area are not controversial and there are no 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? Rationale: Proposed log removal and transport to a staging area 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>2.5/ Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? Rationale: Implementation of proposed log removal and transport to a staging area do not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. See 2.4.</p>		No
<p>2.6/ Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? Rationale: There are no cumulative effects associated with log removal and transport to a staging area; therefore there are no significant cumulative effects as a result of these actions.</p>		No
<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? Rationale: No eligible or listed properties are affected. See 2.2 above.</p>		No
<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? Rationale: Fisheries: The stream channels in proximity to the project sites are not designated as ESA listed Upper Willametter River winter steelhead critical habitat.</p>		No

Table 2: Categorical Exclusions: Extraordinary Circumstances Review		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
Downstream barriers prevent winter steelhead from accessing habitat adjacent to the project sites in Mill Creek or Gold Creek. Due to limited hydrologic connectivity and the substantial distance downstream to occupied habitat no effects to listed steelhead are anticipated. Wildlife: Since only the lands within the existing road prisms will be affected there will be no habitat modification or destruction associated with the action. Since these are long established and moderately to well used roads, future noise levels will not be above ambient road noise levels; therefore the action will have no effect on spotted owls, marbled murrelets or their critical habitats		
2.9/ Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment? Rationale: Proposed log removal and transport to a staging area follow all known Federal, State, or local or Tribal laws or requirements imposed for the protection of the environment.		No
2.10/ 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 and adverse human health or environmental effects on minority populations and low-income populations.		No
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)? Rationale: No new ground disturbance is anticipated. Past harvest within these areas have not resulted in tribal identification of concerns.		No
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)? Rationale: No increase in exposed mineral soil above the current level is expected subsequently the risk rating for the long-term establishment of noxious weed species and consequences of adverse effects is low.		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.

Elements of the Environment	Status: Not Present, Not Affected, or Affected	Remarks
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 Affected	This action will have no effect on MSA species or EFH.
Hazardous or Solid Wastes	Not Present	No hazardous or solid wastes are on the lands proposed to be added to the right-of-way agreement. 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 Special Status Species sites, and no habitat modification will occur.

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.

<i>Components</i>	<i>Effect</i>	<i>Remarks /References</i>
Riparian Reserves	None	The proposed action entails loading and transporting three loads of logs from the Riparian Reserves, eventually placing the logs in stream channels. Although the proposed action takes place within the Riparian Reserve land use allocation, loading and transporting three loads of logs are predicted to maintain riparian resources due to short duration and minimal disturbance.
Key Watershed	None	Not in a key watershed
Watershed Analysis	None	<i>Rowell, Mill, Rickreall, Luckiamute Rivers Watershed Analysis Watershed Analysis, 1998</i>
Watershed Restoration	None	The proposed action is considered a component of the resource area's watershed restoration program, as it will provide logs for future restoration needs on private land. The transport of forty logs will not have an adverse effect to the environment.

Table 4: Consistency with the Nine Aquatic Conservation Strategy Objectives

Aquatic Conservation Strategy Objectives (ACSOs)	Gooseneck Road and Mill Creek Road Fish Log Donation
<i>1. Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features.</i>	Does not prevent the attainment of ACSO 1 . The removal of 40 blow-down trees, from three sites, will not affect the complexity and diversity of the watershed and landscape scale features.
<i>2. Maintain and restore spatial and temporal connectivity within and between watersheds.</i>	Does not prevent the attainment of ACSO 2 . No live standing timber will be felled. Numerous downed logs will be left at sites 1 and 3. Site 2 is limited to three individual logs in the road prism targeted for removal. No changes to the spatial and temporal connectivity between watersheds will be affected by this project.
<i>3. Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.</i>	Does not prevent the attainment of ACSO 3 . With implementation of design features, banks and bottoms of the streams will not be affected due to the removal of these trees.
<i>4. Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.</i>	Does not prevent the attainment of ACSO 4 . No disturbance to stream channels, or forest canopy, will occur during removal. Operations will be restricted to the dry season, generally May 15 through October 15, further protecting water quality. Water quality will not be affected due to the removal of these trees.
<i>5. Maintain and restore the sediment regime under which aquatic ecosystems evolved.</i>	Does not prevent the attainment of ACSO 5 . No disturbance to stream channels will occur during removal, and operations will be restricted to the dry season, generally May 15 through October 15. With implementation of projects design features the removal of 40 trees will not affect the sediment regime.

Aquatic Conservation Strategy Objectives (ACSOs)	Gooseneck Road and Mill Creek Road Fish Log Donation
<i>6. Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.</i>	Does not prevent the attainment of ACSO 6 . No disturbance to stream channels, or forest canopy, will occur during removal. The road network will be unchanged as a result of this project. No changes in forest canopy or drainage network are expected; therefore, this project will not affect stream flows.
<i>7. Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.</i>	Does not prevent the attainment of ACSO 7 . The main stem of Mill Creek, in the areas of blow down, has very high banks and does not access its flood plain. No trees will be removed from the bankful area of any stream channel. This project will not directly affect flood plain inundation. Project logs will eventually be placed in stream channels thus restoring floodplain function and water table elevations.
<i>8. Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands.</i>	Does not prevent the attainment of ACSO 8 . This project will not affect the composition and diversity of plant communities in wetlands or riparian areas. Trees targeted for removal are dead and will have no effect on this objective.
<i>9. Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.</i>	Does not prevent the attainment of ACSO 9 . This project will not be expected affect plant, invertebrate, and vertebrate riparian dependant species. Trees targeted for removal are dead; therefore no effects will occur to plant species. No disturbance to stream channels, or forest canopy, will occur during removal. However, isolated pockets of habitat for invertebrate and vertebrate species underneath and within the down wood may be affected by proposed log removal. However, numerous downed logs will be left at sites 1 and 3, protecting riparian dependent habitat. Project logs will eventually be placed in stream channels thus restoring habitat for riparian dependent species.

D. Signature:

Specialist Review and Concurrence: None required or

Review Required	Review Not Required	Resource	Name	Initial
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aquatic/Fisheries	S. Snedaker	<i>SS</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Botany	R. Exeter	<i>RE</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cultural Resources	D. Calver	<i>DC</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydrology/Soils	S. Wegner	<i>SW</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NEPA Compliance	G. Humbard	<i>GH</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NRSA	D. Morris	<i>DM</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Recreation	T. Meredith	<i>TMM</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Team Lead	S. Snedaker	<i>SS</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wildlife	G. Licata	<i>GL</i>

Authorized Official: *Trish Wilson*

Date: 6/22/09

Name: Trish Wilson

Title: Marys Peak Resource Area Field Manager

Contact Person: For additional information concerning this CX review, contact Scott Snedaker, Fish Biologist, Salem BLM, 1717 Fabry Rd, Salem, Ore. 97306. (503)315-5928.

6/22/09

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

Decision Record

Based on the attached Categorical Exclusion Documentation OR-S050-2009-0008-CX, I have determined that the proposed action, proposed log removal and transport to a staging area involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to implement the proposed removal of fish logs and transport to a staging area for future instream restoration, as described in the attached Categorical Exclusion Documentation OR-S050-2009-0008-CX.

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 (c), a notice of decision will be published in local newspaper. 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 the restoration project. Under 43 CFR 5003.3 (b), protest 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 implemented July/August 2009.

Contact Person: For additional information concerning this CX review, contact Scott Snedaker, Fish Biologist, Salem BLM, 1717 Fabry Rd, Salem, Ore. 97306. (503)315-5928.

Authorized Official: 
for Trish Wilson
Marys Peak Resource Area Field Manager

Date: 7/01/2009