

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT OFFICE
Marys Peak Resource Area
Lincoln County, Oregon

CATEGORICAL EXCLUSION REVIEW - NEPA COMPLIANCE RECORD

Project: Miami Corporation Amendment

Date: March 29, 2007

Categorical Exclusion Number: OR-080-07-02

Location: BLM Lands: Township 7 South, Range 9 West, Section 23 (E $\frac{1}{2}$,SE $\frac{1}{4}$), W.M.

Land Use Allocation(s): Adaptive Management Area (AMA) and Riparian Reserve (RR)

Description of Proposed Action including Purpose of and Need for Action: Miami Corporation is seeking permanent access across BLM controlled road #8-8-6 for timber management activities.

To accomplish this, the BLM would need to amend R.W.A. OR044600 (S-672) to add the lands as described above. Subsequent to the amendment a supplement letter would detail the use of the existing 8-8-6 road.

Land Use Plan Conformance: The proposed action is in conformance with the *Salem District Record of Decision and Resource & Management Plan (RMP)*, dated May 1995 as amended Right-of-Way p.55; topic: Continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans, Oregon statewide planning goals and rules, and the exclusion and avoidance areas identified in this resource management plan and issue rights-of-way to avoid adverse effects that retard or prevent attainment of Aquatic Conservation Strategy objectives; *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl*, April 1994 (the Northwest Forest Plan, or NWFP); *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl*, March 2004 (SSSP); *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests within the Range of the Northern Spotted Owl*, *Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy*, March 2004 (ACSROD).

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NEPA Review: The proposed action qualifies as a categorical exclusion under Department of Interior Manual 516 DM 11, 11.5, H, (4), which allows for use of an existing road for the same or similar purposes. The action has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2, apply (see Table 1: Categorical Exclusion Exception Review) and if any of the environmental elements are affected (see Tables 2, 3 and 4).

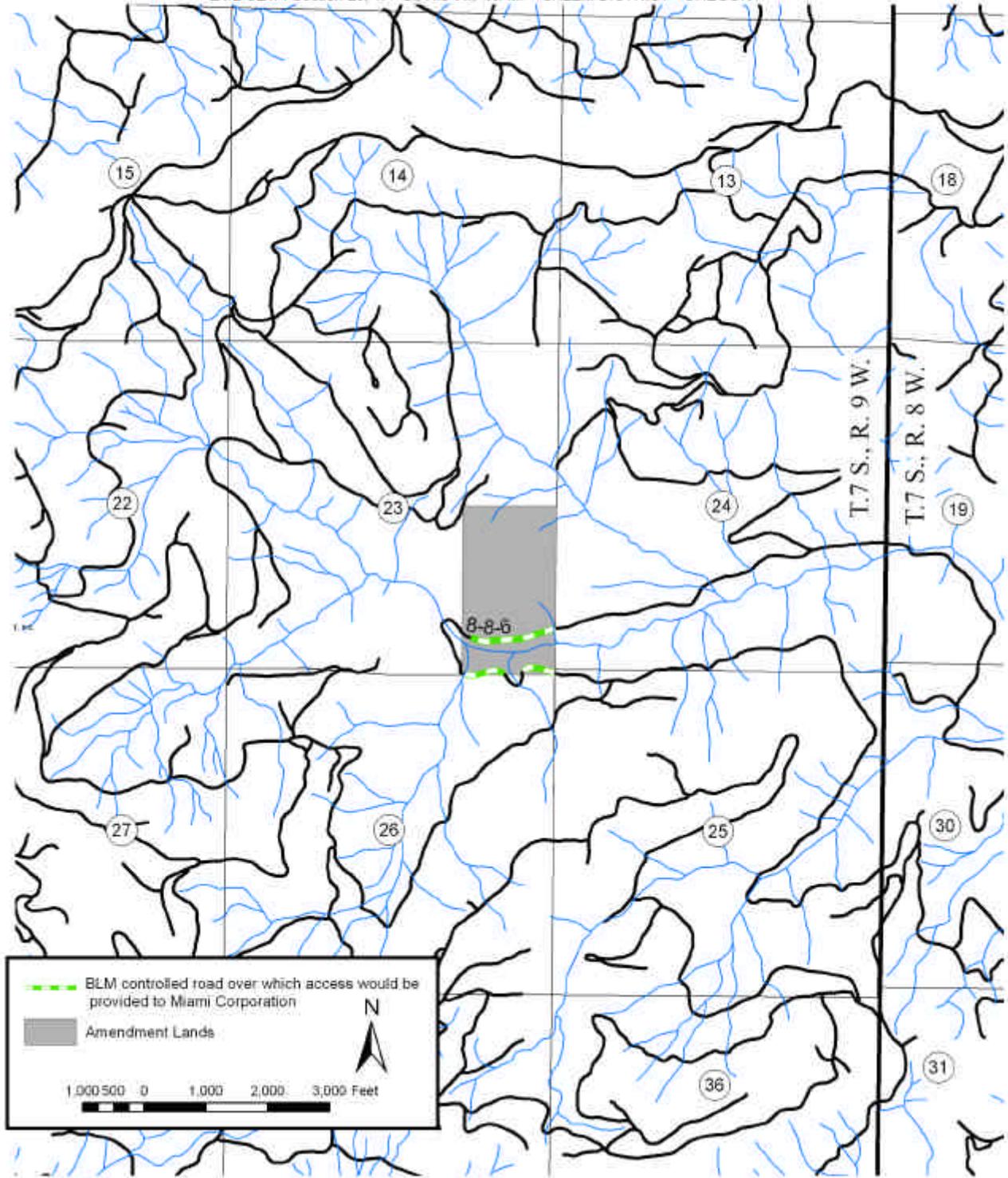
Reviewed by: _____
NEPA Coordinator

Date: _____

April 4, 2007

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Miami Corporation Amendment
PROJECT LOCATION MAP

E1/2 SE1/4 Section 23, T. 7 S., R. 9 W., W. M. - SALEM DISTRICT - OREGON



CATEGORICAL EXCLUSION EXCEPTION REVIEW

Table 1 shows the exceptions (Extraordinary Circumstances) to Categorical Exclusions that are listed in the Department of Interior Departmental Manual 5.16 DM 2, Appendix 2. An Environmental Document (Environmental Assessment or Environmental Impact Statement) must be prepared for any action for which any of these exceptions apply:

Table 1: Categorical Exclusion Exception Review		
Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
2.1/ Have significant impacts on public health or safety	No	All proposed activities follow established rules concerning health and safety.
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 (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	No	No unique geographical characteristics are within the project area or would be affected by this project.
2.3/ Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].	No	Based on past experience from this type of activity, there are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses.
2.4/ Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No	Past experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown risks.
2.5/ Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	No	Similar actions have taken place throughout the district and there is no evidence that this type of project would establish a precedent or decision for future action.
2.6/ Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No	The BLM has conducted this type of activity in the past with no significant direct, indirect, or cumulative effects.
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.	No	No eligible or listed properties are affected. See 2.2 above.
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.	No	See Table 2: Threatened or Endangered (T/E) Species or Habitat
2.9/ Violate a Federal law, or a State, local, or tribal law or requirement 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).	No	See Table 2: Environmental Justice

Table 1: Categorical Exclusion Exception Review		
Exception	Does it Apply? Yes/ No	Remarks (Potential for Exception)
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).	No	See Table 2: Native American Religious Concerns
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).	No	See Table 2: Invasive, Nonnative Species

ENVIRONMENTAL ELEMENTS REVIEW SUMMARY

The interdisciplinary team reviewed the elements of the environment, required by law, regulation, Executive Order and policy, to determine if they would be affected by the proposed action. Table 2 (Critical Elements of the Human Environment from BLM H-1790-1, Appendix 5) and Table 3 (Other Elements of the Environment) and Table 4 (Aquatic Conservation Strategy Summary) summarize the results of that review. Affected elements are **bold**. Unless otherwise noted, the effects apply to the proposed action; and the No Action Alternative is not expected to have adverse effects to these elements.

<i>Table 2: Environmental Review for the Critical Elements of the Environment (BLM H-1790-1, Appendix 5)</i>		
<i>Critical Elements Of The Human Environment</i>	<i>Status: (i.e., Not Present, Not Affected, or Affected)</i>	<i>Remarks</i>
Air Quality (Clean Air Act)	Not Affected	The proposal does not involve any actions which affect air quality.
Areas of Critical Environmental Concern	Not Affected	The Valley of the Giants ACEC is located within two air miles of the proposed action, but would not be directly impacted.
Cultural, Historic, Palentological	Not Affected	No ground disturbing activities would occur as a result of using the existing BLM controlled road.
Energy (Executive Order 13212)	Not Present	
Environmental Justice (Executive Order 12898)	Not Affected	The proposed action is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.
Prime or Unique Farm Lands	Not Present	
Flood Plains (Executive Order 11988)	Not Affected	The proposed action would result in use of an existing road and will not change the character of the river floodplain, change floodplain elevations, or affect overbank flooding.
Hazardous or Solid Wastes	Not Affected	No hazardous waste would be produced by the proposed action.

Table 2: Environmental Review for the Critical Elements of the Environment (BLM H-1790-1, Appendix 5)

Critical Elements Of The Human Environment		Status: (i.e., Not Present, Not Affected, or Affected)	Remarks
Invasive, Nonnative Species (Executive Order 13112)		Affected	Because this area is commercially managed, as a right of way, additional noxious weed infestation(s) are a continuous threat. However, the species that occur within this area are widespread throughout western Oregon and biological control is most effective. In addition, Marys Peak Resource Area has an integrated weed management plan and is actively controlling noxious weeds within Lincoln County.
Native American Religious Concerns		Not Affected	No new ground disturbance is anticipated. Past management activities in area have not resulted in tribal concerns.
Threatened or Endangered (T/E) Species or Habitat	Fish	Not Affected	Oregon Coastal (OC) coho salmon were determined to not warrant listing by NOAA Fisheries. The proposed action is located approximately 11.2 miles up stream of the nearest known presence of OC coho salmon in the Siletz River. The proposed action would not affect OC coho salmon..
	Plants	Not Affected	There are no known sites of any T&E vascular plant, lichen, bryophyte or fungi species within the proposed project area. Nor does the project right of way provide habitat for any of these species.
	Wildlife (including designated Critical Habitat)	Not Affected	The proposed action on BLM lands would result in no effect to northern spotted owls, bald eagles, and marbled murrelets. The forest on the BLM land is less than 40-years old, and is surrounded by more heavily managed industrial lands. There is no critical habitat that would be affected by this action.
Water Quality (Surface and Ground)		Affected	The project area is in the vicinity of North Fork Siletz River, which flows approximately 8.33 miles to it's confluence with Siletz River. The Siletz River is ODEQ 303d listed for exceeding state water temperature standards from rivermile 7 to rivermile 46. However, the proposed action would not alter existing riparian timber stands or increase the stream drainage network. Therefore, streamside shading or water temperatures would not be affected. Fine road surface sediment would be expected to enter the stream as a result of log haul upon this road, particularly haul occurring during the winter months. However, the quantity of sediment delivered to vicinity streams would be small due to aggregate surfaced roadbed, the short length of BLM road segments affected, and the ability of existing vegetation and duff to filter sediment before it can reach streams. Implementing road improvement/maintenance intended on meeting RMP BMPs would further reduce the amount of surface erosion that may reach the stream channels. Other water quality parameters are unlikely to be affected by the proposed action.
Wetlands (Executive Order 11990)		Not Present	
Wild and Scenic Rivers		Not Present	
Wilderness		Not Present	

Table 3: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)

<i>Other Elements Of The Human Environment</i>	<i>Status: (i.e., Not Present, Not Affected, or Affected)</i>	<i>Remarks</i>
Coastal Zone (Oregon Coastal Management Program)	Not Affected	The proposed action is located within the coastal zone as defined by the Oregon Coastal Management Program. This proposal is consistent with the objectives of the program, and the State planning goals which form the foundation for compliance with the requirements of the Coastal Zone Act. Management actions/directions found in the RMP were determined to be consistent with the Oregon Coastal Management Program.
Essential Fish Habitat (Magnuson-Stevens Fisheries Cons. /Mgt. Act)	Affected	Siletz Falls historically prevented fish passage, except for summer steelhead, into the Upper Siletz basin. Siletz Falls is located approximately 11.2 miles downstream from the proposed action area. ODFW installed a fish ladder over Siletz Falls in the 1950's. Currently ODFW allows passage of Chinook salmon and summer steelhead into the Upper Siletz basin. The proposed project area is approximately 2.2 miles upstream of occupied habitat of Chinook salmon. Hauling thru the proposed road segments during wet seasons could result in sediment transmission from the road surface and ditchlines to the streams channels. Proposed actions also include spot improvement in road surface, and maintenance and upgrades to the road drainage which should minimize sediment reaching stream channels. No adverse affects are anticipated to EFH from the proposed action due to the minor amount of sediment that would be generated by the proposed action and the projects distance from occupied Chinook habitat.
Fire Hazard/Risk	Not Affected	The proposed action would result in the use of an existing BLM road. No construction activities or slash generation would occur as a result of Miami Corporation use.
Forest Productivity	Not Affected	No clearing outside the existing road prism would occur as a result of the proposed action
Land Uses (right-of-ways, permits, etc)	Not Affected	No conflicting land uses exist within the affected BLM land.
Late successional/old growth	Not Present	
Mineral Resources	Not Affected	No known mineral resources would be affected by the proposed action.
Recreation	Not Affected	The Valley of the Giants trail is within two air miles of the proposed action. Dispersed recreational opportunities exist within the vicinity, though vehicle access between the two areas hasn't been possible for some time due to a collapsing bridge.
Rural Interface Areas	Not Present	
Soils	Not Affected	The proposed action utilizes only existing BLM controlled roads and no ground disturbing activities would result.
Special Areas outside ACECs (Within or Adjacent) (RMP pp. 33-35)	Not Present	

Table 3: Environmental Review for the Other Elements of the Environment (Required by law, regulation, policy or management direction)

Other Elements Of The Human Environment	Status: (i.e., Not Present, Not Affected, or Affected)	Remarks
Other Special Status Species/Habitat	Fish	<p>Affected</p> <p>Historically only summer steelhead passed the Siletz Falls into the Upper Siletz basin. The proposed project area is adjacent to occupied habitat of summer steelhead. Hauling thru the proposed road segment during wet seasons could result in sediment transmission from road surface and ditchline runoff to the stream channels. The sediment generated would likely not substantially exceed the level currently allowed under other rights of way usage. The sediment generated by surface erosion during wet seasons would enter small non-fish bearing streams prior to reaching the North Fork Siletz River where some material would be retained in the small stream channels. The sediment which may reach the North Fork Siletz River would likely be of very small amounts, and would likely be imperceptible compared to background turbidity level during the winter freshets. The magnitude of sediment produced would likely be unmeasurable compared to background turbidity and is unlikely to negatively impact summer steelhead in the North Fork Siletz River. Implementing actions such as spot improvement of road surfaces, and maintenance/upgrading the road drainage to direct road surface and ditchline runoff away from stream channels would further minimize sediment reaching stream channels.</p>
	Plants	<p>Not Affected</p> <p>There are no known sites of any vascular plant, lichen, bryophyte or fungi Bureau special status species with the project area, nor is there existing habitat within the right-of-way.</p>
	Wildlife	<p>Not Affected</p> <p>There would be no impacts to other special status wildlife.</p>
Visual Resources	Not Affected	The proposed action would occur in VRM Class IV - high levels of change to the characteristic landscape is permitted.
Water Resources (except Water Quality)	Affected	<p>The proposed action would not alter basin hydrology including stream flow or channel function because it would occur on existing road ways, is relatively small in area, and would not change near-surface or groundwater flow. The primary water right for the North Fork Siletz River has been reserved by the State from the confluence with Warnick Creek downstream for anadromous and resident fish rearing. Water rights downstream of the confluence of the North Fork Siletz have been reserved by the State for aquatic life and recreation. The project would not be located in a municipal watershed. Project design features would be implemented to protect the beneficial uses of project area streamflow.</p>
other Wildlife Structural or Habitat Components (Snags /CWD / Special Habitats, road densities)	Not Affected	The proposed action utilizes only existing BLM controlled roads. Snags, course woody debris, special habitats, and road densities on BLM land would not be altered.

Aquatic Conservation Strategy Review: Table 4 shows the project's effect on the 4 components of the Aquatic Conservation Strategy (1/ Riparian Reserves, 2/ Key Watersheds, 3/ Watershed Analysis and 4/ Watershed Restoration).

Table 4: Aquatic Conservation Strategy Review Summary (RMP pages 5-7)

Components	Effect	Remarks /References
Riparian Reserves	None	The proposed action entails use of an existing BLM road. Although the proposed action takes place within the Riparian Reserve land use allocation, log hauling activities are predicted to maintain riparian resources in an unaltered condition.
Key Watershed	None	The North Fork Siletz River is designated as a key watershed.
Watershed Analysis	None	Upper Siletz Watershed Analysis, dated 1996
Watershed Restoration	None	Although the proposed action is not a component of the resource area's watershed restoration program, it will not have an adverse effect on restoration efforts.

Interdisciplinary Team Review:

Affected Resource	Specialist	Initial	Date
Botany/Vegetation	Ron Exeter	RE	April 9, 2007
Cultural Resources	Dave Calver	DC	3-29-07
Fire Hazard/Risk	Tom Tomczyk	TST	4-4-2007
Fisheries	Scott Snedaker	SS	3-29-07
Hydrology, Water Quality	Patrick Hawe	WPH	4-9-07
Natural Resources Supervisor	Dan Schreindorfer	DS	3-28-07
Recreation, Visual and Rural Interface Resources	Traci Meredith	Tmm	3-29-07
Soils	Tom Tomczyk	TST	4-9-07
Wildlife	Scott Hopkins	SH	3-28-07

Prepared By: Gary Humbard

Date: March 28, 2007

Decision:

I have reviewed this NEPA compliance record and have determined that the proposed project complies with criteria for the categorical exclusions as described under Department of Interior Manual 516 DM 2.3A. None of the exceptions to categorical exclusion apply, nor are any of the environmental impacts to the elements of the environment considered to be significant. Therefore, an environmental assessment or an environmental impact statement is not needed. It is my decision to implement the proposed action, as described, subject to the mitigation measures identified below.

Mitigation Measures/Other Remarks:

Authorized Official: Gerry Day
 Gerry Day, Field Manager *Acting*
 Marys Peak Resource Area

Date: 4/10/07

CX Number: OR-080-07-02 Project: Miami Corporation Amendment