

**U.S. Department of the Interior
Bureau of Land Management**

Categorical Exclusion

Phantom Canyon Cottonwood Hazard Tree Removal

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management



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DOI-BLM-CO-F020-2014-0050 CX

Prepared by
U.S. Department of the Interior
Bureau of Land Management
Canon City, CO

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Chapter 1. Phantom Canyon Cottonwood Hazard Tree Removal

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A. Background

The Fremont County Special Projects coordinator contacted BLM to request removal of cottonwood hazard trees along Fremont County Road 86 (Phantom Canyon Road) that are threatening the safety of users in the area and can cause a future traffic safety hazard. These trees are mature cottonwoods along 8 Mile Creek in the riparian area and many overhang or lean towards the county road. Recent years of drought has caused 8 Mile Creek to dry-up during periods of limited moisture which has resulted in the top-kill of numerous large mature cottonwood trees. The root systems of these trees appear to be alive and young cottonwood sprouts can be found throughout the project area. These young sprouts should provide future stream channel stability.

BLM Office: Royal Gorge Field Office

LLCOF02000

Location of Proposed Action:

T.17S., R.69W., Sections 22, 27, 28, 32, 33 and T.18S., R.69W., Sections 04, 05

Description of Proposed Action:The Fremont County Department of Transportation is requesting BLM to authorize the removal of cottonwood trees along Fremont County Road 86 (FCR 86) that are considered hazardous to human health and safety. The County proposes to remove approximately 40-100 dead trees along the roadway. The County also would like to clear some debris dams that are within the stream channel that may cause a future flooding issue and potentially wash out the roadway. This activity would occur on and adjacent to FCR 86 from the cattle guard entering BLM lands to mile marker 9 on BLM managed Public Lands. A field trip occurred with Fremont County and BLM representatives to look at the project area and understand the County's concerns. The trees will be removed with heavy machinery, limbed with chainsaws, and cut into merchantable segments, then skidded and neatly decked in a wide location along FCR 86 to be removed by a contracted commercial fuelwood harvester. The County plans to close FCR 86 during periods of tree falling and decking. The forestry program will meet with the county special projects coordinator to designate trees to be removed.

6th Principal Meridian
T. 17 S., R. 69 W.
Secs. 22, 27, 28, 32, and 33
T. 18 S., R. 69 W., Secs. 4 and 5

Fremont County
Cooper Mountain 7.5'
Phantom Canyon 7.5'

 Area of Potential Effects

NOTE TO MAP USERS
No warrantee is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of the data layers shown on this map. The official land records of the data providers should be checked or current status on any specific tract of land.

U.S.D.I
Bureau of Land Management
Royal Gorge Field Office
Canon City, CO



1:48,000

NAD 1983 UTM Zone 13N

Miles
0 0.375 0.75 1.5

8/18/2014



B. Land Use Plan Conformance

Land Use Plan Name:

Name of Plan: Royal Gorge Resource Management Plan

Date Approved: 05/13/96

Decision Number: C-16, C-102, C-103, 1-1

Decision Language: Review all hazard sites/areas on a case by case basis. Roads and trails on BLM-administered lands will be maintained by the appropriate holder of rights. BLM will maintain those transportation system roads and trails needed for agency resource management and public use. Vegetation management will be as follows: vegetation will be managed to accomplish other BLM initiatives i.e., riparian, wildlife, etc.; management of forest lands will be for enhancement of other values.

C. Compliance with NEPA:

*Chapter 1 Phantom Canyon Cottonwood Hazard
Tree Removal
B. Land Use Plan Conformance*

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.9, I (1).

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11 I (1). None of the following exceptions in 516 DM 2, Appendix 2, apply.

Table 1.1. Exclusion Criteria

Exclusion Criteria	YES	NO
1. Have significant impacts on public health or safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; lands with wilderness characteristics; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
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.		X
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.		X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on low income or minority populations.		X
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.		X
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.		X

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 DM 2 apply.

Table 1.2. Interdisciplinary Team Review

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Matt Rustand	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds	MR, 10/23/2014
Dave Gilbert	Fisheries Biologist	Aquatic Wildlife, Riparian/Wetlands	DG, 10/27/14
John Smeins	Hydrologist	Hydrology, Water Quality/Rights, Soils	JS, 12/15/14

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Linda Skinner	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	LS, 10/24/2014
Ken Reed	Forester	Forestry	KR, 10/21/14
Michael Troyer	Archaeologist	Cultural, Native American	MT, 12/2/2014
Ty Webb	Fire Management Officer	Fire	TW, 10/20/14

REMARKS:

Cultural Resources: Prehistoric and historic sites are located within the vicinity of the area of potential effect [Report CR-RG-15-075 (P)]. Though several of the resources meet the criteria for National Register of Historic Places eligibility, are considered historic properties, the proposed action will not adversely affect those properties.

Native American Religious Concerns: No possible traditional cultural properties were located during the cultural resources inventory (see above). There is no other known evidence that suggests the project area holds special significance for Native Americans.

Threatened and Endangered Species: Mexican spotted owl area known to inhabit the Phantom Canyon area. However, known spotted owl occupancy typically occur in the side drainages of Phantom Canyon and not at that lower elevation. The portion of Eightmile Creek where the project is to take place does not contain the constituent elements for spotted owl habitat. Therefore, no effect to spotted owl is expected to occur.

Migratory Birds: To be in compliance with the Migratory Bird Treaty Act (MBTA) and the Memorandum of Understanding between BLM and USFWS required by Executive Order 13186, BLM must avoid actions, where possible, that result in a “take” of migratory birds. Pursuant to BLM Instruction Memorandum 2008-050, to reduce impacts to Birds of Conservation Concern (BCC), no habitat disturbance (removal of vegetation such as timber, brush, or grass) is allowed during the periods of May 15 - July 15, the breeding and brood rearing season for most Colorado migratory birds. The provision will not apply to completion activities in disturbed areas that were initiated prior to May 15 and continue into the 60-day period.

An exception to this timing limitation will be granted if nesting surveys conducted no more than one week prior to vegetation-disturbing activities indicate no nesting within 30 meters (100 feet) of the area to be disturbed. Surveys shall be conducted by a qualified breeding bird surveyor between sunrise and 10:00 a.m. under favorable conditions.

Dead trees, or snags are the primary nesting habitat for cavity nesting birds. Snags that do not pose a threat to public safety will be left for migratory bird species that require cavities to rear young.

Forest Management: This area has been closed to personal use fuelwood gathering since 2006. The RGFO forester would like to limit fuelwood collecting of this dead cottonwood to 1 or 2 commercial fuelwood harvesters. There is one local fuelwood harvester interested in this wood. Limiting wood collecting should help to minimize confusion about wood harvesting in this area. The wood to be removed needs to be decked or piled along the County Road in an orderly fashion.

D. Approval and Contact Information

COMPLIANCE PLAN (optional):

*Chapter 1 Phantom Canyon Cottonwood Hazard
Tree Removal
D. Approval and Contact Information*

NAME OF PREPARER: Melissa K. S. Garcia/Ken Reed

SUPERVISORY REVIEW: Sara L. Dawson

NAME OF ENVIRONMENTAL COORDINATOR: /s/ Martin Weimer

DATE: 12/19/14

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Keith E. Berger

Keith E. Berger, Field Manager

12/19/14: