

## **Decision Memorandum on Action and for Application of:**

### **Categorical Exclusion 1.13**

#### **Black Rock Salvage/Restoration**

US Department of the Interior  
Bureau of Land Management  
Burns District Office  
Hines, Oregon

#### **Description of the Proposed Action and the Purpose and Need for the Action**

The primary purpose of the proposed action is to provide post-fire rehabilitation activities within the Black Rock fire. The proposed action is to salvage log approximately 147 MBF (290 CCF) in two units of dead and dying ponderosa pine trees that were burned in the 2006 Black Rock fire area. The objectives are to remove fire-killed trees, lower fuel loading, salvage merchantable timber, provide for snags and down wood debris and plant 20,000 ponderosa pine seedlings. No new road construction is needed and remaining firelines would be closed to discourage future use. Tree removal would be conducted during dry soil conditions or during the winter on snow-covered or frozen ground. Slash at the landings would be piled and burned. Areas where slash exceeds 10 tons per acre would be hand or machine piled and burned later. Skid trails would be seeded; water barred and smaller slash scattered to reduce erosion. Disturbed areas will be rehabilitated as soon as possible.

Cultural resource surveys have been completed over the entire project area and no important cultural resource properties were identified. There are no known weed issues within the project area. The proposed action will be conducted in two phases, Black Rock north and Black Rock south. Implementation of Black Rock north would occur when the analysis is completed, sale notice advertised and protest period completed. Black Rock south would occur when the analysis is completed, forest management decision advertised, protest period completed and would be timed in conjunction with the Malheur National Forest sale.

The project is located approximately 21 air miles northeast of Burns, Oregon. The units are located in T.19S. R.32E., Section 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ ; T.20S. R.32E., Section 10, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ ; T.20S. R.32E., Section 03, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ; T.20S. R.32E., Section 10, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; T.20S. R.32E., Section 03, SE $\frac{1}{4}$ SE $\frac{1}{4}$

#### **Plan Conformance**

The proposed action is in conformance with the Three Rivers RMP/FEIS. Appendix One<sup>1</sup> Best Management Practices of the Three Rivers RMP/FIES recommends snag retention as found in the Agriculture Handbook<sup>2</sup> No. 533 of 2.25 snags per acre. Management

---

<sup>1</sup> Three Rivers Resource Management Plan, 1992. pg Appendices 5.

<sup>2</sup> Anderson, Ralph G., et al., Wildlife Habitats in Managed Forest the Blue Mountains of Oregon and Washington. Agriculture Handbook No. 533. 1979. pg 72.

Action F 1.8<sup>3</sup> supports treatment of slash in excess of 10 per acres. Management Action V 1.6<sup>4</sup> Application of weed control.

### **Compliance with the National Environmental Policy Act**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, 1.13. Post-fire rehabilitation activities not to exceed 4,200 acres (such as tree planting, fence replacement, habitat restoration, heritage site restoration, repair of roads and trails, and repair of damage to minor facilities such as campgrounds) to repair or improve.

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. For this project none of the exceptions apply. The extraordinary circumstances are contained in 516 DM 2, Appendix 2.

I considered that three pertinent situations were brought up during design. The three situations are 1) Historic or cultural resources that may be discovered during project implementation, 2) Monitoring of noxious weeds would be conducted for two years after treatment, and 3) Retention of snags and large woody debris. If cultural resources are found they would be avoided until they can be evaluated and determinations of effect can be completed. Weeds would be treated using the most appropriate methods if discovered during post project monitoring. At least two snags of 16 inch diameter and greater will be retained per acre for wildlife use and shading. Where trees of 21 inches or greater are not found, four smaller diameter trees will be retained to meet snag and woody debris requirements.

### **Persons and Agencies Consulted**

Local land owners consulted were grazing leasee 362095 for East Creek – Pine Hill allotments. The leasees had two comments, 1) Repair the pasture fences before next grazing period and 2) expressing support of salvage or use of burnt timber within the 2006 Black Rock fire area. In addition, BLM asked permission to use the private road through the leasees' property. The leasees granted the BLM temporary use of the private road for the duration of the project.

The Malheur N.F., Emigrant Ranger District was consulted to determine if salvage of dead and dying timber and restoration of forest habitat was considered on their administered land. The District Ranger had determined that the Black Rock area would be a proposed project. The consultation was needed to determine if the BLM could salvage dead and dying timber on adjacent BLM administered land. It was determined that a joint project to salvage and restore forest habitat would be beneficial to the tax payer.

---

<sup>3</sup> Three Rivers Resource Management Plan, 1992. pg 2-24.

<sup>4</sup> Three Rivers Resource Management Plan, 1992. pg 2-53.

## **Decision and Rationale on Action**

I have decided to implement the Black Rock salvage and restoration project by removing 147 MBF of fire-killed trees and planting 20,000 ponderosa seedlings. Additionally the project would reduce fuel loading, salvaging merchantable timber, and provide for snags and down wood debris to meet the purpose and need. I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

## **Implementation Date**

This project will be implemented upon completion of analysis, advertisement of decisions and protest periods completed.

/signature on file/

9/25/06

Joan M. Suther

Date

Three Rivers Resource Area Field Manager

## **Administrative Review or Appeal Opportunities**

The advertisement of the timber sale notice and forest management decision in the Burns Times Herald will initiate the 15-day protest period provided for under 43 CFR Section 5003.3 – Administrative Remedies. If no protests are received, this decision will become effective upon the conclusion of the protest period. If a timely protest is received, this decision will become effective upon the BLM's completion of its review and response to the protest. Any contest of this decision should state specifically which portion or element of the decision is being protested and cite the applicable CFR regulations.

## **Contact Person**

For additional information concerning this decision, contact:

Tim Newkirk, Forester  
Burns District Office  
28910 Highway 20 West  
Hines, Or 97738  
541-573-4469