

**RECORD OF PLAN CONFORMANCE AND
CATEGORICAL EXCLUSION (CX) DETERMINATION
Bureau of Land Management (BLM)**

Project Name: Klamath Falls Resource Area Hazard Tree Removal CX Log #: CX-08-07
Location: Resource Area-wide Case File #: N/A
BLM Office: Lakeview District, Klamath Falls Resource Area County: Klamath County, Oregon

A. Background

Description of Proposed Action:

The proposed action is to identify and fall hazard/danger trees within falling distance of commonly used open roads or use areas accessible by the public and gated roads accessible by BLM employees in the Klamath Falls Resource Area (KFRA). A hazard/danger tree is defined by Oregon - Occupational Safety and Health Administration (OR-OSHA) as: “A standing live or dead tree, including snags, with evidence of deterioration or physical damage to the root system, trunk, or stem. When determining if a tree is dangerous, the degree and direction of lean shall be an important factor.” Hazard tree removal efforts will focus on areas most likely to receive high recreational/public use (such as around campgrounds, trail systems, etc.). Individual hazard/danger trees will be identified and flagged by KFRA personnel qualified to identify hazard trees.

Prior to cutting, a map will be presented to the KFRA interdisciplinary team showing areas where hazard trees have been identified to ensure there are no conflicts with other resources. Trees identified as hazardous will be examined for signs of cultural modification (bow staff trees, cambium trees, bearing trees, telephone/telegraph trees, etc.) and old growth or wildlife values (Appendix B). After appropriate clearances and approval in writing from the Field Manager, trees will be felled by qualified personnel. If needed, flaggers will stop traffic on roads where trees are being fallen. Wherever possible, trees will be felled away from roads. Trees or debris landing on the roadways will be cleared and slash scattered or hand piled as appropriate. Where not in conflict with other resources, hazard tree volume will be salvaged for firewood, sawlogs, and/or biomass.

Purpose and Need for the Project:

The purpose of the proposed action is to remove potential hazards to the general public and KFRA personnel.

B. Proposed Implementation

This proposed action is expected to be implemented as needed on an annual basis indefinitely into the future.

C. Land Use Plan Conformance

Land Use Plan Name, Date Approved:

Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS), approved June 1995

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

Page 2-123 of the KFRA RMP/EIS (Management Direction Common to all Alternatives) it is stated:
“Trees could be cut or removed...to provide for the safety of forest users (this includes hazard tree removal in camp and picnic grounds, in administrative sites, and along trails and roads open to the public);...”

The proposed project has also been found to be in conformance with the Oregon - Occupational Safety and Health Administration (OR-OSHA), Oregon Administrative Rule 437, 6F(5) which states: “All danger trees that can fall or slide onto roadways shall be felled a safe distance back from the roadway.”

D. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.5, C(2) – “*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 the removal requires no more than maintenance to existing roads.*” This categorical exclusion is appropriate because there are no extraordinary circumstances potentially having effects that may significantly affect the environment as documented in the following table. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

CX Extraordinary Circumstances Documentation		
The proposed categorical exclusion action will:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: The action is proposed specifically to provide for public safety, but will not create any significant impact.		
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.		X
Rationale: No significant impacts on any resources.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: This is routine work and not highly controversial.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: This is routine work and effects are not uncertain or unknown.		
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: No precedence is established with this work.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: Because of the small number of trees needing to be removed annually, this action will not cumulatively have significant effects when considered with other actions.		
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.		X
Rationale: No impacts on NHRP properties.		
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.		X
Rationale: While individual trees that need to be removed may exist within critical habitat, the small number of trees needing to be removed annually would not result in significant effects on TES species.		
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: This action would not violate laws.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: There should be no effect on low income or minority populations.		
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).		X
Rationale: There should be no change in access to any sacred sites.		
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).		X
Rationale: Standard weed mitigation measures will be applied as necessary (Appendix A).		

E. Surveys and Consultation

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary (appropriate fields are Initialed and Dated by responsible resource specialist):

Surveys	Are Completed	Will Be Completed	Are Not Needed
SS Animals			SGH 03/25/08
SS Plants			LW 2/28/08
Cultural Resources			MAD 2/29/08
Consultation	Is Completed	Will Be Completed	Is Not Needed
SS Animal Consultation*	SGH 03/03/08		
Botanical Consultation			LW 2/28/08
Cultural Consultation			MAD 2/29/08
*(SS = Special Status)			

Remarks:

F. Decision Rationale

The proposed action would not create adverse environmental effects, meet any of the above extraordinary circumstances, or fail to comply with Executive Order 13212 (Actions to Expedite Energy-Related Projects) – to avoid direct or indirect adverse impact on energy development, production, supply, and/or distribution.

It is my decision to proceed with the Proposed Action.

G. Signature

Authorizing Official: /s/ Donald J. Holmstrom Date: 3/26/08
(Signature)

Name: Donald J. Holmstrom
Title: Field Manager, Klamath Falls Resource Area

H. Contact Person

For additional information concerning this CX review, contact:

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Appendix A – Weed Mitigation Measures

All vehicles and equipment will be cleaned off prior to operating on BLM lands. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

High concentrations of noxious weeds in the immediate area of mechanical operations shall be mowed to ground level prior to the start of project activities.

All equipment and vehicles operating off of main roads shall be cleaned off prior to leaving the job site when the job site includes noxious weed populations. Removal of all dirt, grease, and plant parts that may carry noxious weed seeds or vegetative parts is required and may be accomplished with a pressure hose.

Appendix B – Wildlife Mitigating Measures

Terrestrial Species

Implement seasonal restrictions for activities near known nest sites (RMP/ROD Pgs 34 and 38)

Prior to utilizing hazard trees, ensure coarse woody debris requirements are met: West-side lands -120 linear feet per acre of greater than or equal to 16” in diameter and 16 foot long; East-side lands – 50 linear feet per acre of greater than or equal to 12 inches and 8 feet in length. Decay Class 1 and 2 logs will count towards these totals (RMP/ROD pgs23-26). If not met, leave downed tree on site to meet those totals.

When feasible minimize/avoid impacts to nesting migratory birds by implementing Best Management Practices as described in W.O. IM 2008-050 under Project Level NEPA Guidance.

Fish

The potential exists for actions to occur within any of the riparian buffers associated with forested stands. Key management practices were noted in the Salvage EA description of riparian treatments that would protect riparian and aquatic resources including:

- 40 foot no-entry for thinning near perennial and fish bearing streams/20 foot no-entry for intermittent streams
- No salvage of timber within the inner half of the Riparian Reserve (RR)
- No salvage of timber within any of the RR unless snags and downed debris targets are met
- Hazard trees could be felled in the RR, but would be left in place or moved according to wildlife and aquatic resource needs
- The implementation of the proposed PDF's associated with the Salvage EA, particularly those associated with riparian areas would be expected to further minimize potential impacts to listed suckers (see attached PDF's)