

United States Department of the Interior
 Bureau of Land Management
 Coos Bay Field Office
 1300 Airport Lane
 North Bend, Oregon 97459

Home page: www.or.blm.gov/coosbay E-mail: coos_bay@or.blm.gov
 Telephone: (541) 756-0100 Toll Free: (888) 809-0839 FAX: (541) 751-4303

Categorical Exclusion Documentation

A. Background

Project Name: 2009 and 2010 Coos Bay District Sample Tree Falling

Date: 11/3/2008

Categorical Exclusion Number: DOI-BLM-OR-120-2009-0006-CX

Location: The general project area is the Coos Bay District. Individual units occur in the following locations:

Sale Name	Land Use Allocation	Location/Legal
Umpqua Field Office 2009		
North Soup Rethin	Late Successional Reserve (LSR)	T. 23 S., R. 9 W., Sec. 16
Oak Meadow & Prairie Restoration	GFMA	T. 19 S., R. 9 W., Sec. 23 T. 22 S., R. 8 W., Sec. 33
Little Paradise DM/CT	LSR	T. 21 S., R. 7 W., Sec. 31, 35 T. 22 S., R. 7 W., Sec. 8 T. 22 S., R. 8 W., Sec. 1
Paradise Tie DM	LSR	T. 21 S., R. 8 W., Sec. 13, 23, 24, 25
Myrtlewood Field Office 2009		
Scattered Skeeter	LSR	T. 27 S., R. 9 W., Sec. 19 T. 27 S., R. 10 W., Sec. 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 35
Mister Slate CT	GFMA	T. 30 S., R. 9 W., Sec. 17, 21, 33
Rock Bottom CT	GFMA	T. 29 S., R. 9 W., Sec. 31 T. 23 S., R. 10 W., Sec. 35
Busy Signal CT	GFMA	T. 29 S., R. 9 W., Sec. 29, 33
Pink Panther CT	GFMA	T. 30 S., R. 9 W., Sec. 5, 7
Rocky Top CT	GFMA	T. 29 S., R. 9 W., Sec. 9, 21
Heavy Bone CT	GFMA	T. 30 S., R. 10 W., Sec. 9, 15
Belieu Creek CT	GFMA	T. 29 S., R. 10 W., Sec. 17, 31 T. 30 S., R. 10 W., Sec. 5, 6, 7 T. 30 S., R. 11 W., Sec. 12
Jersey Jim CT	GFMA	T. 29 S., R. 11 W., Sec. 17, 24, 25, 27, 29, 31, 33 T. 29 S., R. 12 W., Sec. 13 T. 30 S., R. 11 W., Sec. 6
Sand Weaver	GFMA	T. 28 S., R. 10 W., Sec. 23
Sale Name	Land Use Allocation	Location/Legal

Umpqua Field Office 2010		
Sawyer Creek CT/DM	GFMA, LSR	T. 22 S., R. 8 W., Sec. 26, 27, 29, 31, 32, 33 T. 22 S., R. 9 W., Sec. 25 T. 23 S., R. 8 W., Sec. 5
Little Paradise Ridge DM	LSR	T. 21 S., R. 7 W., Sec. 19, 29, 30, 31 T. 21 S., R. 8 W., Sec. 23, 25, 26 T. 22 S., R. 7 W., Sec. 6 T. 22 S., R. 8 W., Sec. 1
Little Stoney Brook DM/CT	GFMA, LSR	T. 21 S., R. 8 W., Sec. 33 T. 28 S., R. 8 W., Sec. 3, 5, 7
Burchard Creek CT	GFMA	T. 22 S., R. 9 W., Sec. 4, 10
Myrtlewood Field Office 2010		
Lower Rock Creek CT	GFMA	T. 30 S., R. 10 W., Sec. 19 T. 30 S., R. 11 W., Sec. 23, 26
Edson Regen #1	GFMA	T. 31 S., R. 14 W., Sec. 10, 15, 21, 22, 28, 29, 31, 32, 34 T. 32 S., R. 15 W., Sec. 4
Edson Regen #2	GFMA	T. 30 S., R. 14 W., Sec. 23 T. 31 S., R. 14 W., Sec. 1, 7, 8, 17, 18
Sandy Change	GFMA	T. 28 S., R. 10 W., Sec. 17

B. Description of Proposed Action

The Coos Bay District Bureau of Land Management (BLM) proposes to fall, buck and scale sample trees (“sample tree felling”) during the 2009 and 2010 calendar year to ensure the accuracy of timber cruises for future forest management actions. Trees would be felled only in areas that have been planned, marked, and cruised for timber harvest. Felled trees would be a subset of the trees designated for removal in the timber harvest area. The proposed action would be implemented on the above listed timber sale projects on the Coos Bay District as a precursor to timber sale contract preparation.

Copies of this Categorical Exclusion and Decision will be placed in the project file for each project prior to implementation of sample tree felling.

Project design Features

The BLM includes the following project design features as part of the proposed action:

- When adjacent to streams, trees would be directionally felled away from or parallel to the stream buffers to avoid damage to riparian habitat.

- If, during implementation of the proposed action, any BLM Special Status Species or cultural resources are found that were not discovered during pre-disturbance surveys, felling would be suspended in that area until the appropriate BLM specialist is informed and the application of any necessary protection measures can be applied.
- If, during implementation of the proposed action, any raptor nest is found in a tree identified for removal, felling would be suspended in that area until further review by the appropriate BLM specialist and the application of any necessary protection measures can be applied.
- Where felling of a sample tree would be contingent upon the felling of snags greater than or equal to 20 inches diameter at breast height, that particular sample tree would not be felled.
- No chainsaw work would occur within 65 yards of known Spotted Owl nests sites, known activity centers, or unsurveyed suitable habitat from March 1 – June 30, unless current year surveys indicate that Northern Spotted Owls are either not present, are present but not attempting to nest, or that nesting attempts have failed
- No chainsaw work would occur within 100 yards of any Marbled Murrelet site from April 1 – August 5. Chainsaw work within 100 yards of un-surveyed suitable habitat would be subject to daily operating restrictions from April 1 – August 5; these daily operating restrictions prohibit commencement of operations until two hours after sunrise and require operations cease two hours before sunset.
- When operating in critical habitat for Northern Spotted Owls or Marbled Murrelets, potential nest trees would be retained until consultation with the US Fish and Wildlife Service on the timber sale(s) is completed and a biological opinion issued.

C. Land use Plan Conformance

The Proposed Action is in conformance with the Coos Bay District Record of Decision and Resource Management Plan (ROD/RMP, 1994), as amended and consistent with the RMP decision to provide a sustainable supply of timber and other forest products (ROD/RMP p.27).

D. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Department of Interior **Manual 516 DM 11, 11.9, C Forestry, (6)**, Which allows for *“felling, bucking, and scaling of sample trees to ensure accuracy of timber cruises. Such activities: (a) Shall be limited to an average of one tree per acre or less, (b) Shall be limited to gas-powered chainsaws or hand tools, (c) Shall not involve any road or trail construction, (d) Shall not include the use of ground based equipment or other manner of timber yarding, and (e) Shall be limited to Coos Bay, Eugene, Medford, Roseburg, and Salem Districts and Lakeview District, Klamath Falls Resource Area in Oregon.”*

The proposed action is consistent with the requirements of this categorical exclusion for the following reasons: (1) There would be no more than one tree per acre felled for each project area, (2) Felling would be done using gas-powered chainsaws, (3) No roads or trails would be constructed, (4) The felled trees would not be yarded, and (5) It only applies to the Coos Bay District. In the event that a timber sale is then sold and awarded, the felled trees would be yarded under the decision for the applicable timber sale.

Categorical Exclusions – Extraordinary Circumstances Documentation

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment as documented in the following table. The proposed action is reviewed below, and none of the extraordinary circumstances described in **516 DM 2**, apply.

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety. The proposed sample tree felling would be in remote, forested locations outside of population centers.		
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 principle drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); national monuments; migratory birds; and other ecologically significant or critical areas.		X
Rationale: Trees to be felled are only within the proposed timber sale units; these units are, by design, outside of the unique areas such as those discussed above. No tree felling would occur in parks, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principle drinking water aquifers; prime farmlands; wetlands. Felling an average of one sample tree per acre (or less) would not change the overall habitat function of the stand or remove habitat at the species level; as such, the proposed action would not have significant impacts on migratory birds.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102 (2)(E)]		X
Rationale: Based on past experience, environmental effects of felling individual trees (not to exceed an average of 1 per acre) are not highly controversial. The ROD/RMP establishes the land use allocation and goals for the affected lands; as such, there are no unresolved conflicts regarding other uses of these resources.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks		X
Rationale: 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.		X
Rationale: The BLM has conducted similar actions throughout the Coos Bay District for several years. There is no evidence that felling of sample trees to improve the accuracy of timber cruises has potentially significant environmental effects. Felling of sample trees is a component of cruising timber in preparation of timber sales – it does not commit the BLM to future actions and would not establish a precedent or decision for future actions with potentially significant environmental effects.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects		X
Rationale: Sample tree felling has been conducted in the past and this activity had no significant direct, indirect, or cumulative effect. Sample tree felling is a cruising tool used to improve the timber sale process, but this action is not integral to the timber sale process. Trees are felled and measured in sample tree felling, but the action doesn't necessarily entail removal of the felled trees. Removal of trees generally occurs in conjunction with a timber sale decision which has its own NEPA analysis. The District timber sale program was analyzed in site specific NEPA environmental assessments or EA's tiered to the RMP EIS, which historically result in findings of no significant impacts (FONSIs).		
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 properties listed, or eligible for listing, on the National Register of Historic Places are located within the areas proposed for sample tree felling.		

2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Threatened or Endangered Species, or have significant impacts on designated Critical Habitat for these species.	YES	NO X
<p>Rationale: Surveys, as required for consultation, would be conducted for listed species and species proposed for listing prior to sample tree felling. If sites are found, implementation of the Project Design Features would minimize disturbance effects to individuals. Some proposed units are within critical habitat for Northern Spotted Owl and Marbled Murrelet. However, felling an average of one sample tree per acre (or less) would not change the overall habitat function of the stand or result in the loss of critical habitat. Project Design Features would prevent removal of primary constituent elements prior to the completion of consultation with the US Fish & Wildlife Service.</p>		
2.9 Violate a Federal, State, Local, or tribal law or requirement imposed for the protection of the environment.		X
<p>Rationale: The proposed action conforms to the direction given for the management of public lands in the ROD/RMP, which complies with all applicable Federal, State, local and tribal laws.</p>		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
<p>Rationale: The felling of individual trees would not affect low income or minority populations. The activity is dispersed across Coos Bay BLM District lands which are largely interspersed with private, industrial forest land. Furthermore, this action ensures that the public, including low income and minority populations, receive a fair price for public resources (timber) being sold.</p>		
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
<p>Rationale: BLM would conduct cultural resources clearances prior to implementing the proposed action. If cultural resources are found within a unit through pre-disturbance clearances or during implementation of the proposed action, appropriate measures would be applied to avoid impacts. The proposed action would not limit the use of or the physical integrity of Indian sacred sites on federal lands.</p>		
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
<p>Rationale: The proposed action does not result in measurable changes to the current baseline of the risk, or actual introduction, continued existence, or spread of noxious weeds or non-native invasive species in or from the project area. Existing activities include motor vehicle traffic, recreation use, rural and urban development, road construction, timber harvesting, along with natural processes that can contribute to the introduction, existence, and spread of noxious weeds/invasive species. Vehicles accessing the project area would stay on existing roads (no additional roads proposed), reducing the potential of picking up and dispersing noxious weed or seed. The proposed action does not introduce any vector for spread or introduction beyond such vectors already found. Felling of individual trees would not measurably change the rate of introduction, continued existence, or spread of noxious weeds or non-native invasive species in or from the project area.</p>		

E. Signature

I have considered the proposed action and its design features in my evaluation and find the proposed action would not have significant impacts to the human environment and requires no further environmental analysis.

Authorizing Official: Mark E. Johnson Date: 11/03/08
Mark E. Johnson
Coos Bay District Manager

F. Contact Person

For additional information concerning this CX review, contact Emmett Courtright, District Cruiser/Appraiser, Coos Bay District, 1300 Airport Lane, North Bend, Oregon, 97459, (541) 751-4487.

G. Administrative Remedy

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.s subsection (b), a notice of decision will be published in the local newspaper, and this notice shall constitute the decision document. 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 decision. Under 43 CFR 5003.3 (b), protests 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.

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COOS BAY DISTRICT**

**DECISION RECORD
Categorical Exclusion Review**

Decision:

It is my decision to implement sample tree falling on timber sales limited to the 2009 & 2010 calendar years. Sample tree falling will help ensure accuracy of these timber cruises.

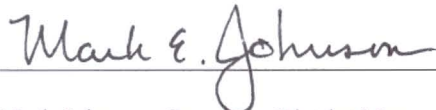
Rationale

The proposed action meets the criteria for the categorical exclusion 516 DM 11.9 (C) Forestry (6) for felling, bucking, and scaling sample trees to ensure the accuracy of timber cruises. As documented in the attached Categorical Exclusion, DOI-BLM-OR-120-2009-0006-CX, none of the "extraordinary circumstances" in DM 516 2, Appendix 2, apply. Further, the action is in conformance with the *Coos Bay District Record of Decision and Resource Management Plan* (May 1995) as amended.

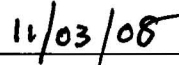
Administrative Remedy

Notice of this forest management decision will be published in the 11/4/2008 edition of the World newspaper and posted on the Coos Bay District website at <http://www.blm.gov/or/districts/coosbay/plans/index.php>. This decision is subject to protest by the public. To protest this decision, a person must submit a written protest to Mark Johnson, Coos Bay District Manager, 1300 Airport Lane, North Bend, OR, 97459 by close of business (4:30 P. M.) on 11/19/2008. The protest should clearly and concisely state the reasons why the design or the decision to go forward with the sample tree falling project is believed in error. If a timely protest is received, this decision will be reconsidered in light of the statements of reasons for the protest and other pertinent information available, and a final decision will be issued which will be implemented in accordance with 43 CFR 5003.

Signature of Authorizing Official:



Mark Johnson, Coos Bay District Manager



Date