

**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT**

Categorical Exclusion Review

I. Background

BLM Office Cascades Resource Area

Lease/Serial/Case File No N/A

Categorical Exclusion Number: DOI-BLM-OR-S040-2015-0001-CX

Date: May, 2015

Proposed Action Title/Type: Little Chair Timber Salvage Project

Location of Proposed Action: Township 4 South, Range 5 East, Sections 20, 30

Land Use Allocation(s): General Forest Management Area (Matrix)

The 36 Pit Fire: The 36 Pit fire began September 13, 2014 in a rock pit on Forest Service (USFS) land east of Estacada, Oregon. Approximately 5,500 acres burned, which included USFS, Bureau of Land Management (BLM) and private timberland. Approximately 1,311 acres of forest land burned of various intensities on BLM lands in both the Matrix and Riparian Reserve Land Use Allocations (LUA). The proposed action area is within the Western hemlock/Sword fern and Douglas-fir/dwarf Oregon grape plant associations in the North and Lower Clackamas Watersheds. The proposed salvage units are approximately 5 miles east of the City of Estacada in Clackamas County, Oregon.

The purpose of the project is to recover the economic value of fire-injured and fire-killed trees on Matrix lands while balancing the need to minimize environmental effects to resources from project implementation.

Description of Proposed Action:

The BLM is proposing a post fire timber salvage project on up to 28 acres within the Cascades Resource Area that were burned by the 36 Pit fire. Salvage would occur within 2 separate units within the Matrix LUA and will consist of one timber sale. The proposed salvage areas consist primarily of western hemlock and Douglas-fir.

Salvage harvest would remove fire-injured or fire-killed trees in the Project Area. For this project, a fire-injured tree is defined as a burned Douglas-fir with 30 percent or less green remaining in the crown of the tree, or 60 percent or less of tree bole circumference with remaining live cambium (based on bark scorch severity, adjacent fuels, duff consumption or individual tree sampling). A fire-injured western hemlock or western red cedar mortality is predicted where fire burned around the base of the tree, and duff consumption has exposed and scorched at least 80 percent of surface tree roots or circumference of bole (See Appendix A, Predicted Mortality by Species).

No salvage would occur within the Riparian Reserve LUA. There are no fish bearing streams adjacent to any of the proposed salvage units. All streams and wet areas have been field verified and are excluded from the proposed action area. No salvage would occur within the Clackamas River Wild and Scenic River Corridor.

To facilitate salvage operations, up to 0.06 miles of natural surface, temporary road would be built in one location. The proposal includes approximately 8 miles of road maintenance. Other connected actions would include potential slash treatment where needed. Reforestation of the harvest areas would occur after project implementation and would be described in a separate categorical exclusion.

Project Design Features:

Snag Retention and Coarse Woody Debris (CWD):

Within the salvage harvest units:

- A minimum of 2 snags per acre, with maximum of 5 snags per acre of the largest diameter snags, decay classes 1 and 2 would be retained;
- Retained snags would generally be clumped along the sides and near the bottom of treatment units where needed to facilitate safe salvage operations;
- CWD already on the ground which meets RMP direction for down logs (20" diameter, 20' in length or larger, RMP p. 21) of decay classes 1 and 2 would be retained and protected to the greatest extent possible from disturbance during treatment (NWFP S&G p. C-40, RMP 21, p. D-2). Where 240 linear feet of CWD in decay classes 1 and 2 are not present, an additional 2-5 of the largest snags per acre would be retained to provide future coarse woody debris;
- If suitable CWD must be moved, a section of the log would be cut to allow access, instead of moving the entire log;
- All hardwood snags over 7 inches in diameter would be retained; and
- If any snags marked for retention are felled to facilitate logging operations or for safety reasons during operations they would be left on site as CWD.

Green Tree Retention:

- Any green trees considered likely to survive within the units would be marked for retention (see Appendix A, Predicted Mortality by Species).
- Some green trees may be removed during harvest activities to facilitate operations; these areas may include but are not limited to temporary roads, yarding corridors and areas adjacent to landings (See Categorical Exclusion (CX) Section III, 8 (a)).

All retained snags, CWD and green trees would be marked with orange paint, or specifically excluded from harvest in the timber sale contract.

Yarding, Landings:

Trees would be yarded using primarily cable and some ground-based methods. Existing skid trails and yarding corridors would be utilized where appropriate.

All logging activities will utilize the Best Management Practices (BMPs) required by the Federal Clean Water Act (as amended by the Water Quality Act of 1987) (RMP Appendix C- pp. C-1 through C-10)(Instruction Memorandum No. OR-2011-074 Attach. 1). Ground based yarding operations would be restricted to the dry season (typically June through October, see Table 1). Cable yarding would occur during the dry season, and may occur during the wet season to rocked roads. No operations on natural surface roads would occur during the wet season.

Cable and tractor landings would be placed on roadsides and would be limited $\frac{1}{4}$ to $\frac{1}{2}$ acre in size. After operations, any skid-trails would be water barred where they are determined to be necessary by the contract administrator and blocked where they meet timber haul roads.

Slash Treatment:

To improve soil productivity, tops of trees and slash resulting from harvest operations would be retained in the units as much as feasible. Woody material from logging would be scattered on yarding corridors and roads, and where possible throughout the unit and on landings. High concentrations of slash on any landings would be piled and may or may not be burned. Some slash piles created after harvest operations in unit 20A would be left and not burned to provide future forage habitat for raptors.

Roads, haul:

Construction of approximately 0.06 miles (about 310 feet) of new, natural surface road in unit 20A would be located on stable ground with side slopes generally less than 30 percent (see Maps CX p. 5-8). Roads would require a 14 foot subgrade with additional width as necessary for curve widening and a minimum 12 foot running surface. This temporary road would be constructed during the dry season and would be blocked, stabilized and seeded as needed at the end of the project (see CX Section III 8 (b,c)).

Road maintenance activities would occur on approximately 8 miles of existing roads to prepare them for log haul and to keep them in good condition. Proper maintenance prevents or reduces erosion and sediment production during use. Activities may include roadside brushing, cleaning ditches and culverts, slide and slump removal, blading and shaping of road surfaces, surface rock replacement, slope protection, water barring, and grass seeding. This work would be done in the dry season with heavy equipment including but not limited to backhoes, excavators, dozers, motor patrol graders, front-end loaders and dump trucks.

Existing roads are controlled by the BLM, the U.S. Forest Service and a private timber company. Timber hauling would occur during the dry season, and may occur in the wet season on rocked or paved roads. During periods of heavy rainfall, the contract administrator may restrict log hauling when the road becomes susceptible to rutting or surface erosion in order to prevent off-site sedimentation.

Weeds:

Pressure washing or steam cleaning equipment would be required prior to move-in to remove any soil or other materials that may be contaminated with seed or other propagative material as a means of reducing the risk of introducing any spread of noxious weeds or non-native invasive species into the project area.

Seasonal Restrictions:

Some project design features are accomplished by restricting operations during certain seasons or conditions which are often correlated closely with seasons. Restricted typically means that the specified operations are not allowed unless the BLM determines conditions or approved operating procedures are in place to avoid resource impacts. Table 1 shows the anticipated seasonal restrictions for the project.

Table 1: Summary of Seasonal Restrictions and Operational Periods

Seasonal Restrictions		Reaso	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
All ground-based logging operations in all units		Soil protection, site productivity, water												
Road Construction/Stabilizing/Decommissioning/ Haul on Natural Surface Roads		Erosion control, road damage												
All disturbance activities in Unit 30A		Spotted owl breeding and nesting season, March 1-July												
All disturbance activities in Unit 20A		Raptor breeding and nesting season, January 15 th – July												
KEY	Operations generally allowed	*Operations restricted, modified or allowed depending on conditions	Operations generally restricted											

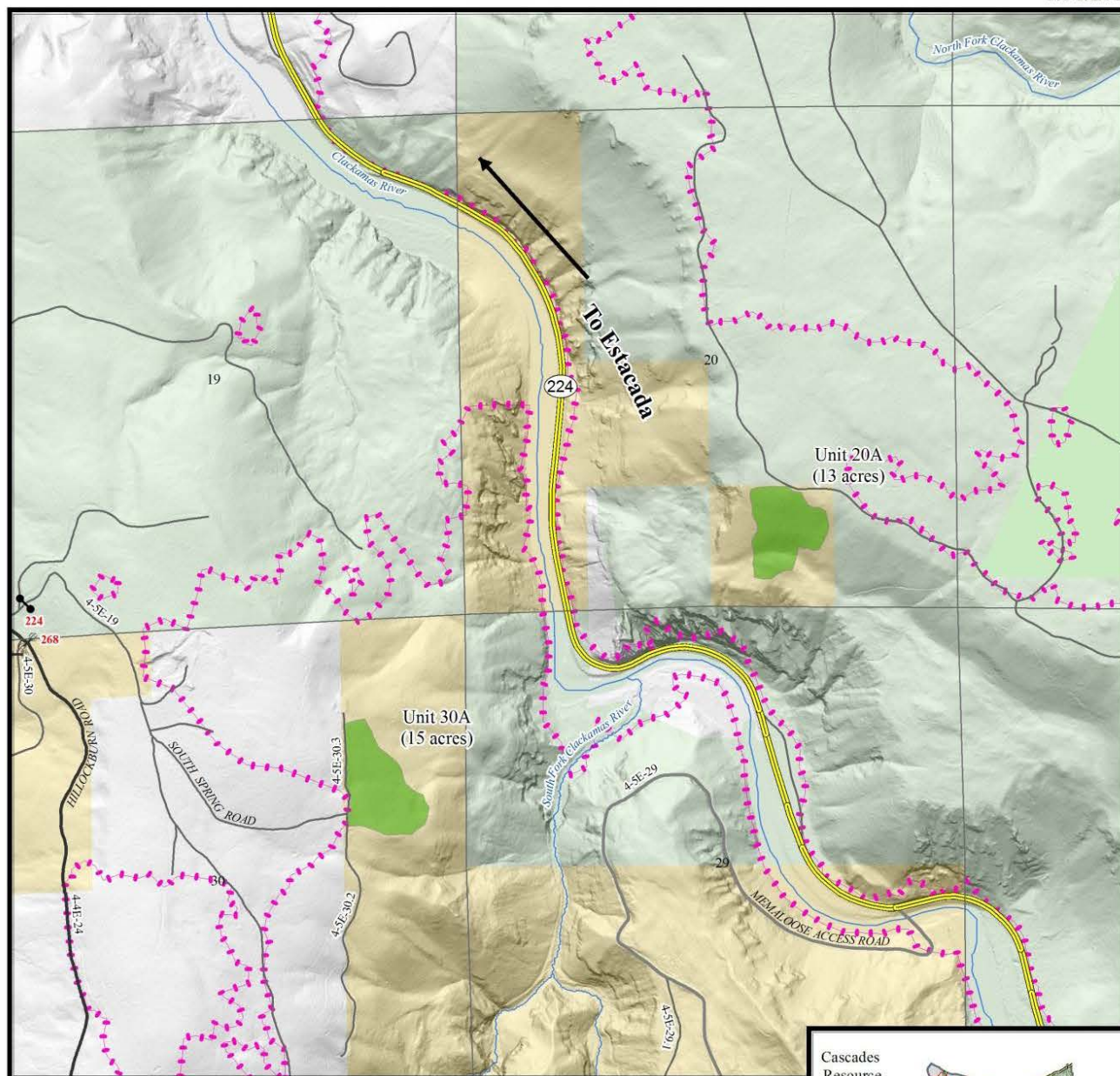
* Seasonal conditions, equipment, operations plans and other factors would be considered by the BLM to determine whether operations may proceed normally, whether additional site specific restrictions and operating methods would be required, or whether all operations of this type would be prohibited to achieve objectives and protect resources.

Operations would be restricted from March 1st to July 15th for protection of a potential spotted owl location in the vicinity of Unit 30A. Operations would be restricted from January 15th to July 31st for protection of a raptor nest site in the vicinity of Unit 20A. Seasonal restrictions could be waived for unit 20A if protocol surveys indicate no presence of nesting raptors within disturbance distance (See Table 2, (h)). Operations may be shut down or be restricted at any time if Special Status plant or animal populations are found (RMP p. 29; BLM-IM-OR-99-036).

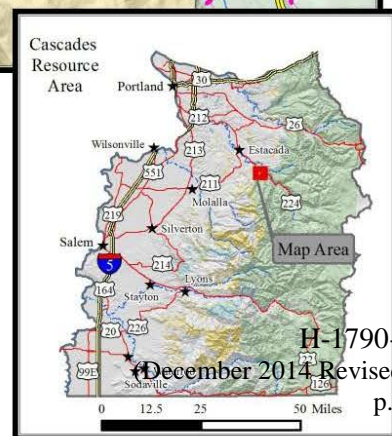
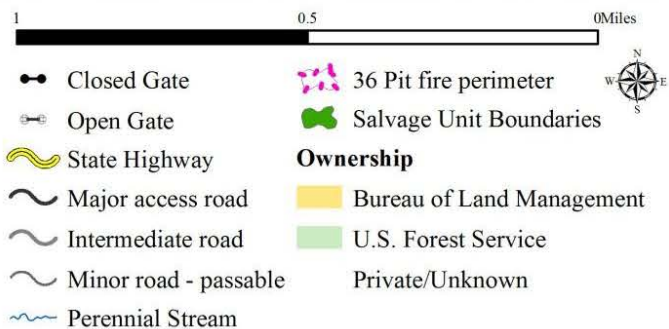
Maps: Proposed salvage units

Little Chair Salvage Project Vicinity Map
DOI-BLM-OR-S040-2015-0001-CX

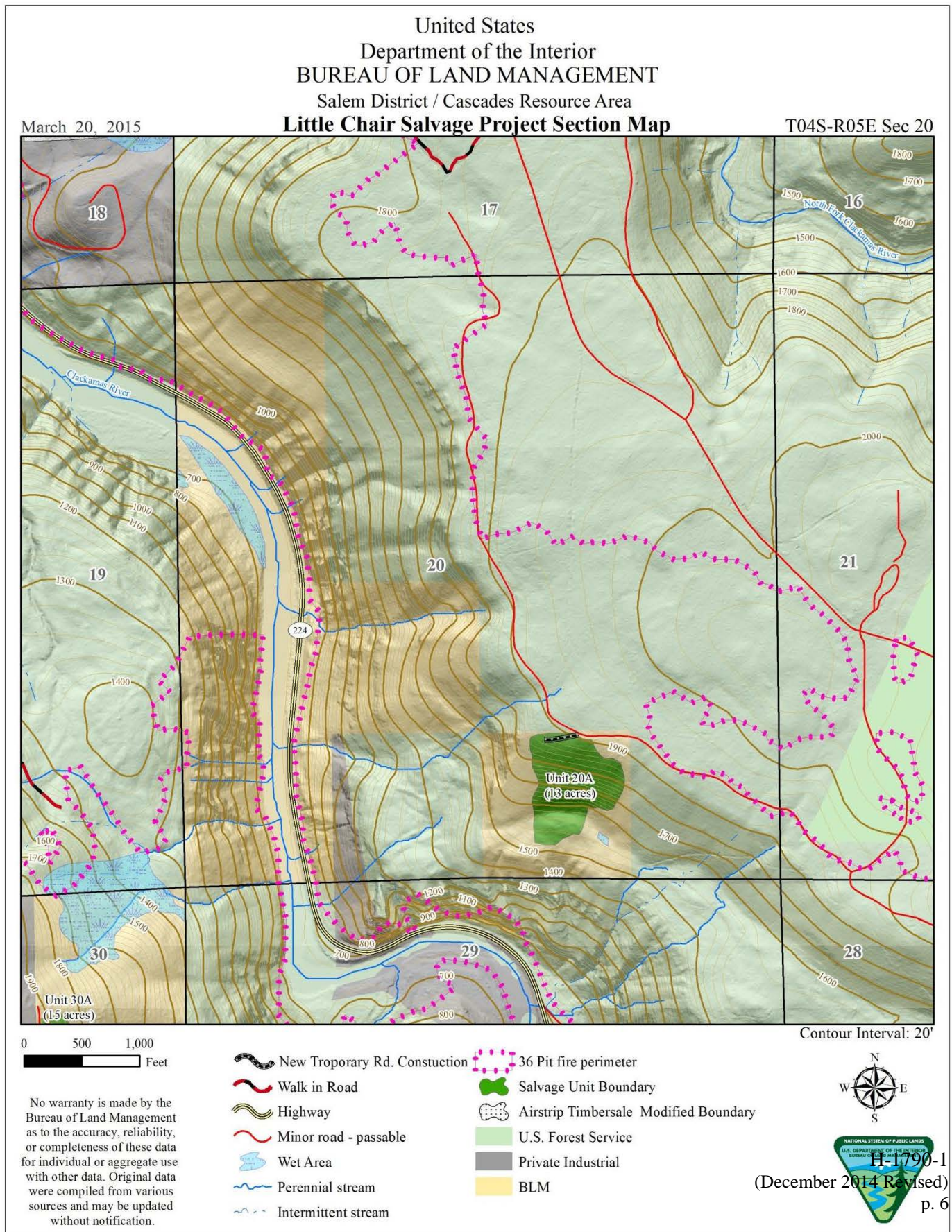
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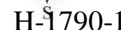


March 20, 2015

T04S-R05E Sec 30



 U.S. Forest Service
 Private Industrial
 BLM



(December 2

II. Land Use Plan Conformance:

Land Use Plan Name: *Salem District Record of Decision and Resource Management Plan (1995 RMP)*

Date Approved: March 1995

Date Amended: January 2001 by the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines*, (SM/ROD). The project is consistent with the 2001 SM/ROD and subsequent Annual Species Reviews, as incorporated into the 1995 RMP. This project utilizes the December 2003 species list. This list incorporates species changes and removals made as a result of the 2001, 2002, and 2003 Annual Species Reviews (ASR) with the exception of the red tree vole. For the red tree vole, the Ninth Circuit Court of Appeals in *KSWC et al. v. Boody et al.*, 468 F3d 549 (9th Cir. 2006) vacated the category change and removal of the red tree vole in the mesic zone, and returned the red tree vole to its status as existed in the 2001 ROD Standards and Guidelines, which makes the species Category C throughout its range.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): Page 46 - *“Provide for salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources.”*

III. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, C. 8 as follows:

- (8) *Salvaging dead or dying trees not to exceed 250 acres, requiring no more than 0.5 miles of temporary road construction. Such activities:*
- a. *May include incidental removal of live or dead trees for landings, skid trails, and road clearing.*
 - b. *May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and*
 - c. *Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment, by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after*

the termination of the contract.

- d. For this CX a dying tree is defined as a standing tree that has been severely damaged by forces such as fire, wind, ice, insects, or disease, and that in the judgment of an experienced forest professional or someone technically trained for the work, is likely to die within a few years. Examples include, but are not limited to: (i) Harvesting a portion of a stand damaged by a wind or ice event. or (ii) Harvesting fire damaged trees.*

A. Categorical Exclusions: Extraordinary Circumstances Review

Table 2: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>(a) Have significant impacts on public health or safety?</p> <p><i>Rationale:</i> Operations will follow Occupational Safety and Health administration standards designed to prevent job-related illness or injury. Operations will remove or fall standing trees that currently represent a hazard to workers and the public.</p>		No
<p>(b) 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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas?</p> <p><i>Rationale:</i> Treatment would occur on acres in the Matrix land use allocation within the 36 pit fire perimeter. All salvage treatment is located outside any parks, recreation or refuge lands, wilderness areas, wild or scenic rivers, national natural landmarks, sole or principle drinking water aquifers, prime farmlands, wetlands, floodplains or national monuments.</p> <p><i>Cultural Resources:</i> Cultural resource surveys have been conducted and there are no identified historic or cultural resources in the project area. If during project activities any archaeological or historical resources are discovered, all activities must cease until a professional archaeologist can be present in order to assess the significance of the discovery and determine appropriate mitigation measures.</p> <p><i>Migratory Birds:</i> The fire altered the habitat for migratory birds by increasing habitat for early successional species, snag dependent species, and open canopy species. The proposed treatments would not decrease overall landscape population levels for these species, and therefore would not have significant impacts on migratory birds.</p>		No
<p>(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</p> <p><i>Rationale:</i> Past experience has shown that the environmental effects of fire salvage in forest stands are not highly controversial. The Salem District RMP authorizes <i>salvage harvest of timber killed or damaged by events such as wildfire, windstorms, insects, or disease, consistent with management objectives for other resources.</i>” This project salvages dead and dying trees from 28 acres, which is well within the 516 DM 11.9,</p>		No

Table 2: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>Categorical Exclusion C. 8 requirements of not exceeding 250 acres. The project also meets the other criteria for this categorical exclusion described on CX pp. 8 and 9.</p> <p>There are no unresolved conflicts regarding other uses of these resources for the following reasons: Only trees that are fire-injured or fire-killed would be salvaged. Two to five of the largest snags per acre would be left within the treatment units, with an additional two to five snags for future CWD where needed. Existing CWD would be retained where they exist within the units (see CX page 2). Snags created from the fire are also in abundance surrounding proposed salvage units.</p>		
<p>(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p><i>Rationale</i> The BLM interdisciplinary team of resource specialists for the Little Chair Salvage Project reviewed the project and design features and determined that the proposed action will not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</p> <p>This project conforms to the Salem District RMP and meets the criteria described in 516 DM 11.9, Categorical Exclusion C. 8. See the response to 43 CFR 46.215 (c).</p>		No
<p>(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</p> <p><i>Rationale:</i> Salvage harvest operations have occurred on the Salem District, and will likely occur again in the future. However, each project contains its own set of conditions and must be evaluated on its own merit. Implementation of the Little Chair Salvage project does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. See (d), above.</p>		No
<p>(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</p> <p><i>Rationale:</i> The proposed Little Chair Salvage project is 28 acres; a total of 1311 acres of BLM land burned during the 36 Pit fire. The proposed salvage treatment totals 2% of the acres burned on BLM land. While timber harvest activities on private land may occur within the same geographical area, the conservative approach to the Little Chair Salvage project does not contribute to cumulatively significant environmental effects.</p>		No
<p>(g) 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?</p> <p><i>Rationale:</i> There are no significant impacts to properties listed, or eligible for listing, on the National Register of Historic Places. No National Register Listed sites, or sites eligible for listing, were identified in areas of potential effect (APE) during archaeological survey.</p>		No

Table 2: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>(h) 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?</p> <p><i>Rationale:</i> <i>Botany:</i> The proposed salvage harvest would not have significant impacts on Threatened and Endangered (T&E) botanical species.</p> <p>The proposed salvage areas and vicinity were evaluated for the presence of known T&E botanical species. Habitat requirements for T&E species were reviewed and any known habitat in the proposed harvest areas was evaluated for suitability. No T&E vascular plant or suitable habitat was found to exist within the proposed harvest areas as determined by a known site data search.</p> <p><i>Wildlife:</i> The proposed salvage harvest would not have significant impacts on proposed or listed T&E wildlife species. The proposal not within critical habitat for the Northern spotted owl, a Federally Threatened species.</p> <p>One of the proposed units is within the provincial home range radius (1.2 miles) of a known Northern spotted owl site. There will be a no effect for disturbance of Northern spotted owl due to having a seasonal restriction (CX p. 4, Table 1). The proposed salvage will take place in capable habitat and will have no effect to Northern spotted owl due to the modification of suitable habitat from the fire. A seasonal restriction from March 1st through July 15th will apply for areas within 0.25 mile of the 300 meter nest patch. The area that will be seasonally restricted is unit 30A.</p> <p><i>Fisheries:</i> The proposed salvage harvest and proposed winter haul will have no effect on listed T&E salmon and steelhead or their habitat.</p> <p>Lower Columbia River (LCR) Coho salmon, LCR winter steelhead trout, and Upper Willamette River Chinook salmon inhabit the Clackamas River, South Fork Clackamas River, and North Fork Clackamas River adjacent to the salvage units. Salvage units are ≥ 300 feet from streams draining to salmon and steelhead habitat with no potential for sediment to move from salvage areas to stream channels. Less than 0.1 miles of temporary road would be located on a flat bench, more than 280 feet from the nearest mapped stream channel with no potential for sediment movement to the river. Similarly, haul roads are either paved with no mechanism for sediment movement to listed fish habitat (LFH) in the North Fork Clackamas River, or drainage crossings are >1 mile from LFH in the South Clackamas and Clackamas rivers with no potential for sediment to move that distance.</p>		No
<p>(i) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</p> <p><i>Rationale:</i> The Little Chair Salvage project will follow all known Federal, State, or local or Tribal laws or requirements imposed for the protection of the environment. The proposed action(s) is in conformance with the direction given for the management of public lands in the Salem District ROD/RMP, which complies with all applicable laws such as the Federal Land Policy Management Act, Endangered Species Act, Historic Preservation Act, and Clean Water Act.</p>		No

Table 2: Categorical Exclusions: Extraordinary Circumstances Review (43 CFR 46.215)		
Will the Proposed Action documented in this Categorical Exclusion		Yes
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		No
<i>Rationale:</i> The proposed action is not anticipated to have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations.		
(k) 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
<i>Rationale:</i> Fire salvage will have no effect on access or use of sacred sites. There are no identified sacred, ceremonial or religious Indian sites within this area.		
(l) 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
<i>Rationale:</i> Pressure washing or steam cleaning equipment would be required prior to move-in to remove any soil or other materials that may be contaminated with seed or other propagative material as a means of reducing the risk of introducing any spread of noxious weeds or non-native invasive species into the project area.		

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. District personnel have reviewed the proposed action, and none of the 12 extraordinary circumstances described in 43 CFR Part 46, Section 46.215 (see Table 2, above) apply to the proposed action.

I also considered effects to other special status species. There is a known raptor nest near unit 20A. This species of raptor was previously listed on the Threatened and Endangered list, but has since been removed and is now a Bureau Sensitive Species. There is a management plan in place for this specific nest site. The plan calls for no disturbance within 0.5 miles of the cliff during nesting season. A seasonal restriction from January 15th through July 31st would apply for areas within the 708 acre primary nest protection zone. The 40 acres of BLM ownership that would be seasonally restricted are T.4 S, R. 5 E Section 20, SE, and SW 1/16 (see CX Table 1). If surveys determine this site is not occupied this restriction may be waived.

The proposed action has no effect on the elements of the environment described above; therefore there is no potential for significant impacts. Project Design features are described in Section A under the description of the Proposed Action. No additional mitigation measures are required.

IV. Signature:**Specialist Review and Concurrence:**

Resource	Name	Initial	Date
Aquatic/Fisheries	Bruce Zoellick	BWZ	4/20/15
Botany	Terry Fennell	TF	4/14/15
Cultural Resources	Fred Groatorex	FG	4/15/15
Engineering	Dan Nevin	DN	4/14/15
Fire/Fuels	Seth Macalady	SM	4/14/15
Hydrology	Patrick Hawe	WPH	4/20/15
Soils	Patrick Hawe	WPH	4/20/15
NEPA Compliance	David Simons	dis	4-16-15
NRSA	Chris Papen	CP	4-13-15
Recreation	Traci Meredith	Tmm	4/16/15
Silviculture	Hugh Snook	HS	4-15/15
Team Lead	Alisa Tanner	AT	4/15/15
Timber	Jason Bernards	JB	4/14/15
Wildlife	Corbin Murphy	CM	04/16/2015

Contact Person: For additional information concerning this CX review; contact Alisa Tanner, Cascades Resource Area, BLM Salem District Office, 1717 Fabry Rd SE, Salem, Oregon, 97306. (503) 589-6844.

Authorized Official:

John Huston

Cascades Resource Area Field Manager

Date:

5/6/15

APPENDIX A: Predicted Tree Mortality by Species

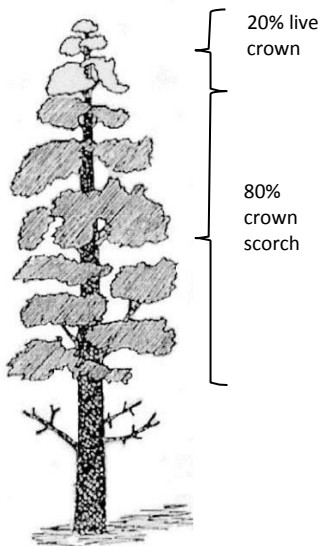
From: Southwest Oregon Forest Insect and Disease Service Center guidelines (SWOFIDSC 2001), Marking Guidelines for Fire-Injured Trees in California (USFS, Report # RO-11-01), correspondence from Elizabeth Willhite, Forest Entomologist, Forest Health Protection Westside Forest Insect and Disease Service Center, USFS.

For this project, the predicted mortality of the conifer trees in the project area can be determined by percent of crown scorch of burned trees, and height or percentage of bole scorch or “charring”. Crown scorch is primarily used to predict the probable mortality of the Douglas-firs, while bole scorch is used to predict the mortality of thin-barked species such as western hemlock and western redcedar, regardless of remaining green foliage.

Predicted mortality of burned Douglas-fir trees

% Crown Scorch		% Circumference with Cambium Damaged		Height of Charred, Spongy Bark
More than 70	and	0 to any	and	0 to any (Light char)
More than 40	and	More than 40	and	Less than 5' (Moderate char)
More than 40	and	More than 30	and	5' or more (Deep char)

Percent crown scorch is a measure of the proportion of foliage that has been killed by the fire relative to the entire amount of foliage that was present before the burn (scorched foliage should be obvious to the naked eye as yellowish brown or red needles). Lower branches dead before the fire should not be included when determining crown scorch.



To evaluate visual estimation of percent crown scorch:

- Position yourself to view the entire tree crown, preferably at right angles to the direction of fire spread.
- Reconstruct the pre-fire crown appearance by looking at the fine branch structure and needles.
- Estimate the percent of crown killed by the fire based on your estimation of the pre-fire crown area. These include areas with yellowish brown, brown, or red needles, as well as blackened fine branches.
- Assess the tree with consideration to all sides of the crown. One side may show higher crown scorch than the opposite side.
- Lower crowns that contain blackened fine branches contribute to crown scorch. Lower branches lacking fine twigs were likely dead before the fire and should **not** be included in crown scorch (as pictured). Unsymmetrical crown bases may be visually moved to even out the crown shape.

Predicted mortality of burned western hemlock and western redcedar

Based on guidance from the Forest Health Protection Westside Forest Insect and Disease Service Center, any western hemlock or western red cedar mortality is predicted where fire burned around the base of the tree, and duff consumption has exposed and scorched at least 80 percent of surface tree roots or circumference of the bole. Due to their thin bark, mortality is predicted with this level of bole scorch even if green foliage remains.

APPENDIX B: Response to comments

An informational letter dated March 2nd, 2011 was sent to over 75 potentially affected and/or interested individuals. Four (4) individual letters or emails with several comments were received. Responses to any substantive comments received are provided below.

Comment: Salvage logging is not suitable for a CX because salvage is controversial and causes significant adverse ecological effects.

The CEQ regulations for the NEPA at 40 CFR § 1508.4 states that:

“ ‘Categorical exclusion’ means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effects in procedures adopted by a Federal agency in implementation of these regulations (Sec. 1507.3) and for which, therefore, neither an EA or an EIS is required...Any procedures under this section shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.”

Implementation of the NEPA regulations:

“The BLM has developed categorical exclusions for certain silvicultural activities such as...salvage. In developing categorical exclusions, the BLM demonstrated through rulemaking procedures how these actions do not typically result in significant environmental effects and set forth the methodology and criteria used to define the categories of actions.”

The BLM is within our legal designation for salvage operations associated with our CX salvage authority listed in the NEPA handbook at 516 DM 11.9 (8).

Comment: Why is the BLM not considering salvage on more land burned by the 36 pit fire?

Approximately 1311 acres of forest land burned of various intensities on BLM land during the 36 pit fire. This included some areas where the fire burned of moderate to low intensity where trees affected are expected to survive according to the guidance shown in Appendix A of this CX. Other areas have sustained high degrees of tree mortality due to high intensity fire, but salvage harvest is either restricted, severely limited depending on location or current management direction, or is currently economically unfeasible.

Comment: The BLM should keep the mandates and the intent of the O&C act at the forefront of the planning and implementation of this project.

The BLM proposes salvage in these areas to implement the resource management objectives described in the RMP, the Northwest Forest Plan (NWFP) the O&C Act and Federal Land Policy and management Act (FLPMA). The RMP and NWFP direct and provide the legal framework for management of BLM lands within the Salem District. This project is consistent with these policies and management direction of these lands.

Comment: The BLM should permit the operators to log and haul during winter months. Potential purchasers will see an operationally “closed season” as a risk too large to take with fire damaged trees.

The BLM recognizes the need for winter operations to make timber sales more accessible to operators. However, the BLM must also consider and mitigate for any potential resource impacts related to winter operations. Seasonal restrictions relating to migratory birds, raptors and spotted owls and restrictions to any ground-based operations are illustrated in Table 1, Page 4 of this CX.

Log hauling may occur during the wet season when appropriate on rocked or paved roads. The CX includes the project design feature: *Timber hauling would occur during the dry season, and may occur in the wet season on rocked or paved roads. During periods of heavy rainfall, the contract administrator may restrict log hauling when the road becomes susceptible to rutting or surface erosion in order to prevent off-site sedimentation.*(CX p. 3)

Comment: Salvage logging removes snags and makes the regional shortage of snags even worse, and increases the risk that the remaining snags will fall due to increased wind exposure, logging damage, etc.

There are abundant snags created from the 36 pit fire throughout the burn area, on BLM and other public lands that will not be salvaged. This salvage includes approximately 2% of the BLM lands burned by the 36 pit fire. The remaining acres burned of various intensities. Those areas where trees were killed or will die over time will continue to provide a snag component in the project area and watershed.

Comment: BLM’s current standards for snag habitat are out of date. The BLM cannot take action to reduce snag habitat until they adopt new standards for snag habitat using FLPMA/NEPA procedures.

The BLM’s selection actions comply with the Northwest Forest Plan, and with the District RMP. The Federal Land Management Policy Act requires the BLM to manage public lands in accordance with the applicable land use plan. FLPMA did not intend agencies to revisit the RMP, or the standards in contains, each time a project is prepared. Addressing this issue is outside the scope of this project.

Comment: The Unit in section 30 is in a un-roaded area and should be dropped, or analyzed in an EIS to disclose the effects of logging and road building in this area.

The Unit proposed for Salvage in section 30 is within the General Forest Management Area (GFMA) in the Matrix LUA, is below an already existing BLM road, and was commercially thinned approximately 12-15 years ago. No additional roads are proposed to be built in this section for this project.

Comment: The units proposed are inaccessible due to being behind locked gates. The BLM should provide access for the public through private land and through these gates to review the proposed units in the field.

Some of the areas proposed for salvage were accessible to the public. However, it is not unique or unusual to have proposed timber sale units behind private or public gates, or accessible through private land or by private roads. The BLM cannot grant permission to the public to access private road systems unless expressly authorized to do so by the land/road owner. The BLM is available to grant escorted field trips to these areas. No field trips were requested by the commenter(s).

Comment: The unit in section 7 is adjacent to the modified Airstrip timber sale and should be dropped.

This unit has been removed from the proposal.

Comment: Ensure the trees harvested are truly dead; leave any trees of questionable mortality and leave the required number of snags and downed wood.

The purpose and need of this project is the economic recovery on the Matrix LUA of fire-killed and fire-injured trees. See CX Project Design Features page 2, and Appendix A for guidelines used for snag retention and determination of individual tree mortality.

Comment: Salvage logging removes nutrients needed for the next generation forest.

Tops of trees and any branches left will remain on site as much as feasible to improve soil conditions. However, large concentrations of slash may be piled and burned where appropriate to reduce future wildfire potential. CX page 3 regarding slash treatment: *To improve soil productivity, tops of trees and slash resulting from harvest operations would be retained in the units as much as feasible. Woody material from logging would be scattered on yarding corridors and roads, and where possible throughout the unit and on landings. High concentrations of slash on any landings would be piled and may or may not be burned.*

Comment: What measures are being taken to avoid such fires on BLM land? (BLM has rock pits also).

Future wildfire mitigation on BLM lands, although a valid concern is outside the scope of this project and cannot be adequately addressed in this document.

Comment: There are no ecological objectives with Salvage; it degrades early seral habitats; dead and dying trees provide vital ecological functions.

The purpose of the project is to recover the economic value of fire-injured and fire-killed trees on Matrix lands while balancing the need to minimize environmental effects to resources from project implementation (CX p. 1). The 36 Pit fire burned approximately 1311 acres of BLM managed lands. The final salvage acres for this project are 28 acres. This leaves 1283 acres of untreated areas within

the fire perimeter area. These untreated areas will contribute to obtaining the ecological objectives described in the above comment. Additionally, the conservative approach to salvage marking criteria (CX Appendix A, CX p. 2) will result in future tree mortality and the retention of ecological structures.

Comment: Salvage logging (and associated roads) damage soil, delays regeneration of diverse vegetation, causes erosion and water pollution.

Road construction is limited to stable ground with side slopes generally less than 30 percent. Less than 0.1 miles of temporary road would be located more than 280 feet from the nearest mapped stream channel (see CX Table 2, (h)). Road work will be done in the dry season to reduce erosion potential. Proper maintenance of existing roads prevents or reduces erosion and sediment production during use of the road (CX p. 3). All logging activities will utilize the Best Management Practices (BMPs) required by the Federal Clean Water Act (as amended by the Water Quality Act of 1987) (RMP Appendix C- pp. C-1 through C-10)(Instruction Memorandum No. OR-2011-074 Attach. 1) See CX p. 2.

Comment: The BLM should do a cumulative effects analysis for this project, especially with regard to USFS actions adjacent to the unit in section 7.

The unit in Section 7 and 18 has been removed from this proposal.

The CEQ regulations for the NEPA at 40 CFR § 1508.4 states that:

“ ‘Categorical exclusion’ means a category of actions which do not individually or cumulatively have a significant effect on the human environment and which have been found to have no such effects in procedures adopted by a Federal agency in implementation of these regulations (Sec. 1507.3) and for which, therefore, neither an EA or an EIS is required...Any procedures under this section shall provide for extraordinary circumstances in which a normally excluded action may have a significant environmental effect.”

Implementation of the NEPA regulations:

“The BLM has developed categorical exclusions for certain silvicultural activities such as...salvage. In developing categorical exclusions, the BLM demonstrated through rulemaking procedures how these actions do not typically result in significant environmental effects and set forth the methodology and criteria used to define the categories of actions.”

The BLM is within our legal designation for salvage operations associated with our CX salvage authority listed in the NEPA handbook at 516 DM 11.9 (8).

The proposed salvage treatment totals 2% of the acres burned on BLM land. While timber harvest activities on private or public land may occur within the same geographical area, the conservative approach to the Little Chair Salvage project does not contribute to cumulatively significant environmental effects.

U.S.DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT, CASCADES RESOURCE AREA
Decision Record

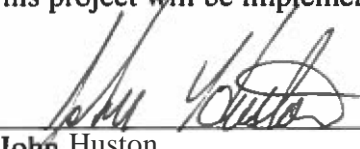
Decision and Rationale on Action

I have determined that the proposed action, harvesting fire-killed or fire-injured trees on BLM Matrix land involves no significant impacts to the human environment and requires no further environmental analysis. It is my decision to implement salvage harvest of units 20A and 30A as described in the CX, above.

Based on my review of the attached categorical exclusion review (CX# DOI-BLM-OR-S040-2015-0001-CX), I have determined that the proposed action will not significantly affect the quality of the human environment, and that no further environmental analysis is required for the following reasons. The proposed action and associated design features comply with the 1995 RMP, and have the same or similar effects as the actions described in 516 DM 11.9 (8) None of the 12 extraordinary circumstances described in 43 CFR Part 46, Section 46.215 (see CX Table 2) apply to the proposed action.

Implementation Date

This project will be implemented in 2015 and 2016.

 _____ John Huston Cascades Resource Area Field Manager	<u>5/7/15</u> _____ Date
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Administrative Review or Appeal Opportunities

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR 5003, protests of this decision may be made within 15 days of the publication of a notice of decision in a newspaper of general circulation. The notice for this decision will appear in *The Sandy Post* on May, 27, 2015. The planned sale date is June 24, 2015. To protest this decision a person must submit a written protest to John Huston, Cascades Field Manager, 1717 Fabry Rd SE, Salem, Oregon 97306 by the close of business (4:30p.m.) on June 12, 2015. The regulations do not authorize the acceptance of protests in any form other than a signed, written and printed original that is delivered to the physical address of the advertising BLM office.

The protest must clearly and concisely state the reasons why the decision is believed to be in error. Any objection to the project design or my decision to go forward with this project must be filed at this time in accordance with the protest process outlined above. 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 shall serve as decision in writing on the protesting party (43 CFR 5003.3).