

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT

DECISION RECORD

Project Title: Stouts Creek Fire Suppression-Created Log Removal
NEPA#: DOI-BLM-ORWA-R050-2016-0001-CX

Decision: It is my decision to implement the Stouts Creek Fire Suppression-Created Log Removal project located in Section 31 of T.30S., R.2W.; Section 34 of T.30S., R.3W. Sections 1, 3, 10, 11, 12, 13, 14, 15, 17, 20, 22, 23, 25 and 26 of T.31S., R.3W.; Willamette Meridian in the Late Successional Reserve land use allocation. The project will remove the fire suppression created logs located within 50 feet of the center line of existing roads to clear ditch lines and remove consolidated logs out of rock stock pile sites and road turnouts to allow future use of these areas. The project will reduce existing and future threats to the road infrastructure and remove hazards to public and reciprocal right-of-way users of these roads.

The removal of these logs created through fire suppression operations will result in approximately 600 thousand board feet of timber being made available to sell at auction.

All equipment operations for removal of logs will occur from existing roads. Any additional log processing will be accomplished using chainsaws or tracked processing equipment. Log removal will be accomplished using either a self-loading log truck or tracked/rubber tire loader. There will be no ground or habitat disturbance due to road construction or log skidding off of existing road surfaces.

All project activities will occur between October 1 and February 29, outside of the northern spotted owl breeding season.

Sediment control methods such as straw wattles, jute matting, fibrous mulch, catch basins, flocculants and hydro-mulching will be employed to prevent haul route derived sediment from traveling along ditch lines and into Stouts Creek where Oregon Coast Coho salmon are present.

Prior to mobilization into the contract area, logging equipment will be steam cleaned or pressure washed to remove soil and other materials that could transport weed seed, root fragments, or other propagative materials. If equipment is removed from the contract area during the life of the contract, it must be re-cleaned and re-inspected prior to re-entry into the project area.

Based upon the attached Categorical Exclusion Review, I have determined that the proposed Stouts Creek Fire Suppression-Created Log Removal project involves no significant impacts to the human environment and no further environmental analysis is required.

Protest Procedures:

The decision described in this document is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this decision. The protest period will be open for formal protest for 15 days starting on October 28, 2015. To protest a forest management decision, a person must submit a written and signed protest to the South River Field Manager, 777 NW Garden Valley Boulevard, Roseburg, OR 97471 by close of business (4:30 p.m.) within 15 days of publication of this decision. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Faxed or emailed protests will not be considered.

For further information, contact Steve Lydick, Field Manager, South River Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd. Roseburg, OR 97471, (541) 440-4930.

Authorizing Official: 
Steve Lydick
Field Manager
South River Field Office

Date: 10/22/2015

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
ROSEBURG DISTRICT
NEPA CATEGORICAL EXCLUSION REVIEW

BLM Office: Roseburg District,
South River Field Office
777 NW Garden Valley Blvd.
Roseburg, Oregon 97471
Phone: 541-464-4930

Project Title: Stouts Creek Fire Suppression-Created Log Removal
NEPA#: DOI-BLM-ORWA-R050-2016-0001-CX

A. Background

Location of Proposed Action:

The project is within the South River Resource Area in Section 31 of T.30S., R.2W.; Section 34 of T.30S., R.3W. Sections 1, 3, 10, 11, 12, 13, 14, 15, 17, 20, 22, 23, 25 and 26 of T.31S., R.3W.; Willamette Meridian (W.M.). The project is within the Late Successional Reserve land use allocation and associated riparian areas within the South Umpqua River Watershed.

Description of Proposed Action

The Stouts Creek fire began July 30, 2015 and burned approximately 5,539 acres of BLM administered lands in the Stouts Creek drainages. During fire suppression activities trees that were structurally unsound and posed an immediate threat to firefighter safety were felled along approximately 20 miles of road, adjacent to containment lines and within the fire perimeter to allow access to containment lines. Many of the trees fell into the road prism restricting safe access to the fire area and were consolidated in ditch lines. Construction of a contingency fire trail on BLM lands in Section 20 of T.31S. R.03W. required falling of trees that were subsequently consolidated adjacent to existing roads, some on private lands, to avoid fuel accumulations near the fire line.

The need exists to return the BLM infrastructure to the pre-suppression status to reduce existing and future threats to this infrastructure and to remove hazards to public and reciprocal right-of-way users of the roads. The purpose of the project is to remove the fire suppression created logs located within 50 feet of the center line of existing roads to clear ditch lines and remove consolidated logs out of rock stock pile sites and road turnouts to allow future use of these areas. Approximately 600 thousand board feet of timber would be removed and sold at auction. The attached map shows specific locations of log decks that would be removed.

Project Design Features

All equipment operations would occur on existing roads. Any additional log processing (e.g. limbing and bucking to desired lengths) would be accomplished using chainsaws or tracked processing equipment. Log removal would be accomplished using either a self-loading log truck or tracked/rubber tire loader. There would be no ground or habitat disturbance as there would be no road construction or log skidding off existing road surfaces.

Seasonal operating restrictions for northern spotted owls would be implemented such that project activities would occur between October 1 and February 29, outside of the northern spotted owl breeding season.

Sediment control methods such as straw wattles, jute matting, fibrous mulch, catch basins, and hydro-mulching would be employed to prevent haul route derived sediment from traveling along ditch lines and into Stouts Creek where ESA listed Oregon Coast Coho salmon and other aquatic species are present. To increase the effectiveness of these sediment control methods, anionic polyacrylamide copolymer (PAM) products (flocculants) would be used in conjunction with the other sediment control measures. When introduced into road side ditch lines, anionic (negatively charged) PAMs cause suspended sediment particles to bind to one another causing them to fall out of suspension in catch basins and to bind more effectively with the fibrous mulch, straw wattles, or jute matting that is in place (EPA 2013; Iwinski 2010).

Prior to mobilization into the contract area, logging equipment would be steam cleaned or pressure washed to remove soil and other materials that could transport weed seed, root fragments, or other propagative materials. If equipment is removed from the contract area during the life of the contract, it must be re-cleaned and re-inspected prior to re-entry into the project area.

B. Land Use Plan Conformance

The proposed action is subject to and in conformance with the *Roseburg District Resource Management Plan and Record of Decision (ROD/RMP)*, approved June 2, 1995, because management action/direction in the ROD/RMP Decision (p. 30) states:

“Remove snags and logs to reduce hazards to humans along roads and trails and in or adjacent to recreation sites.”

Survey and Manage

In a ruling on *Conservation Northwest et al. v. Mark E. Rey et al.* on December 12, 2009, Judge Coughenour in the U.S. District Court for Western Washington set aside the 2007 Record of Decision eliminating the Survey and Manage mitigation measures, but deferred issuing a remedy until further proceedings. Judge Coughenour did not set aside the Pechman exemptions, or enjoin the BLM from proceeding with projects.

The plaintiffs and Federal Agencies entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. The 2011 Settlement Agreement made four modifications to the 2001 ROD: acknowledged the existing 2006 Pechman exemptions; updated the 2001 Survey and Manage species list; established a transition period for application of the new species list; and established new exemption categories (2011 Exemptions). On April 25, 2013, the Ninth Circuit Court of Appeals invalidated the 2011 Survey and Manage Settlement Agreement, reinstating the 2001 ROD species list.

On February 18, 2014, the District Court for the Western District of Washington issued a remedy order in the case of *Conservation Northwest et al. v. Bonnie et al.*, No. 08-1067- JCC (W.D. Wash.)/No.11-35729 (9th Cir.). The remedy order contained two components. The order:

- (1) Vacates the 2007 ROD to Remove or Modify the Survey and Manage S&M Mitigation Measure Standards and Guidelines, and
- (2) Allows for continued project planning and implementation for projects that relied on the 2011 Consent Decree and were being developed or implemented on or before April 25, 2013 (date of the Ninth Circuit Court ruling invalidating the 2011 Consent Decree).

In summary, the current status of Survey and Manage is:

- (1) Follow the 2001 S&M ROD and Standards and Guidelines (S&G);
- (2) Apply the “Pechman exemptions;” and
- (3) Implement the 2001, 2002, and 2003 ASR modifications to the S&M species list, except for the changes made for the red tree vole.

Pre-disturbance surveys are not required for Survey & Manage species for removal of the fire-suppression log decks because the removal of the logs would not be habitat-disturbing as described in the survey protocols.

C. 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) (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 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, Appendix 2 apply.

D. Categorical Exclusions - Extraordinary Circumstances Documentation

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
1. Have significant impacts on public health or safety.		X
Rationale: Log removal would occur in rural forested areas away from communities and is not expected to have effects to public health or safety.		
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: There are no unique geographic characteristics, historical or cultural resources, parks, recreation or refuge lands, etc. that would be significantly impacted. No direct effects to nesting migratory birds, their nests, eggs, or fledglings would be expected from the removal of decked and/or individually placed logs, as there would be no modification or removal of forest habitat during the breeding season. Machinery activity will be limited to the road prism and no ground disturbance would occur off of designated roads. Consequently, none of these resources would be affected.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: The environmental effects of removing decked and individually placed logs adjacent to existing roads are not highly controversial. The ROD/RMP (pp. 30 and 74) authorizes this activity, and as such, there is no unresolved conflict regarding other uses of these resources.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: Removing logs along existing roads is a long-standing practice that has not been demonstrated to have highly uncertain or potentially significant effects, or involve unique or unknown risks.		

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
<p>Rationale: The removal of decked and individual logs is addressed in and authorized by the ROD/RMP (p. 30). As such, this project represents implementation of the land use plan decision, not a decision in principle on future actions. Removing logs along existing roads to provide for safe access and protect the road infrastructure has been widely practiced on BLM lands throughout western Oregon and has not been shown to have potentially significant impacts.</p>		
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
<p>Rationale: The project would have no direct or indirect effects; therefore there would be no cumulative effects. The project is not related to other projects with the potential for cumulative effects.</p>		
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
<p>Rationale: All equipment operations would occur on existing roads and there would be no log skidding. There would be no ground disturbance so the removal of the decked and individual logs would not affect any known or undiscovered cultural resources. The BLM has met its Section 106 responsibilities under the 2012 National Programmatic Agreement and Appendix A of the 2015 Oregon Protocol. If any objects of cultural value (e.g. historic or prehistoric ruins, graves, fossils, or artifacts) are found during the implementation of the proposed action, operations would be suspended until the site has been evaluated to determine the appropriate mitigation action.</p>		
8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
<p>Rationale: <i>Northern Spotted Owl (NSO)</i> The removal of fire-suppression created logs would not affect nesting, roosting, and foraging opportunities for the northern spotted owl and would not remove or modify spotted owl suitable habitat. Log removal would occur outside of the northern spotted owl critical breeding season to avoid potential disruption of nesting birds. NSO Critical Habitat: Only trees felled during fire suppression efforts that have been decked to clear roads would be removed by this project. Log decks located in Sections 1, 11, 12, 13, 17, 20, 23, 25 and 26 T. 30 S. R. 3 W., W.M., are located within the Klamath East critical habitat sub-unit for spotted owls. Removal of the log decks would not prevent the critical habitat unit from continuing its intended function.</p> <p>Marbled Murrelet: The project area is outside of the range of the marbled murrelet and its critical habitat therefore the removal of fire-suppression created log decks would not affect marbled murrelets.</p> <p>Coho salmon: The logs are decked or individually placed along existing roads, and as such, removal would not affect stream bank stability or result in degradation and erosion of stream banks. Consequently, there is no likelihood of sedimentation occurring that could degrade water quality or impact fish or their habitat. Removal of the logs would have no effect on streamside shading, and consequently no effect on stream temperatures therefore, there would be no effects to Oregon Coast coho salmon, critical habitat designated for Oregon Coast coho salmon, or Essential Fish Habitat designated for Oregon Coast coho and Chinook salmon.</p> <p>As a result of the high intensity of the Stouts Creek fire, little to no vegetation is present to filter sediment derived from haul routes in the project area. Sediment control methods such as straw wattles, jute matting, fibrous mulch, catch basins, and hydro-mulching would be employed to prevent haul route derived sediment from traveling along ditch lines and into Stouts Creek where ESA listed Oregon Coast coho salmon and other aquatic species are present.</p> <p>To increase the effectiveness of these sediment control methods, anionic polyacrylamide copolymer (PAM)</p>		

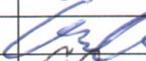
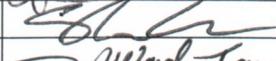
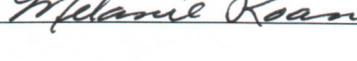
THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
<p>products (flocculants) would be used in conjunction with the other sediment control measures. When introduced into road side ditchlines, anionic (negatively-charged) PAMs cause suspended sediment particles to bind to one another causing them to fall out of suspension in catch basins and to bind more effectively with the fibrous mulch, straw wattles, or jute matting that is in place (EPA 2013; Iwinski 2010). Anionic PAM toxicity has been tested extensively and findings show them to be non-toxic to the environment (EPA 2013; Iida and Shock 2008; Kay-Shoemake et al. 1998; Biesinger and Stokes 1986; Weber 1986) thus there would be no effect to aquatic species.</p> <p>This collection of sediment control measures would prevent effects to Oregon Coast coho salmon, Coho critical habitat and Essential Fish habitat from haul route derived sediment.</p> <p>Special Status Plants: There are no known special status plant or fungi sites within or adjacent to the project locations. The nearest population of the federally threatened Kincaid's lupine is approximately 0.4 air miles Southeast of the nearest log location. As the proposed project does not include additional surface disturbance, removal of the logs would not further impact any undocumented special status plant or fungi sites.</p>		
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</p>		X
<p>Rationale: The project conforms to direction from the Roseburg District ROD/RMP for management of public lands on the Roseburg District. The ROD/RMP complies with all applicable laws, such as the Federal Land Policy Management Act, Clean Water Act, Endangered Species Act, and others.</p>		
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898).</p>		X
<p>Rationale: No potential impacts have been identified by the Roseburg District BLM, either internally or through public involvement in BLM project planning over the years which would indicate that the removal of the logs would have a disproportionate impact on low-income or minority populations in Douglas County, Oregon.</p>		
<p>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).</p>		X
<p>Rationale: No sites of sacred, religious or ceremonial value have been identified in the project area.</p>		
<p>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).</p>		X
<p>Rationale: Equipment used for log removal will be required to undergo steam cleaning or pressure washing prior to move-in in order to remove any soil that may be contaminated with weed seed or other propagules, and reduce the risk of introducing noxious weeds into the area.</p>		

E. Signature


 Steven Lydick
 Field Manager
 South River Field Office

10/22/15
 Date

F. Reviewers and Contact Person

Name	Specialty	Signature	Date
Aaron Roe	Botanist		10/21/2015
Carley Smith	Archeology		10/20/2015
Steve Clark	Fisheries Biologist		10/21/2015
Ward Fong	Soils		10/22/2015
Ryan Johnson	Team Leader		10/21/2015
Sidney Post	Hydrology		10/21/2015
Summer Cross	Wildlife Biologist		10/22/2015
Melanie Roan	NEPA Coordinator		10/22/2015

For additional information concerning this Categorical Review, contact:

Ryan Johnson (South River Forester)
 777 NW Garden Valley Blvd.
 Roseburg, OR 97471
 (541) 464-3363

G. References:

Biesinger, K.E., and G.N. Stokes. 1986. Effects of Synthetic Polyelectrolytes on Selected Aquatic Organisms. *Water Pollution Control Federation*, 58(3), 207-213. <http://www.jstor.org/stable/25042882>

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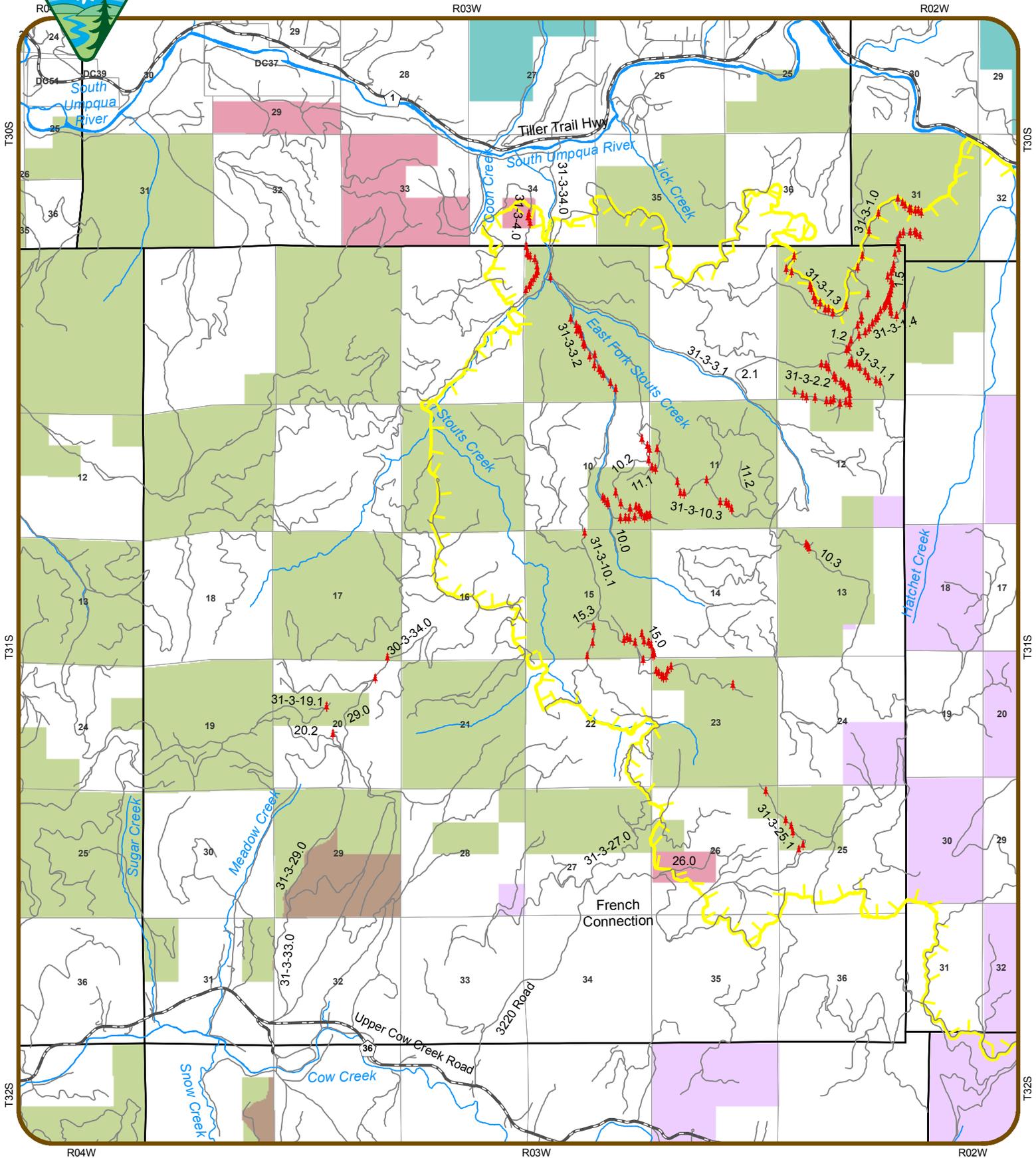
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Kay-Shoemake, J.L., M.E. Watwood, R.D. Lentz, and R.E. Sojka 1998. Polyacrylamide as an organic nitrogen source for soil microorganisms with potential impact on inorganic soil nitrogen in agricultural soil. *Soil Biol. Biochem.* 30, 1045-1052.

Weber, P.K., 1986. The Use of Chemical Flocculants for Water Clarification: A review of the Literature with Application to Placer Mining. Habitat Division AK Dept. of Fish & Game, 22. http://www.adfg.alaska.gov/static/home/library/pdfs/habitat/86_04.pdf



Stouts Creek Fire Suppression Log Removal



- County Roads
- Existing Road
- Major Stream
- Log Removal Areas
- Stouts Creek Fire
- Connectivity
- District Defined Reserve
- Late Successional Reserve
- North General Forest Management Area
- U.S. Forest Service



Date: 10/22/2015

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