

**U.S. DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALEM DISTRICT - MARYS PEAK RESOURCE AREA**

**Categorical Exclusion Review**

**A. Background**

**BLM Office:** Marys Peak Resource Area

**Lease/Serial/Case File No:** N/A

**Categorical Exclusion Number:** DOI-BLM-ORWA-S050-2016-0007-CX **Date:** 4/20/2016

**Proposed Action Title/Type:** Fall Creek Temporary Road & Trail Closure for Public Safety

**Location of Proposed Action:** T. 14 S. R. 7 W. Sections 25, 26, 27, 33, 34, 35, and 36; W.M. Benton County, Oregon.

**Land Use Allocation(s):** Late-Successional Reserve (LSR)

**Description of Proposed Action:**

Temporary closure of two roads (14-7-25 and 14-7-27) and two trails (Upper Whistlepunk and Lower Whistlepunk), Monday-Friday during the remaining portion of the Fall-Cole Timber Sale Contract in order to maintain public safety for recreationalists and timber operators. Closure extends until Oct. 31, 2017 unless rescinded earlier.

Bicycle and hiking traffic will be routed to a less-traveled route (14-7-35) during the week and the entire system will be open on Saturdays and Sundays. Signs will be posted detailing the closure and weekday detour routes.

**B. Land Use Plan Conformance**

The 1995 Salem District RMP is silent on the specific topic of temporary road and trail closures designed to ensure public safety. However, the RMP states that roads should be “manage[d] to meet the needs identified under other resource programs” (RMP, p. 62). This road closure would ensure the completion of the Fall-Cole Timber Sale contract, which was designed to meet the objectives of the Late-Successional Reserves decisions (pp. 15-16) and the Riparian Reserve decisions (pp. 6-15). This road closure would also meet the Recreation Uses direction for the LSR (pp.18) to “use adjustment measures, such as...use limitations...when dispersed and developed recreation practices retard or prevent attainment of [LSR] objectives.”

Further, the BLM has specific authority under 43 CFR 8364.1 to enact such closures and restrictions to protect persons.

The proposed action is further consistent with the:

- *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and Standard and*

*Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*, dated April, 1994;

- *Record of Decision and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* as amended (S&M ROD, January 2001);

### 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 (G) (3) and (G) (4), which allow for: “temporary closure of roads and trails” and “placement of recreational, special designation, or information signs...” The action described in this document is consistent with this category, because this action is a temporary closure (less than two years) that is being carried out in accordance with Federal Regulation, including proper signage.

**Table 1. Categorical Exclusions: Extraordinary Circumstances Review**

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p>2.1/ Have significant impacts on public health or safety?</p> <p><b>Rationale:</b> This action will not have significant impacts on public health and safety, and is designed to ensure the continued safety of public lands visitors. All proposed activities will follow established rules concerning health and safety.</p>		No
<p>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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas?</p> <p><b>Rationale:</b> The project will not have significant impacts on the aforementioned features or resources. No unique geographical characteristics are within the project area or affected by this project.</p>		No
<p>2.3/ Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</p> <p><b>Rationale:</b> There are no highly controversial environmental effects or unresolved conflicts associated with the action. Though the decision will likely be unpopular, its effects on the environment are not controversial.</p>		No
<p>2.4/ Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p><b>Rationale:</b> Detouring bicycle and foot traffic from one route to another less than 1 mile away poses no highly uncertain, potentially significant, unique, or unknown environmental risks.</p>		No
<p>2.5/ Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</p>		No

Will the Proposed Action documented in this Categorical Exclusion	Yes	No
<p><b>Rationale:</b> This action is allowed for in the existing land use plan; authorization will not set a precedent or decision for future action. This circumstance of this closure order are highly unique and not precedent setting.</p>		
<p>2.6/ Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</p> <p><b>Rationale:</b> Impacts from this action are expected to be negligible and would not contribute to potentially significant impacts now or in the reasonably foreseeable future.</p>	No	
<p>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?</p> <p><b>Rationale:</b> This action will not have any impacts on the aforementioned resources, because none are within the project area.</p>	No	
<p>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?</p> <p><b>Rationale:</b> The action of detouring bicycle and foot traffic from one route to another will not have any impact 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>	No	
<p>2.9/ Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</p> <p><b>Rationale:</b> This decision will not violate any known Federal, State, local, Tribal laws, or requirements imposed for the protection of the environment.</p>	No	
<p>2.10/ Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</p> <p><b>Rationale:</b> The action will not have disproportionately high or adverse human health or environmental effects on minority populations and low-income populations.</p>	No	
<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)?</p> <p><b>Rationale:</b> The action will not limit access or adversely affect the physical integrity of ceremonial or sacred Indian sites on Federal lands.</p>	No	
<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)?</p> <p><b>Rationale:</b> The Marys Peak Resource Area has an Integrated Management Plan in place for the control of noxious weeds. All noxious weeds known from the project area are common and widespread throughout all of western Oregon. Any new infestation(s) of these common weed species on BLM lands will be evaluated and eradicated as funding allows. The risk rating for any adverse impacts from the spread of noxious weeds through</p>	No	

<b>Will the Proposed Action documented in this Categorical Exclusion</b>	<b>Yes</b>	<b>No</b>
the implementation of this project is low.		

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 DM2 (see Table 1, above) apply.

**D. Specialist Review and Signature**

Name	Resource	Initial
Douglass Fitting	Hydrology and Soils	<i>DWF</i>
Stefanie Larew	NEPA Compliance	<i>SL</i>
David Moore	Recreation	<i>DM</i>
Scott Snedeker	Fisheries	<i>SS</i>
Ron Exeter	Botany	<i>RE</i>
Scott Hopkins	Wildlife	<i>DSH</i>
Cory Geisler	Timber Sale Administration	<i>CG</i>

Authorized Official:  Date: 4/21/16  
Name: Paul Tigan  
Title: Marys Peak Field Manager

**Contact Person:** For additional information concerning this CX, contact Paul Tigan, Field Manager, Salem District Office Bureau of Land Management, 1717 Fabry Rd. SE Salem, Oregon at (503) 315-5968.

**U.S. DEPARTMENT OF INTERIOR  
BUREAU OF LAND MANAGEMENT  
SALEM DISTRICT, MARYS PEAK RESOURCE AREA**

**Decision Record**

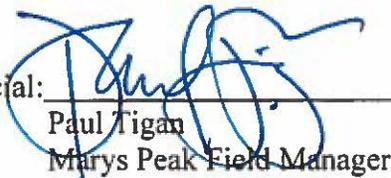
Based on the attached Categorical Exclusion Documentation DOI-BLM-ORWA-S050-2016-0007-CX, I have determined that the proposed action, the Fall Creek temporary road closure for public safety, involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to implement the proposed action as described in the attached Categorical Exclusion.

Administrative Remedy: Notice of the decision to be made on the action described in this categorical exclusion will be posted on the BLM ePlanning website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4. A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper.

Contact Person: For additional information concerning this CX review, contact Paul Tigan, Field Manager, Salem District Office Bureau of Land Management, 1717 Fabry Rd. SE Salem, Oregon at (503) 315-5968.

Authorized Official: \_\_\_\_\_

  
Paul Tigan  
Marys Peak Field Manager

Date: \_\_\_\_\_

