



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
3040 BIDDLE ROAD  
MEDFORD, OREGON 97504

## ROGUE NATIONAL WILD AND SCENIC RIVER HELLGATE RECREATION SECTION HAZARDOUS FUEL REDUCTION PROJECT -- *Rand Neighborhood Hazardous Fuel Reduction Project* --

Decision Memorandum on Action and for Application of Departmental Categorical Exclusion 1.12  
CE # OR 117-04-47

### I. Purpose and Need for the Action

**A. Proposed Action Title / Type:** Rand Neighborhood Hazardous Fuel Reduction Project. This is a WUI hazardous fuel reduction project located around the BLM's Rand Administrative Site. Approximately 263 acres in the neighborhood would be treated.

**B. Location:** BLM and non-federal lands in vicinity of BLM's Rand Administrative Site.  
**Township/Range/Section:** T34S, R8W, Section 24; T34S, R7W, Sections 19.  
**Land Use Allocation:** Congressional Reserved – Rogue National Wild and Scenic River

#### C. Need / Rationale for the Proposed Action:

The "Rand Neighborhood" is within the project area addressed in the 2003 Rogue National Wild and Scenic River Hellgate Recreation Section Hazardous Fuel Reduction Project (EA #OR110-03-14). The purpose of the larger project and the Neighborhood Project are described on page 2 of that EA. The need and rationale are essentially that fuel hazard along the river is high, the values at risk (property and scenic) are high and active fuel hazard reduction work is needed to reduce the potential for a high intensity wildfire and to increase the potential for effective and safe suppression work in the event of a wildfire.

#### D. Description of the Proposed Action:

See attached Rand Neighborhood Hazardous Fuel Reduction Plan.

### II. Plan Conformance

The Rand Neighborhood Hazardous Fuel Reduction Project's proposed action is in conformance with the following plans:

- *Rogue National Wild and Scenic River Hellgate Recreation Section Hazardous Fuel Reduction Project* Plan (Decision Record of October 28, 2003; Environmental Assessment #OR110-03-14 of August 2003;

- *The Rogue National Wild and Scenic River: Hellgate Recreation Area Proposed Recreation Area Management Plan and Final Environmental Impact Statement* (March 2003) and its Record of Decision (July 2004) (RAMP);
- *The Medford District Record of Decision and Resource Management Plan* (June 1995) and the *Medford District Proposed Resource Management Plan and Final Environmental Impact Statement* (September 1994);
- *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 Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (April 1994), (aka the Northwest Forest Plan) (NFP);
- *Final Supplemental Environmental Impact Statement for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (March 2000), and the *Record of Decision and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (January 2001);
- *Final Supplemental EIS for Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan National Forests and Bureau of Land Management Districts Within the Range of the Northern Spotted Owl: Proposal to Amend Wording about the Aquatic Conservation Strategy* (October 2003), and the *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests Within the Range of the Northern Spotted Owl: Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy* (March 2004);
- *Final Supplemental Environmental Impact Statement to remove or Modify the survey and Manage Mitigation Measures Standards and Guidelines* (January 2004) and the *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Document within the Range of the Northern Spotted Owl* (March 2004); and
- *Record of Decision and Resource Plan Amendment for Management of Port-Orford-Cedar in southwest Oregon, Coos Bay, Medford, and Roseburg Districts* (May 2004) and the *Final Supplemental Environmental Impact Statement for the Management of Port-Orford-Cedar in Southwest Oregon* (January 2004).

### **III. Compliance with the National Environmental Policy Act**

The proposed action qualifies as a categorically excluded action under the following Department of the Interior categorical exclusion: (Department Manual 516 DM 2, Appendix 1):

*1.12 Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing, not to exceed 1,000 acres. Such activities: Shall be limited to areas (1) in wildland-urban interface and (2) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside the wildland-urban interface; Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy Implementation Plan;” Shall be conducted consistent with agency and Departmental procedures and applicable land*

*and resource management plans; Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative material if the primary purpose of the activity is hazardous fuels reduction. (Refer to the Environmental Statement Memoranda Series for additional, required guidance.)*

The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects which may significantly affect the environment. The proposed action has been reviewed to determine if extraordinary circumstances exist that would require further environmental analysis and documentation (516 DM 2, Appendix 2). None have been identified (see attached).

#### **IV. Persons and Agencies Consulted**

The preparation of the Rogue National Wild and Scenic River Hellgate Section Hazardous Fuel Reduction Project extensive public involvement and collaboration opportunities were provided (See EA p. 16). The present Rand Neighborhood Project Plan included additional collaboration between the BLM and the other landowners within the Rand Neighborhood boundary. The Oregon Department of Forestry has also been consulted in the preparation of this plan.

#### **V. Implementation Date**

This project will be implemented immediately as outlined below and as consistent with Oregon Department of Forestry fire closures.

#### **VI. Decision and Rationale**

It is my decision to implement the Rand Neighborhood Hazardous Fuel Reduction project, as described, except as follows:

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I have reviewed the plan conformance statement and have determined that the proposed actions are in conformance with the approved land use plan. It is consistent with my previous decision regarding the Rogue River Hazardous Fuel Reduction project. No further environmental analysis is required.

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Abbie Jossie  
Field Manager  
Grants Pass Resource Area

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Date

## **VII. Administrative Review or Appeal Opportunities**

Administrative remedies may be available to persons who believe that they will be adversely affected by this decision. Persons wishing to seek administrative recourse must do so in accordance with BLM regulations and the procedures and requirements of 43 CFR § 5003 - Administrative Remedies and 43 CFR Subtitle A, Part 4, Subpart E, both as modified by the Federal Register Notice on June 5, 2003 (Vol. 68, No. 108).

This wildfire management decision is issued under 43 CFR Part 5003.1 and will be effective immediately following the completion of a 15 day public review period for the Rand neighborhood plan and this CE. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or are at immediate risk of erosion or other damage due to wildfire. The BLM has determined that the hazardous fuel buildup in the project area and the consequent substantial risk of wildfire to the residential, business and river values in the project area call for expeditious implementation of this decision to facilitate the preparation of neighborhood plans and subsequent implementation of hazardous fuel reduction work (43 CFR § 5003.1(b)). Notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. The Interior Board of Land Appeals will, however, decide an appeal within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed (43 CFR § 4.416)

Any contest of this decision should state specifically which portion or element of the decision is being protested and cite the applicable CFR regulations.

## **VII. Contact Person**

For additional information concerning this decision contact:

Doug Henry  
NEPA Coordinator  
Grants Pass Resource Area  
Medford District BLM  
3040 Biddle Road  
Medford, OR 94504  
(541) 618-2276

**NEPA COMPLIANCE  
CATEGORICAL EXCLUSION REVIEW  
CE #OR117-04-47**

**ROGUE NATIONAL WILD AND SCENIC RIVER HELLGATE RECREATION  
SECTION HAZARDOUS FUEL REDUCTION PROJECT  
-- Rand Neighborhood Hazardous Fuel Reduction Project --**

The Department of the Interior Manual 516 2.3A (3) requires the review of the following “extraordinary circumstances” (516 DM 2 Appendix 2) to determine if an otherwise categorically excluded action would require additional analysis and environmental documentation.

*1) Have significant impacts on public health or safety.*

Yes No Remarks: The project is designed to increase public safety by making the Rand Neighborhood area less susceptible to intense wildfire damage and to improve the potential for safe and prompt suppression should a wildfire occur.

*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.*

Yes No Remarks: The Rand Neighborhood project is within the congressionally designated boundaries of the Rogue National Wild and Scenic River. The August 2003 Rogue National Wild and Scenic River Hellgate Section Hazardous Fuel Reduction Project Environmental Assessment considered the overall project and developed project and neighborhood plan design criteria that insures the Outstandingly Remarkable Values of the Hellgate Section will not be adversely affected. It also evaluated the potential impact on the historic attributes of the Rand Site, a National Historic Register listed site.

*3) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

Yes No Remarks: No such controversy has been identified for the proposed action. Initial controversy was addressed in the overall project design, analysis and decisions documented in the August 2003 Rogue National Wild and Scenic River Hellgate Section Hazardous Fuel Reduction Project Environmental Assessment and DR/FONSI.

*4) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

Yes No Remarks: No such effects or risks were identified in reviewing the Neighborhood Plan proposal nor in the development and review of the overall Hellgate Section hazardous fuel reduction plan.

5) *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

Yes No Remarks: This decision will not establish any precedent nor does it represent a decision in principle with potential significant effects. The Hellgate Section level hazardous fuel reduction plan and EA were prepared to insure that this was not the case.

6) *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Yes No Remarks: No cumulatively significant effects have been identified. The Hellgate Section hazardous fuel reduction plan was prepared expressly to assess the potential for cumulative significant effects of the fuel reduction treatments within the Congressionally designated Rogue Wild and Scenic River and to establish key Neighborhood Plan planning sideboards and project design features that would insure that significant cumulative effects would be precluded.

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.*

Yes No Remarks: The project area includes a National Register Historic Site. The project will not significantly impact this site or the historic values of it.

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.*

Yes No Remarks: No significant impacts to ESA listed species have been identified. The project area is within designated critical habitat for the northern spotted owl but will not significantly impact the habitat or its overall functionality.

9) *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes No Remarks: There is no indication that the project will violate any such law.

10) *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

Yes No Remarks: There is no indication that there will be a disproportionate impact on low income or minority populations.

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).*

Yes No Remarks: There is no indication that the project will limit access or have any impact on sacred or ceremonial sites.

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)Yes ( )No Remarks: The Hellgate Recreation Section Hazardous Fuel Reduction Project EA identified (p. 13) the potential for noxious weed invasion and spread and that there is currently a moderate to high probability for this. Project design features are included in the project to reduce the potential for noxious weed spread. No further environmental analysis or documentation is needed regarding noxious weeds.

**Reviewer(s):**

Silviculture, Vegetation Dynamics & Port-Orford Cedar

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Botanist

9/28/2004

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9-30-04