

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

1791A
CE-03-12
2812
Malcolm
E-958

CATEGORICAL EXCLUSION REVIEW

Background

Bruce Malcolm has applied for a road use permit for BLM controlled Road No. 20-5-14.1. This road will be used to access and haul timber from his ownership in the SE¼ Section 22, T. 20 S., R. 5 W.

Proposed Action

The Proposed action is to issue O. and C. Logging Road Right-of-Way Permit E-958 to Bruce Malcolm for a term of three years pursuant to the authority of Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761), subject to the terms and conditions in 43 CFR 2812 and those additional stipulations in the attached draft permit. The permit would authorize the hauling of approximately 10 MBF of timber over 1.10 miles of BLM controlled Road No. 20-5-14.1 Segments A, B and C. BLM's control of the aforementioned roads is governed by exclusive easements and ownership. To avoid disturbance during marbled murrelet and northern spotted owl nesting seasons, timber haul will only be permitted from August 6 through February 28. Road maintenance will be performed by the BLM.

Decision

It is my decision to approve the issuance of O. and C. Logging Road Right-of-Way Permit E-958 to Bruce Malcolm for a term of three years pursuant to the authority of Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761), subject to the terms and conditions in 43 CFR 2812 and those additional stipulations in the attached draft permit. The permit shall authorize the use of the BLM controlled road described in the Proposed Action.

Rationale

The Proposed Action meets the criteria for the categorical exclusion in 516 DM 6, Appendix 5.4E(16) and does not meet any of the exception criteria in 516 DM 2, Appendix 2. The Proposed Action is in conformance 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" (April 1994), and the "Eugene District Record of Decision and Resource Management Plan" (June 1995).

Prepared by: /s/ Jeff Apel
 Siuslaw Resource Area

Date: 12/19/02

Reviewed by: /s/ Rick Colvin
 Planning and Environmental Coordinator

Date: 12/19/02

Approved by: /s/ Steven Calish
 Field Manager, Siuslaw Resource Area

Date: 1/7/03

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CATEGORICAL EXCLUSION REVIEW
 Exception Criteria Review Checklist

Proposed Action: The issuance of a O. and C. Logging Road Right-of Way Permit E-958 to Bruce Malcolm as described on the preceding page.

Review the proposed action against each of the ten criteria listed below. If the project meets one or more of the criteria, it is an exception from categorical exclusion and **MUST** be analyzed in an EA or EIS. To qualify as a Categorical Exclusion the proposed action may not meet any of the criteria. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Exception Criteria		Comments
1.	Have significant adverse effects on public health or safety	NO
2.	Have adverse effects on unique resources (i.e., parks, recreation, refuge lands, wilderness areas, wild or scenic rivers, wetlands, floodplains, etc.)	NONE IDENTIFIED
3.	Have highly controversial environmental effects	NONE IDENTIFIED
4.	Have highly uncertain environmental effects or involve unique or unknown environmental risks	NONE IDENTIFIED
5.	Establish a precedent that could result in significant impacts	NOT APPLICABLE
6.	Be directly related to other actions having cumulatively significant effects	NO
7.	Have adverse effects on cultural or historical resources	NONE IDENTIFIED
8.	Have adverse effects on species listed or proposed as threatened or endangered or have adverse effect on designated critical habitat for these species.	NO; SEE ATTACHED
9.	Require compliance with E.O. 11988 (floodplain management), E.O. 11990 (protection of wetlands), or the Fish & Wildlife Coordination Act	NO
10.	Threaten to violate Federal, State, Local or Tribal law or requirements imposed for the protection of the environment	NO

Mitigation measures needed to qualify as CE:

Completed necessary surveys for status species as determined by the wildlife biologist and botanist.

Limit timber haul from August 6 through March 1 of the following year with a daily time restriction of no activities within two hours after sunrise or within two hours before sunset from August 6 through September 15.

Reviewed By: /s/ Rick Colvin

Date: 12/19/03

Above mitigation measures have been adopted and will be implemented.

Field Manager: /s/ Steven Calish

Date: 1/7/03