

**United States Department of Interior
Bureau of Land Management
Coos Bay District**

Categorical Exclusion Review (CX)

DOI-BLM-ORWA-C030-2020-0004-CX

Date: April 15, 2020

A. Background

Project: Devil's Staircase Wilderness Area Protection CX

Location: See Attachment 1

Project Description:

Congress designated the Devil's Staircase Wilderness in the John D. Dingell, Jr. Conservation, Management, and Recreation Act of 2019 (Public Law 116-9). These are 30,621 acres of Forest Service and Bureau of Land Management (BLM) lands that have been added to the National Wilderness Preservation System in accordance with the Wilderness Act (16 U.S.C.1131 et seq.). Section 4 (c) of the Wilderness Act describes prohibited uses including the use of motorized vehicles.

To manage wilderness and preserve the undeveloped character the Coos Bay District BLM and Siuslaw National Forest have identified 20 locations where existing roads intrude upon the Devil's Staircase Wilderness boundary. At these locations, the BLM will place large rip rap rock to form a physical vehicle barrier to discourage motorized vehicle use.

The BLM's road maintenance department will obtain large rip rap rocks from approved rock source in Drain, haul rock using a dump truck on existing boundary roads outside of the Wilderness to dump a small supply at each location and then put into place using a backhoe or excavator. The work is intended to start in the spring of 2020 and be completed by fall of 2020.

B. Land Use Plan Conformance Review: This categorical exclusion (CX) is tiered to the *Proposed Resource Management Plan (PRMP)/Final Environmental Impact Statement (FEIS) for the Resource Management Plans for Western Oregon* and is in conformance with the *Northwestern and Coastal Oregon Approved Resource Management Plan Record of Decision (RMP/ROD)* (USDI BLM 2016).

The BLM signed a Record of Decision approving the Northwestern and Coastal Oregon Resource Management Plan (2016 ROD/RMP) on August 5, 2016.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

In designated Wilderness Areas, exclude all prohibited uses of Wilderness (as defined in the Wilderness Act of 1964 and BLM Manual 6340 – Management of Designated Wilderness (USDI BLM 2012b)), unless they have been demonstrated to be the minimum necessary (using the minimum requirements decision guide) to administer the area for the purposes of the Wilderness Act (USDI 2016, p. 55).

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 2 Appendix 1 G.2:

Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.

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.

<u>Extraordinary Circumstances</u>	<u>Source</u>	<u>Initials</u>	<u>Date</u>
(1) Health & Safety Hazardous Materials	Reviewed by Hazardous Materials Coordinator	MLM	4/28/2020
(2) Unique Resources	Reviewed by Recreation Planner	JAH	4/15/20
(3) Controversial Effects	Reviewed by NEPA Coordinator	AEBH	4/16/2020
(4) Risks	Reviewed by NEPA Coordinator	AEBH	4/16/2020
(5) Precedent	Reviewed by NEPA Coordinator	AEBH	4/16/2020
(6) Cumulative	Reviewed by NEPA Coordinator	AEBH	4/16/2020
(7) Cultural & Historic	Reviewed by Archaeologist		
(8) T & E Species	Reviewed by: Wildlife Biologist	CH	4-21-2020
	Fisheries Biologist	JEF	04-16-20
	Botanist	JLS	4/15/2020
(9) Violate Laws	Reviewed by NEPA Coordinator	AEBH	4/16/2020
(10) Environmental Justice	Reviewed by Environmental Justice Coordinator	AEBH	4/16/2020
(11) Native American	Reviewed by District Native American Coordinator		
(12) Noxious Weeds	Reviewed by Noxious Weed Coordinator	ESB	04/24/2020

A summary of the extraordinary circumstances is listed below. The action must have a significant or a disproportional adverse effect on the listed categories to warrant further analysis and environmental review.

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: No. Implementing components of the Dingell Act would not have impacts to public health or safety.		
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 principle drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); national monuments; migratory birds; and other ecologically significant or critical areas.		X
Rationale: No. This action is to implement activities to enhance and protect the wilderness characteristics of these unique areas.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102 (2)(E)]		X
Rationale: No. This project merely implements a decision made with the signing of the Dingell Act.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks		X
Rationale: No. Preventing motorized access is a common practice even if not associated with protecting Wilderness Areas.		

THE PROPOSED CATEGORICAL EXCLUSION ACTION WILL:	YES	NO
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: No. The BLM is merely implementing a decision made in the Dingell Act.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects		X
Rationale: No. There are no other actions associated with this project that could result in cumulative effects.		
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.		X
Rationale: No. There are no known properties listed, or eligible for listing, on the National register of Historic Places.		
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Threatened or Endangered Species, or have significant impacts on designated Critical Habitat for these species.		X
Rationale: No. Where needed to prevent disruption to occupied marbled murrelet stands, some activities may be restricted to occur outside the critical breeding season.		
2.9 Violate a Federal, State, Local, or tribal law or requirement imposed for the protection of the environment.		X
Rationale: No. The BLM is merely implementing a decision made in the Dingell Act.		
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: No. The BLM is merely implementing a decision made in the Dingell Act.		
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).		X
Rationale: No. access would still be available – just not with motorized vehicles.		
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)		X
Rationale: No. Clean rock will be purchased and the trucks/equipment are washed regularly.		

D. Signature

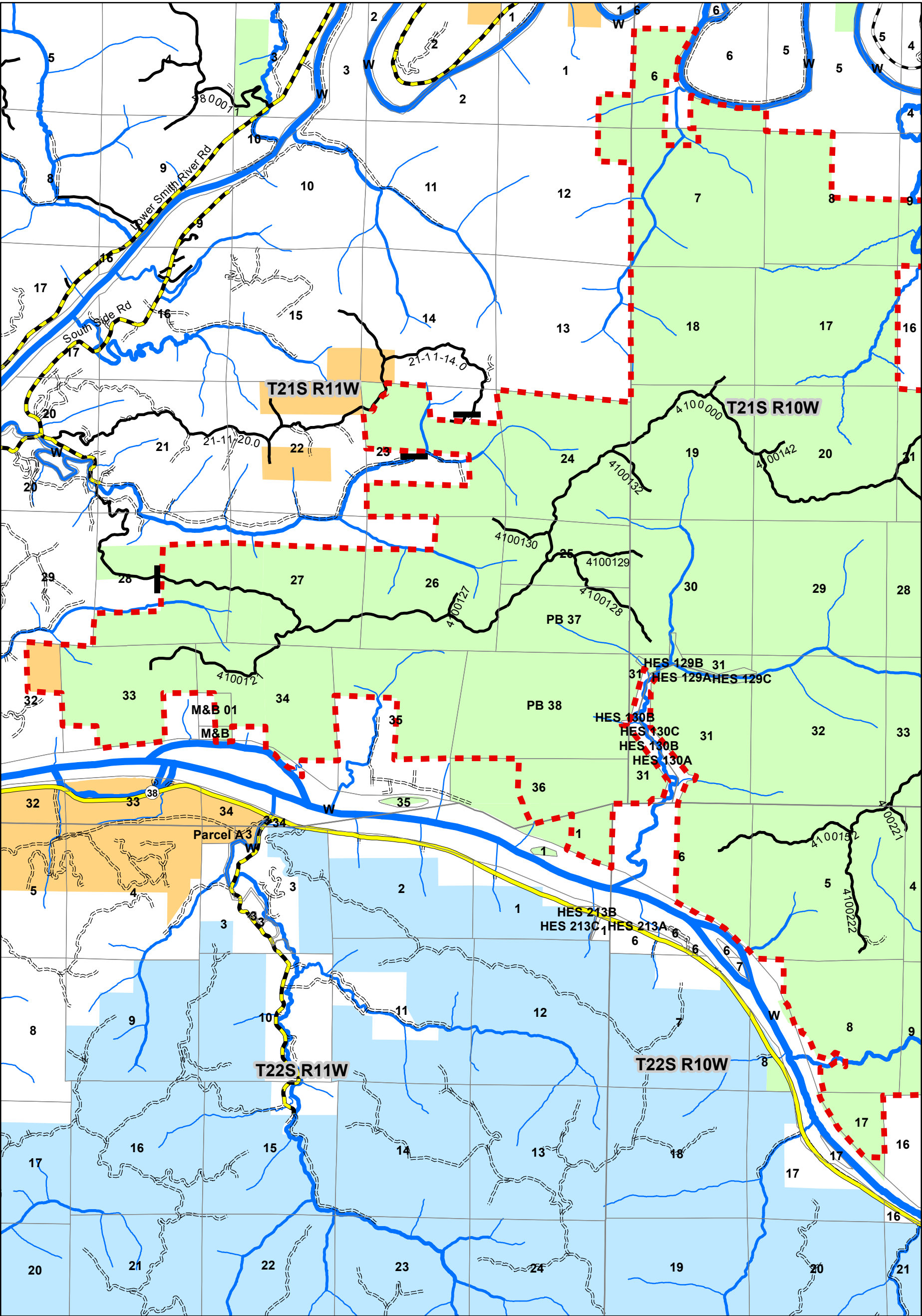
Authorizing Official: _____ Field Manager: _____ Date: _____

E. Contact Person

For additional information concerning this CX review, contact John Harper; District Recreation Planner; Coos Bay District Office; 1300 Airport Lane; North Bend, OR 97459, phone 541-751-4497, or email BLM_OR_CB_Mail@blm.gov, attention – John Harper.

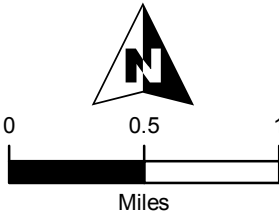
Devil's Staircase Wilderness Proposed Vehicle Barrier Locations					
Road No.	TWP	RNG	SEC	Surface	Owner
2319110	21S	10W	11	Aggregate	FS
21-10-12.0	21S	10W	12	Aggregate	BLM
21-10-12.3	21S	10W	12	Aggregate	BLM
Unknown	21S	10W	12	Unknown	BLM
Unknown	21S	9W	7	Unknown	BLM
21-9-7.0	21S	9W	7	Aggregate	BLM
21-9-8.0	21S	9W	8	Natural	BLM
21-9-17.1	21S	9W	17	Aggregate	BLM
21-9-17.0	21S	9W	17	Aggregate	BLM
21-9-19.2	21S	9W	19	Natural	BLM
21-10-13.0	21S	10W	13	Aggregate	BLM
21-9-19.1	21S	9W	19	Aggregate	BLM
21-10-36.2	21S	10W	25	Aggregate	BLM
4100160	21S	10W	35	Aggregate	FS
4100000	22S	10W	2	Aggregate	FS
22-10-1.4	22S	10W	1	Natural	BLM
22-10-1.5	22S	10W	1	Natural	FS
22-10-1.0	22S	10W	11	Aggregate	BLM
4100000	21S	11W	28	Aggregate	FS
Unknown	21S	11W	23	Unknown	Unknown
21-11-14.0	21S	11W	23	Aggregate	Private

Devil's Staircase Wilderness (West) Vehicle Barriers

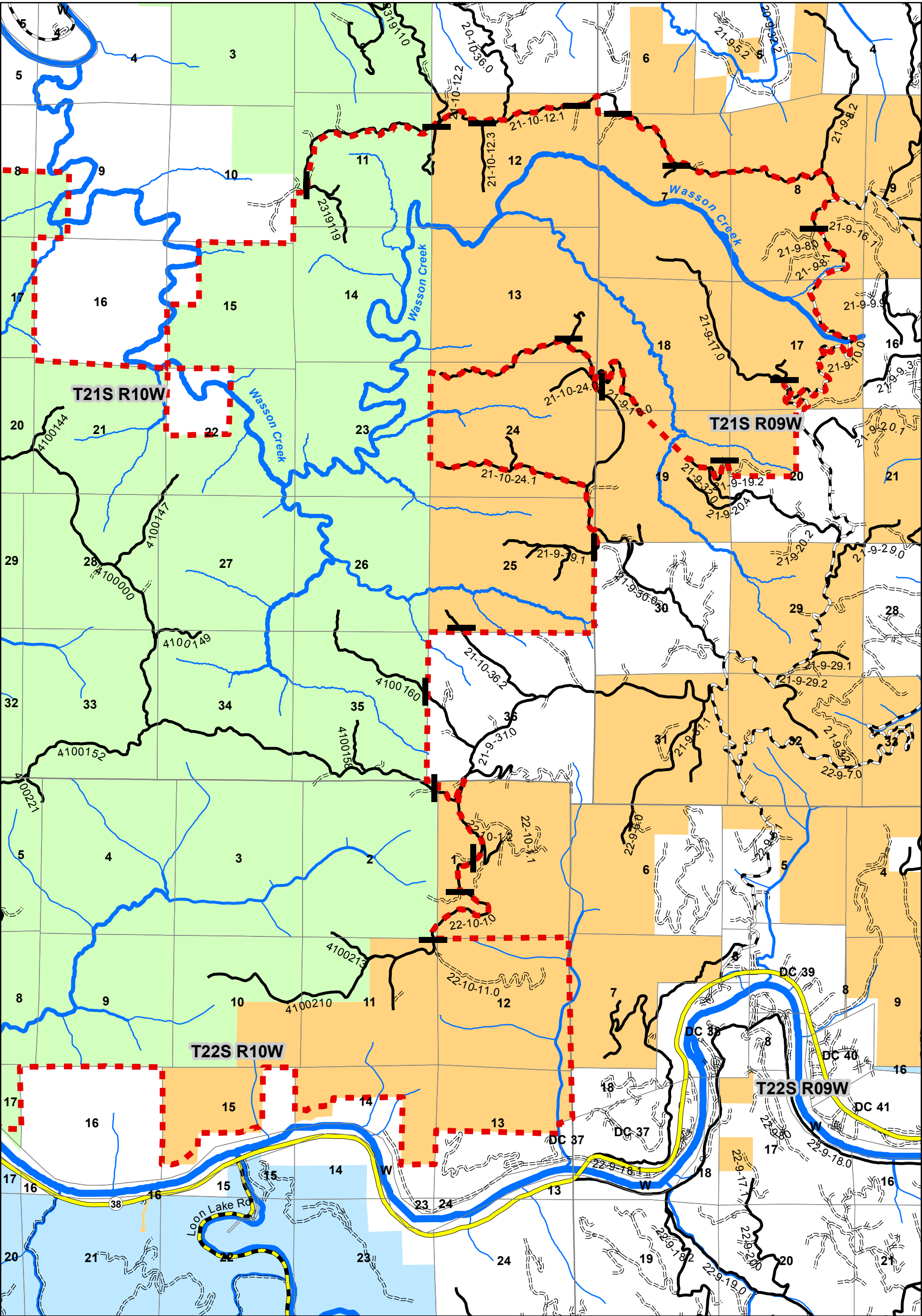


- Highway
- County Road
- Paved Road
- Gravel Road
- Natural/Unknown Surface Road
- Wilderness Boundary

- Proposed Vehicle Barrier
- Private or Other Lands
- State Lands
- BLM Lands
- USFS Lands



Devil's Staircase Wilderness (East) Vehicle Barriers



- Highway
- County Road
- Paved Road
- Gravel Road
- Natural/Unknown Surface Road
- Wilderness Boundary

- Proposed Vehicle Barrier
- Private or Other Lands
- State Lands
- BLM Lands
- USFS Lands

