

Categorical Exclusion Determination and Decision Record For Two Gate Installations

CE #OR115-08-46

Description of Proposed Action

The proposed project would install two gates - a horse access gate along Obenchain Road and a pipe gate to restrict vehicle access on road 34-1E-15 off Crowfoot Road.

Horse Gate Installation Project:

The project would install a horse access gate in the fence on BLM lands along Obenchain Road (north) in Section 23, Township 35S, Range 1E, Willamette Meridian, Jackson County, Oregon. The horse gate would allow horseback riders access through the fence onto an existing non-system tie road that connects Obenchain Road to Worthington Road. A new fence and a pipe gate were installed in 2007 across the tie road to prevent motorized vehicles from driving off Obenchain Road into the area during the wet season and to control vehicle access to the Jackson Cooperative Travel Management Area (JACTMA) during the October – April annual road closures. The area is frequently used by recreational horseback riders throughout the year; however, access for horseback riders was not incorporated into the 2007 design. There is currently no horse access to the tie road when the pipe gate is closed and locked. Construction of a specialized horse passage gate would allow horses to cross through the fence while preventing ATV access into the area when the gate is closed to restrict passage of motorized vehicles.

Pipe Gate Installation Project:

The project would install a new pipe gate across road 34-1E-15, located in Section 15, Township 34S, Range 1E, Willamette Meridian, Jackson County, Oregon. The new gate location would allow people to access road 34-1E-15 at the intersection with Crowfoot Road, and would prevent motorized vehicles from driving into the JACTMA vehicle closure area during the period of travel restrictions.

The new gate will allow people to drive to a rocked landing just off Crowfoot Road and to park vehicles in a safe area to access the JACTMA travel closure area on foot. The new access point would replace a parking area which is no longer accessible due to a change in ownership of lands that were formerly available for public parking. The ownership changed from a private timber company which was a partner in JACTMA to private ownership. The area is no longer available for people to park and access the area on foot during the JACTMA road closure. In order to maintain the JACTMA designation of the area, another access point will be located on BLM lands. A parking area will be designated and a gate will be installed just beyond the parking area to prevent vehicles from driving into the closed area. The new designated area and gate will allow people a safe area to park their vehicles off Crowfoot road.

The project is located on matrix lands. Gates would be built and installed by a contractor. The area where people will park was a landing used during a former timber sale.

Plan Conformance Review

This proposal was not scoped and the public was not involved in its development. This proposal is consistent with policy directed by the following:

- *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- *Final-Medford District Proposed Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995);
- *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (USDI 2007); and
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985).

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937, Federal Land Policy and Management Act of 1976, Endangered Species Act of 1973, Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990 (as amended), and Archaeological Resources Protection Act of 1979.

This proposal is consistent with management direction in the Medford District Resource Management Plan that directs the BLM to “provide for recreational opportunities that contribute to meeting recreation demand within the planning area and enhance visitor recreation experience and pursue recreation opportunities that will benefit local community economic strategies consistent with BLM land use objectives” (USDI 1995, p. 63).

Categorical Exclusion Determination

The proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 G(2). This section allows for “Installation of ...gates...on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.”

Before any action described in the list of categorical exclusions may be used, the “extraordinary circumstances,” included in 516 DM 2, 11.9 G (2), must be reviewed for applicability. After review, the BLM determined no extraordinary circumstances exist that would cause the proposed action to have a significant environmental effect. The action will not require additional analysis.

Project Design Features

1. No trees would be felled.
2. Small diameter slash will be lopped and scattered.
3. Operation of equipment would follow Oregon Department of Forestry regulations and closures.
4. Pipe gate installation would occur within the road prism in previously disturbed area.

Contact Person

For additional information concerning this CE review, contact Marcia Wineteer, Project Leader, at 541-618-2494 or Linda Hale at 541 618-2257.

NEPA Categorical Exclusion Review

Proposed Action: The installation of a horse gate in a fence along Obenchain Road and installation of a pipe gate on road -34-1E-15 off Cobleigh Road.

Department of the Interior Manual 516 2.3.A (3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may: Department of the Interior Manual 516 2.3.A (3) provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which may:

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

Yes No

Initial JK Remarks:

2. *Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; 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

Initial JK Remarks:

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

Yes No

Initial JK Remarks:

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

Yes No

Initial JK Remarks:

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

Yes No

Initial JK Remarks:

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

Yes No

Initial JS Remarks:

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

Initial JCM Remarks:

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.*

Plants Yes No

Initial MW Remarks:

Animals Yes No

Initial JH Remarks:

Fish Yes No

Initial SL Remarks: *all work would be done on Rd.*

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

Yes No

Initial JL Remarks:

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

Yes No

Initial JW Remarks:

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

Initial JCM Remarks:

12. *Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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).*

Yes No

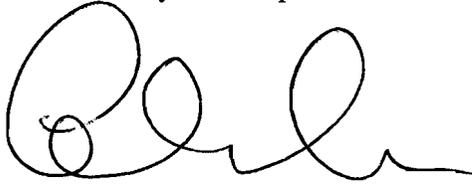
Initial MW Remarks:

Decision

Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required. It is my decision to implement the removal and sale of blown down trees as described above.

Decision Rationale

The proposed action has been reviewed by Butte Falls Resource Area staff and appropriate Project Design Features, as specified above, will be incorporated into the proposal. Based on the attached NEPA (National Environmental Policy Act) Categorical Exclusion Review, I have determined the proposed action involves no significant impact to the human environment and no further environmental analysis is required.



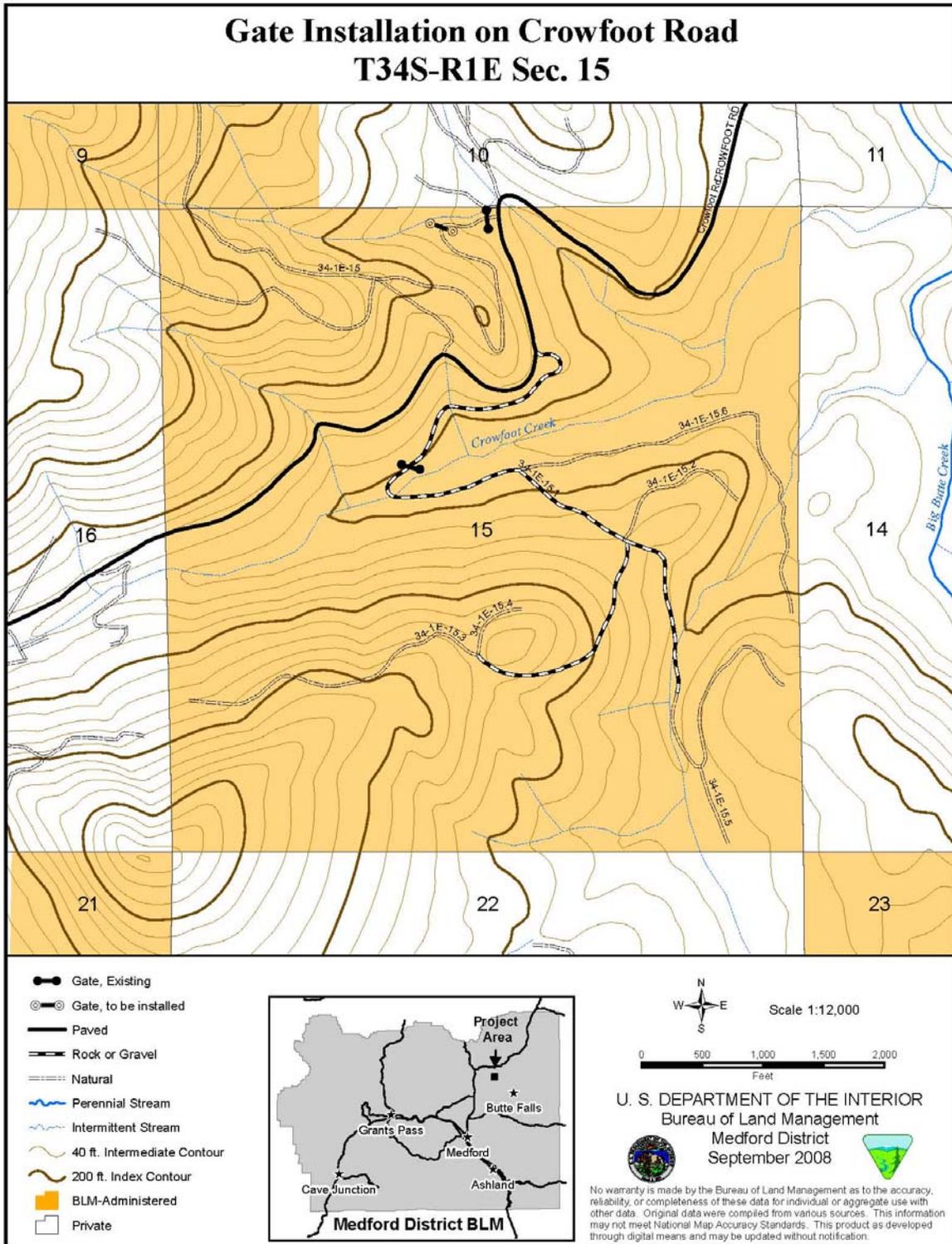
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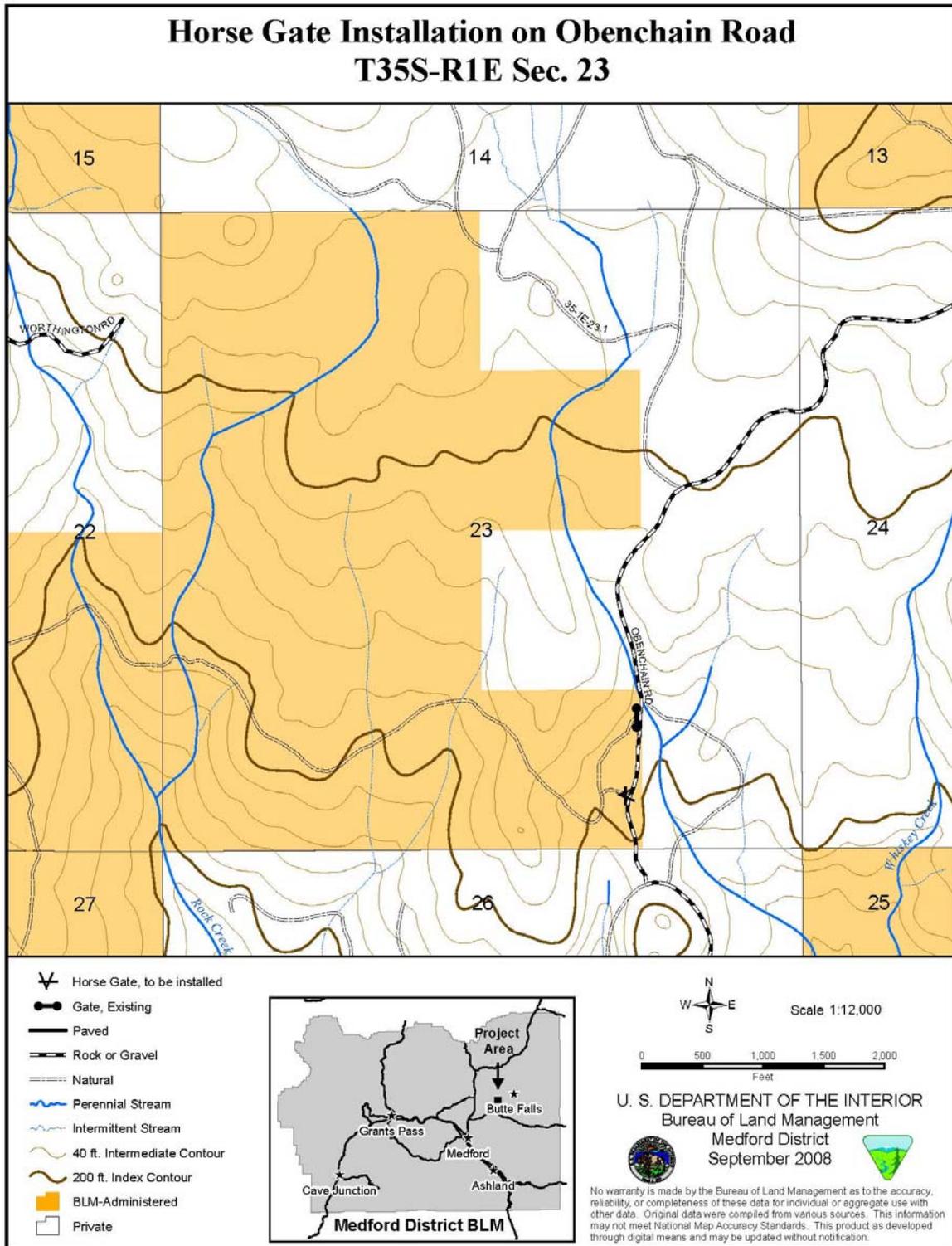
Christopher J. McAlear
Field Manager
Butte Falls Resource Area

Date

Administrative Review or Appeal Opportunities

This decision is effective upon signing by the authorized officer and shall remain in effect pending any protest. The action is subject to protest under 43 CFR section 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.





Categorical Exclusion Reviewers:

Name	Title	Date	Initials
Jean Williams	NEPA Coordinator	9/8/08	JW
Marcia Wineteer	Botanist	9/5/08	mw
Linda Hale Dave Roelofs	Wildlife Biologist	9/5/08	LH
Steve Liebhardt	Fisheries Biologist	9/4/08	SL
Shawn Simpson	Hydrologist	9/5/08	SLS
Shawn Simpson Ken Van Ethen	Soil Scientist	9/8/08	SLS
Ken Van Ethen Pat Butler	Fire/Fuels Specialist	9/8/08	PB
Pat Butler Ecanne Mruzik	Fire/Fuels Specialist	9/8/08	PB
John McNeel	Cultural Resource Technician	9/8/08	JCM
Randy Bryan	Engineer	9/5/08	RRB
Trish Lindaman	Outdoor Recreation Planner	9/5/08	PL