

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

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B050-2012-0027-CX
File Code (Project/Serial Number):
Preparer: John Bethea, Outdoor Recreation Planner

Date: March 8, 2012

Applicant: Jamie Thomas, American Competitive Trail Horse Association (ACTHA).

Title of Proposed Action: ACTHA Trail Ride June 2, 2012
Ride ID # 1973

Description of Proposed Action and Project Design Elements (if applicable): The Competitive Trail Challenge (CTC) is a trail ride competition that is a 7.2 mile trail ride with 9 judged obstacles (mostly natural) along the way. Each obstacle has its own judge. It is not a timed event. The ride will start at the Wild Horse Corrals and is being advertised to coincide with and promote the Wild Horse Adoption taking place the same weekend. The trail ride will take place on BLM lands with approximately 4.2 miles on existing roads and OHV trails and approximately 3 miles cross-country. They're expecting approximately 30 riders for this ride. Riders are encouraged to ride with their group, family, or friends. When riders come to the obstacle & judge, they perform the obstacle one at a time. The trail rides usually take from 3-4 hours. Riders will start their ride between 9-10 AM. Riders can head out on the trail with their group anytime during their allotted time slot. Any obstacles put in place for the competition will be removed and the site will be returned to natural conditions. Obstacles on the course will include, but not limited to:

- crossing streams
- crossing bridges
- riding up/down steep hills
- backing around obstacles
- dragging a log
- opening/closing gates
- jumping over a low log
- riding through vine styled obstacles
- trotting over spaced logs
- stand in position while a loud noise is present
- walk on/around plastic tarp/bags
- trot/canter from point A to point B

Ensure that horses are fed weed-free forage for 3 days prior to the ride.

Advise horse owners that they will be riding through some areas infested with medusahead rye (a noxious annual grass) (we can provide some educational information to all participants) and the plants may be in the seed-shatter stage at the time of this event. Limit off-road travel in infested areas.

The horse owners would do well to ensure they clean off their horses prior to heading for home.

Legal Description (attach Location Map): Trail ride starting point T24S, R30E, Section 6
Trail ride location T23S, R30E, Sections 31, 25, 36

B. Conformance with Land Use Plan (LUP) (name): Three Rivers RMP

Date Approved/Amended: 1992

The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): EM3 page 20157 objective reads "Continue to meet public demand for mineral materials from public lands in the planning area on a case-by-case basis ..."

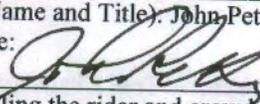
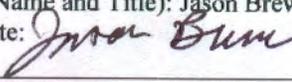
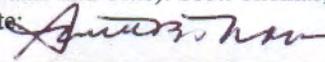
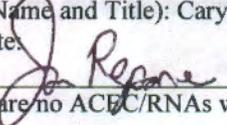
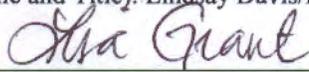
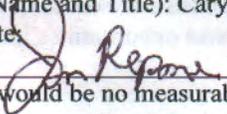
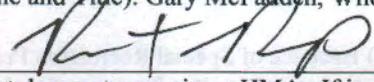
It is BLM policy that, as expressed through Recreation 2000: A Strategic Plan, "The BLM will ensure the continued availability of public land for a diversity of resource-dependent outdoor recreation opportunities..." Such diverse opportunities in the Three Rivers RA include fishing, rockhounding, hiking and trails, driving for pleasure, etc.

Three Rivers RMP, R 2.5, page 2-116: Identify usable cross-country route(s) on designated roads and trails to accommodate the needs of the public for organized cross-country events. Approval of the applications for such events would be considered on a case-by-case basis, subject to specific permit stipulations.

BLM Categorical Exclusion Reference (516 DM, Chapter 11, 11.9-H): (1) Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads,

trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for "Special Area" management (43 CFR 2932.5).

DOI Categorical Exclusion Reference (516 DM 2, Appendix 1): Screening for Exceptions: The following extraordinary circumstances (516 DM 2, Appendix 2) may apply to individual actions within the categorical exceptions. The indicated specialist recommends the proposed action does *not*:

CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	
2.1	Have significant impacts on public health or safety.
Specialist (Print Name and Title): John Petty, Safety and Occupational Health Manager Signature and Date:  4/24/12	
Rationale: Controlling the rider and crowd at the starting and ending point. This location is within the road loop around corrals pen and most of the time this road is open to public in an adoption. May have to close the loop road so you don't mix vehicle with horses. Is there a waiver for rider within the main part of the corrals about the danger of the site (wild horse, people, BLM machinery and/or fences)? Move the started and ended to back side of the corrals.	
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 (Executive Order 11990); flood plains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
<u>Migratory Birds</u> Specialist (Print Name and Title): Jason Brewer, Wildlife Biologist Signature and Date:  4/24/12	
Rationale: The majority of ground disturbance would occur in areas where the ground/vegetation has already been disturbed (roads and trails), so minimal additional habitat would be disturbed. Disturbance from activity in the area would be temporary, generally lasting only as long as it takes riders to pass through the area and to remove the obstacles (<day). Migratory birds that are near the trail may flush short distances or seek shelter in denser vegetation by the trail, but would return to the area and resume activity once the riders have left.	
<u>Historic and Cultural Resources</u> Specialist (Print Name and Title): Scott Thomas, District Archaeologist Signature and Date:  4/24/12	
Rationale: No cultural or historical resources would be affected by the proposed project.	
<u>Areas of Critical Environmental Concern/Research Natural Areas</u> Specialist (Print Name and Title): Caryn Meinicke, Natural Resource Specialist (Botany) Signature and Date:  4/24/2012	
Rationale: There are no ACEC/RNAs within the proposed project area.	
<u>Water Resources/Flood Plains</u> Specialist (Print Name and Title): Lindsay Davis/Lisa Grant, Fish Biologist Signature and Date:  4-24-12	
Rationale: There would be no known significant impacts to water resources or flood plains with the implementation of the proposed action.	
<u>Soils, Biological Soil Crust, Prime Farmlands</u> Specialist (Print Name and Title): Caryn Meinicke, Natural Resource Specialist (Botany) Signature and Date:  4/24/2012	
Rationale: There would be no measurable impacts to soils or biological soil crusts with the implementation of the proposed action.	
<u>Wild Horse & Burro Program/Horse Corrals</u> Specialist (Print Name and Title): Gary McFadden, Wild Horse & Burro Supervisory Specialist Signature and Date:  4/24/2012	
Rationale: This event does not occur in an HMA. If in an HMA concerns with foaling season (March 1 thru July 1) would	

preclude the event happening.

Recreation/ Visual Resources

Specialist (Print Name and Title): John Berthea, Outdoor Recreation Planner

Signature and Date: *John P. Berthea* 4-24-12

Rationale: The Three Rivers RMP (1992) requires BLM to designate roads and trails to accommodate the needs of the public for organized cross-country events such as this ACTHA trail Ride. The location of the riding event is within VRM Class III which allows for partial retention of the Landscape character. Any obstacles put in place for the competition will be removed and the site will be returned to natural conditions so there will be no measurable effects.

Wilderness/Wild and Scenic River Resources

Specialist (Print Name and Title): Eric Haakenson, Outdoor Recreation Planner (Wilderness Specialist)

Signature and Date: *Eric Haakenson* 4-24-12

Rationale: The proposed action does not occur in either a wilderness, WSA, WSR or Lands with Wilderness Characteristics.

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

Specialist (Print Name and Title): Rhonda Karges, Planning and Environmental Coordinator

Signature and Date: *Rhonda Karges* 4-24-12

Rationale: There are no known highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. Disturbance would for the most part occur in areas where the ground/vegetation has already been disturbed (roads and trails) and would be temporary (3-4 hours).

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

Specialist (Print Name and Title): Rhonda Karges, Planning and Environmental Coordinator

Signature and Date: *Rhonda Karges* 4-24-12

Rationale: There are no known highly uncertain or potentially significant environmental effects or unique or unknown environmental risks. Disturbance would occur for the most part in areas where the ground/vegetation has already been disturbed (roads and trails) and would be temporary (3-4 hours).

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

Specialist (Print Name and Title): Rhonda Karges, Planning and Environmental Coordinator

Signature and Date: *Rhonda Karges* 4-24-12

Rationale: Implementation would not establish a precedent for future action or represent a decision in principle about future actions. Disturbance would occur for the most part in areas where the ground/vegetation has already been disturbed (roads and trails) and would be temporary (3-4 hours). In addition, the BLM routinely issues special recreation permits for similar types of activities.

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

Specialist (Print Name and Title): Rhonda Karges, Planning and Environmental Coordinator

Signature and Date: *Rhonda Karges* 4-24-12

Rationale: Implementation would not have any known direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. Disturbance would occur for the most part in areas where the ground/vegetation has already been disturbed (roads and trails) and would be temporary (3-4 hours).

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.

Specialist (Print Name and Title): Scott Thomas, District Archaeologist

Signature and Date: *Scott Thomas* 4/24/12

Rationale: No listed or eligible National Register properties would be affected by the proposed project.

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.

Endangered or Threatened Species-Fauna

Specialist (Print Name and Title): Jason Brewer, Wildlife Biologist

Signature and Date: *Jason Brewer* 4/24/12

Rationale: There are no endangered or threatened species or designated Critical Habitat within the vicinity of the proposed action

area.

Endangered or Threatened Species-Aquatic

Specialist (Print Name and Title): Lindsay Davis/Lisa Grant, Fish Biologist

Signature and Date: *Lisa Grant* 4-24-12

Rationale: There are no endangered or threatened aquatic species or critical habitat within the vicinity of the proposed action area.

Endangered or Threatened Species-Flora

Specialist (Print Name and Title): Caryn Meinicke, Natural Resource Specialist (Botany)

Signature and Date: *Caryn Meinicke* 4/24/2012

Rationale: There are no T & E or Special Status flora species or critical habitat within the proposed project area.

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

Specialist (Print Name and Title): Rhonda Karges, District Planning and Environmental Coordinator

Signature and Date: *Rhonda Karges* 4-24-12

Rationale: No known law or requirement imposed for the protection of the environment would be violated.

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

Specialist (Print Name and Title): Rhonda Karges, Planning and Environmental Coordinator

Signature and Date: *Rhonda Karges* 4-24-12

Rationale: Implementation would not have a disproportionately high or adverse effect on low income or minority populations as such populations do not exist within the project area.

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).

Specialist (Print Name and Title): Scott Thomas, District Archaeologist

Signature and Date: *Scott Thomas* 4/24/12

Rationale: Access to or integrity of Indian sacred sites would not be affected by the proposed project.

2.12 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).

Specialist (Print Name and Title): Lesley Richman, District Weed Coordinator

Signature and Date: *Lesley Richman* 4/24/2012

Rationale: This area is known to be infested with noxious weeds. Treatments are on-going. If participants follow the recommendations in the proposed action, there will be fewer opportunities to spread noxious weeds due to this action.

Additional review (As determined by the Authorized Officer):

RMP conformance and CX review confirmation:

Specialist (Print Name and Title): Rhonda Karges, Planning and Environmental Coordinator

Signature: *Rhonda Karges* Date: 4-24-12

Management Determination: Based upon review of this proposal, I have determined the Proposed Action is in conformance with the LUP, qualifies as a categorical exclusion and does not require further NEPA analysis.

Authorized Officer (Print Name and Title): Richard Roy, Three Rivers Field Manager

Signature: *Richard Roy* Date: 4/25/12

Note: A separate decision document may be prepared for the action covered by this Categorical Exclusion following program-specific guidance.

(Only include the following language if a lease, permit or other authorization is not issued or other program-specific regulations do not apply.)

Decision: It is my decision (or *Proposed Decision if grazing related*) to implement the Proposed Action with Project Design Elements (if applicable) as described above.

Choice 1 (nongrazing-related decision):

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be mailed to the Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days of receipt of the decision. The appellant has the burden of showing the decision appealed is in error.

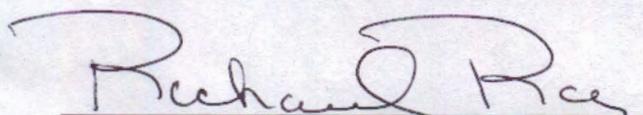
A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for the appeal, it must be sent to the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the parties if the stay is granted or denied.
- The likelihood of the appellant's success on the merits.
- The likelihood of immediate and irreparable harm if the stay is not granted.
- Whether or not the public interest favors granting the stay.

As noted above, the motion for stay must be filed in the office of the authorized officer.



Richard Roy, Three Rivers Field Manager

4/25/12

Date