

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

CATEGORICAL EXCLUSION REVIEW

OFFICE: Upper Willamette Resource Area, Eugene District Office

TRACKING NUMBER: DOI-BLM-OR-E060-2014-0019-CX

CASEFILE/PROJECT NUMBER: 0004

PROJECT NAME: OSLP Fundraiser

LOCATION/LLEGAL DESCRIPTION: BLM Roads 16-1-5, 15-1-19.1, 15-1-18.2, and 14-1-32

APPLICANT: Oregon Supported Living Program (OSLP)

A. Description of Proposed Action and any applicable mitigation measures:

The proposed action is to issue a Special Recreation Permit (SRP) to OSLP to conduct a commercial fundraising event (bicycling) May 10, 2014 utilizing paved roads located within the boundary of the Mohawk Recreation Area Management Plan (1997). See accompanying Special Conditions document for applicable mitigation measures.

B. Land Use Plan (LUP) Conformance

LUP Name: Eugene District Record of Decision and Resource Management Plan (RMP), as amended. Date Approved: June 1995.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions: Special Recreation Management Areas are to be managed in a manner consistent with BLM's Recreation 2000 Implementation Plan and Oregon-Washington Public Lands Recreation Initiative. The former states that the "BLM will issue SRPs in an equitable manner for specific recreational uses of the public lands and related waters as a means to control visitor use, to protect recreation resources, and to provide for private and commercial recreation use."

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 11.9 (H)(1) as follows:

H. Recreation Management

1. Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impact 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).

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 apply.

I considered the potential for significant impacts to the following: threatened and endangered or bureau species of fish, wildlife, and plants; cultural resources; noxious weeds; and soil/hydrologic resources. Where appropriate, Eugene BLM has completed surveys for these resources and implemented management recommendations as deemed necessary. Special conditions included in Section A of this Categorical Exclusion documentation will further protect these resources from the potential for significant impacts resulting from implementation of the Proposed Action. Implementing this categorical exclusion in a timely manner would enable the BLM to provide for and receive fair value in Recreation, a key goal outlined in the *BLM's Priorities for Recreation and Visitor Services* (May 2003).

D. Signature

Signature of Project Lead:

/s/ Elizabeth R. Aleman
Elizabeth R. Aleman, Recreation Planner

Date: April 12, 2014

Signature of NEPA Coordinator:

/s/ Kristine M. Struck
Kristine M. Struck, P&E C

Date: April 16, 2014

Signature of the Responsible Official:

/s/ William O'Sullivan
William O'Sullivan, Upper Willamette Field Manager

Date: April 16, 2014

Contact Person

For additional information concerning this Categorical Exclusion review, contact: Liz Aleman, Recreation Planner, 541.683.7578

**SPECIAL CONDITIONS
SPECIAL RECREATION PERMIT
OR-096-SRP-2014-04**

1. This permit is issued for the period specified. It is revocable for any breach of conditions or at the discretion of the Bureau of Land Management, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired
2. Permittee must keep the bicycle route in a neat, orderly manner and sanitary condition. All course markers, signs and litter generated as a result of the event shall be removed within 36 hours.
3. Permittee must take all reasonable precautions to prevent and suppress forest, brush and grass fires, and to prevent polluting of waters on or in vicinity of the public lands.
4. Permittee must not enclose roads or trails.
5. Permittee must pay the United States for any damage to its property resulting from this use.
6. Permittee shall provide search, rescue and first aid services sufficient to insure that any participant, event staff or spectator injured as a result of the authorized event can be located, treated and evacuated immediately following a personal injury incident.
7. Permittee must submit a *post-use report* and any remaining to the BLM within **14** calendar days following the event. The fee shall be computed as follows:

\$5.00 per participant per day

Gross receipts include fees paid and/or donations given to the permittee by participants, spectators, advertisers, sponsors, etc.

8. Event participants are to utilize only the roads identified in the SRP application for this event.

EXTRAORDINARY CIRCUMSTANCES CHECKLIST

DOI-BLM-ORE-060-2014-0019-CX

OSLP Fundraiser

Review the proposed action against each of the 12 "extraordinary circumstances" listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. 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.

Extraordinary Circumstances	YES	NO
<p>1. Have significant impacts on public health or safety. <u>Rationale:</u> The proposed action would follow standard health and safety activities consistent with past SRP events conducted within the project area. This would include provision of directional signage, sanitation, rescue and first aid services, pre-event route review, etc.</p>		X
<p>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. <u>Rationale:</u> The project is not within and does not contain any of the natural or geographic areas described above other than a managed trail system maintained for sustainable use. Public use of existing facilities, trails, etc., will not affect migratory bird habitat. Disturbance to migratory birds will be insignificant because noise location, intensity and duration will not exceed typical conditions for the area. Any migratory birds using the project area would be habituated to such disturbance levels.</p>		X
<p>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. <u>Rationale:</u> The proposed action would utilize maintained, paved located within the boundary of the Mohawk Recreation Area Management Plan (1997). There are no predicted environmental effects from the proposed action which are considered to be highly controversial. Additionally, there are no unresolved conflicts concerning alternative uses.</p>		X
<p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> The proposed action would allow for a non-motorized recreational event utilizing existing roads that are maintained to sustain greater impacts. There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique, or involve unknown risks.</p>		X
<p>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <u>Rationale:</u> Issuance of Special Recreation Permits for motorized and non-motorized competitive events has occurred throughout the State of Oregon and the Eugene BLM District for decades. There is no evidence that this action has potentially significant environmental effects; it does not commit the BLM to pursuing further actions; and it would not establish a precedent or decision for future actions with potentially significant environmental effects.</p>		X
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <u>Rationale:</u> Based upon project review and, given current site conditions, the Eugene BLM District did not find any resource issues of concern that would be affected by this action.</p>		X
<p>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. <u>Rationale:</u> There are no eligible or listed properties within the proposed project area.</p>		X

Extraordinary Circumstances	YES	NO
<p>8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. <u>Rationale:</u> The northern spotted owl is the only ESA-listed species to potentially use the project area. Use of existing roads will not affect spotted owl habitat. Disturbance to spotted owls will be insignificant because of noise location, intensity and duration will not exceed typical conditions for the area. Any spotted owl using the project area would be habituated to such disturbance levels. The project area is not within designated Critical Habitat for any Threatened or Endangered Species.</p>		X
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands as described in the Eugene District Record of Decision and Resource Management Plan (June 1995) which complies with all applicable laws such as the Clean Water Act, etc.</p>		X
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). <u>Rationale:</u> The act of applying for a Special Recreation Permit is an economic opportunity available to all qualified persons regardless of one's economic or ethnic status.</p>		X
<p>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). <u>Rationale:</u> The project would not limit access to public lands nor impact ceremonial use of Indian sacred sites. Specific conditions are included that preclude enclosure of roads or trails.</p>		X
<p>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). <u>Rationale:</u> The proposed action would not result in measurable changes to the current baseline of the risk, or actual introduction, continued existence, or spread of noxious weeds or non-native invasive species in or from the project area. Existing and likely continuing activities including—but not limited to—motor vehicle traffic, recreation use, rural and urban development, road construction, timber harvest and natural processes can contribute to the introduction, existence, and spread of noxious /invasive species. Vehicles accessing the project area for the proposed action would remain on existing roads; thereby reducing the potential of collecting and dispersing noxious weeds or seed. The proposed action would not introduce any vector for spread or introduction beyond such vectors already found.</p>		X

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

DECISION RECORD
DOI-BLM-OR-E060-2014-0019-CX
OSLP Fundraiser

Decision

It is my decision to implement this action as described in the categorical exclusion documentation DOI-BLM-OR-E060-2013-0021-CX.

Decision Rationale

The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended). Based on the Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Administrative Remedies

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205.

Signature of the Responsible Official:

/s/ William O'Sullivan
William O'Sullivan
Upper Willamette Field Manager
Eugene District Office

April 16, 2014
Date: