

DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

Project Name: MRA Ghost and Goblin Poker Run (DOI-BLM-OR-M060-2009-0034)

BLM Office: Ashland R.A., Medford District. Phone # (541) 618-2369

DESCRIPTION & LOCATION OF THE PROPOSED ACTION:

The proposed action involves authorizing the Motorcycle Riders Association (MRA) to conduct an event using existing roads and trails within the Timber Mountain Off-Highway Vehicle (OHV) Management Area (see attached map) for a one day event on October 25, 2009. This event has previously been permitted by BLM in 2007 and 2008 through BLM Special Recreation Permits. In attendance will be approximately 80 spectators and up to 280 participants. There are 3 courses based on skill level, vehicle type, and course length. Class 3 is a single track trail, class 2 is a 4x4 pickup size road/trail, and a class 1 is an ATV trail. An additional course has been added to extend the advance rider distance. This will reduce the overall impact to portions of the route where all riders would normally be funneled together. The extended course originally included a route into the Balls Branch of Humbug Creek; based on input from the botanist regarding known plant locations along the trail leading to the humbug creek drainage, the course was rerouted to exclude this section of trail for this event. This event will adhere to safety rules set forth by the American Motorcycle Association.

Regular traffic may be delayed on Galls Creek Road, Forest Creek Road, and Kane Creek Road during the event; however, for no more than 45 minute intervals. A club representative will be present to give information regarding the delay. Signs will be posted on the road by October 23 to alert the public of the potential delays. Radios would be used by event staff to regulate traffic and to provide added safety. Weed cutting and pruning of overhanging branches may be performed inside the road prism for safety.

The following project design features are required conditions for the issuance of this Special Recreation Use Permit (SRUP):

- The Oregon State noise statute of 99dbs will be strictly enforced.
- To comply with state fire regulation the club would be required to contact to Oregon Department of Forestry prior to the event.
- The MRA will be required to provide the BLM with proof of permission for access from all landowners where the event crosses that landowner's private or municipal property. A BLM Special Recreation Permit (SRP) will not be authorized if proof of permission for access is not granted by all landowners whose lands are crossed by the event.
- All materials (flagging, signs, and trash) are to be removed within 7 days of the event's completion.
- A bond of \$250 will be required from the MRA. This bond is fully refundable upon the completion of the require cleanup and maintenance described in the permit stipulations.
- The MRA will be required to conduct trail maintenance work on specified trail segments before and after the event. Maintenance work will involve raking out burms and ruts and putting in water bars. Trail maintenance work will be done with hand tools unless otherwise directed by the BLM. The BLM resource staff will identify locations and work to be done to trail segments. BLM staff will be on site during the event and trail maintenance work to ensure that permit requirements are carried out as specified. Work to be done is not to exceed 40 work hours with a minimum of 20 work hours required. A work hour equals one individual working for 1 hour.

- The City of Jacksonville's EMT staff will be on site and fire suppression equipment would be staged at the MRA's Lilly Prairie property (indicated on the attached map).
- Portable toilets would be placed in pairs at the start and finish areas.
- In the event that fire restrictions prohibit the use of OHV's off improved road, trail courses would be modified to remove unimproved road and un-maintained trail segments from the course.

To Reduce the Potential for Erosion:

- In the event of inclement weather such as heavy rain or snow, the event date must be changed and approved by BLM. **For the event to take place the soil moisture will be less than 20 percent by weight at a three inch depth and granitic soils shall be 18 percent or less.** Soil moisture will be monitored and be determined by BLM. The BLM will make a determination on soil moisture levels seven days prior to the event and will inform the MRA of the results. In addition to monitoring soil moisture levels, the **event would be postponed if 0.2 inches or more of rain falls within a 24-hour period, within the project area, within 48 hours prior to the start of the event.** If on-site information is inadequate, measurements from the nearest Remote Automated Weather Station would be used. Event activities would not occur for at least 48 hours after rainfall has stopped and on approval by the Resource Area Field Manager in consultation with BLM's watershed specialist (also see soil moisture requirements). Weather trends will be monitored during the seven day period prior to the event to determine if additional soil moisture monitoring is needed. If it is determined by BLM's soil scientist that soil moisture levels will likely be exceeded the day of the event, a decision will be made by the BLM as to whether a cancellation or a postponement is necessary. If rain begins the day of the event, the event would be stopped by the BLM's permit administrator if soil moisture levels are exceeded, 0.2 inches of rain fall occurs, or if determined by BLM's watershed specialist that resource damage would occur if the event is not halted.
- Restrict all race activities to open and existing roads and trails.
- Mulch any disturbed areas resulting from race activities with native materials or weed free straw.
- Where there is a likelihood of loosened soil or inadequate drainage that may result in sediment discharge to surface waters, place perimeter BMPs such as weed free straw bales or straw wattles to contain such material. These should be firmly anchored and be in contact with the ground.
- Drainage features that have been rendered ineffective or are otherwise not properly functioning shall be promptly and properly repaired. Consider installing additional drainage if necessary.
- It was observed that numerous logs across trails on the proposed routes resulted in additional ground disturbance resulting from bypass trails. As a maintenance and mitigation measure, where this is occurring, the logs are to be removed (placed to the side of trail) and the bypass trails be rehabilitated. Rehabilitation would include blocking then raking out berms and providing ground cover by spreading slash and other native material on the disturbed surface.

To minimize the spread of noxious weeds:

- Ride, race and support vehicles will be cleaned of all mud, debris, and vegetative material prior to arriving at the course. Vehicles will be high-pressure power washed, particularly the undercarriage, to prevent the spread of noxious weeds and nonnative plants. All wastewater will be properly contained and solid matter filtered and disposed of to prevent spreading of noxious weeds and nonnative plants. As an alternative, ride, race and support vehicles may also use the carwash located in Jacksonville to properly

wash their vehicles prior to arriving at the course.

- Season permitting, known sites of noxious weeds will be chemically treated prior to the implementation of the additional trail maintenance (of non-event trails proposed for maintenance). If maintenance occurs when weeds have already gone to seed, maintenance may proceed and treatment must commence the following growing season at an appropriate time (prior to seed maturity).
- Budget and personnel permitting, monitoring and follow-up treatment (if needed) will continue for 3 years beyond the completion of trail maintenance (of non-event trails proposed for maintenance).

For the protection of Special Status Plant Species:

- Areas that have trailside rare plant populations will impose maximum speed limits of 10 mph to ensure OHVs do not accidentally leave the existing trail. In addition to the slow designation, the zone will also be designated as “on-trail only” and “100% control of machine” and “no tire spinning.” These areas may be monitored by BLM personnel (including law enforcement) to ensure permit compliance. The MRA is responsible for dispensing this information to the event staff and participants.
- Areas with imposed maximum speed limits will be appropriately flagged with distinctive flagging that is easily recognizable to the riders and event personnel. Flagging will extend, from the plant population boundary, 50 meters on either side of the population and will include a “chute” at the entrance to the “slow-zone” to ensure rider awareness. This will provide the riders an adequate amount of distance to reduce their speeds, and will also reduce the likelihood that riders will accidentally leave the trail within the plant population boundary. If deemed to be appropriate by BLM personnel, signs may also be posted at the entry points of these “slow zones” to ensure that event riders have been notified of the speed limitation. Flagging may be hung by MRA personnel or BLM recreation personnel with the consultation of a BLM botanist regarding location and length of flagged corridor.
- BLM recreation personnel must be present at plant sites where trail maintenance is to occur. Maintenance needed in close proximity to identified plant sites will only occur in consultation with a BLM botanist prior the start of maintenance. Maintenance in these areas is limited to the trail bed as it exists presently; no widening, water bars or other disturbance is to occur within 50 meters of the trailside plants without prior approval of a BLM botanist.
- Areas of additional trail proposed for the run have been reviewed and assessed for potential damage to *Fritillaria gentneri* and *Cypripedium fasciculatum* sites, and due to the proximity of the plants to the trail, the ride has been rerouted to nearby roads in those areas. In sections T38S R04W S01 and T38S R03W S06 and S07, road 38-3-8 will be used in lieu of the Road 38-4-1.1-to-Road 38-3-7.1 portion (see map). In sections T38S R03W S02, S03 and S11, road 37-3-26.1 will be used in lieu of a portion of the trail originally proposed (see map).

PLAN CONFORMANCE

This project had been designed to comply with the land use allocations, management direction, and objectives of the *1995 Medford District Record of Decision and Resource Management Plan* (USDI 1995) as amended by the *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). The 1995 Medford District Resource Management Plan incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994). This project is also consistent with the *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 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, the Federal Noxious Weed Act of 1974, and the Archaeological Resources Protection Act of 1979.

CATEGORICAL EXCLUSION REVIEW

Department of the Interior Regulations (43 CFR §46.205(c)) require that any action that is normally categorically excluded must be evaluated to determine whether it meets any of the extraordinary circumstances listed in 43 CFR § 46.215. An action would meet one of the extraordinary circumstances if the action may:

Yes	No	<u>Categorical Exclusion Exception</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1. Have significant adverse effects on public health or safety.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)] not already decided in an approved land use plan.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (40 CFR 1508.7 and 1508.25(a)).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Have disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).

- () (X) 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) 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).

DOCUMENT PREPARATION AND REVIEW

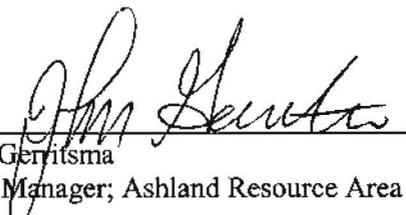
<u>Dennis Byrd</u>	<u>Outdoor Recreation Planner</u>	<u>August 31, 2009</u>
Prepared by	Title	Date
<u>Stephanie Larson</u>	<u>Assistant Environmental Planner</u>	<u>September 2, 2009</u>
Reviewed by	Title	Date

COMPLIANCE WITH NEPA

In accordance with 43 CFR § 46.205(c) and § 46.215, the proposed action has been reviewed against the twelve criteria above and I have determined that none of the extraordinary circumstances described in 43 CFR § 46.205(c) apply to this project. The project qualifies as a categorical exclusion under 516 DM 11.9 H (1).

DECISION

It is my decision to implement the proposed action, as described in the above documentation for the NEPA Categorical Exclusion Review. The MRA Ghost and Goblin Poker Run event will take place on October 25, 2009.

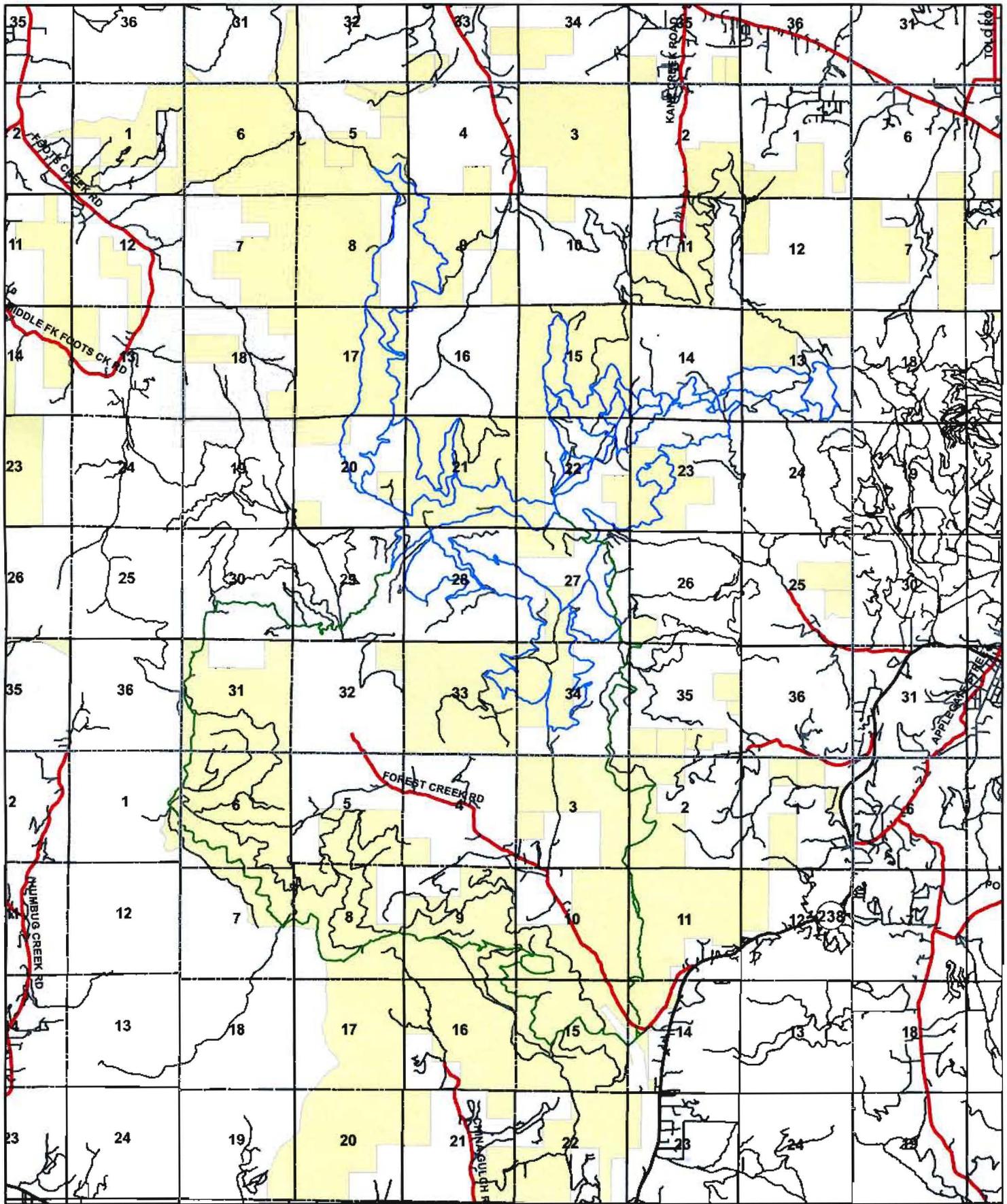
	<u>10/13/09</u>
John Gerritsma Field Manager; Ashland Resource Area	Date

CONTACT PERSON: Dennis Byrd (541) 618-2369

ADMINISTRATIVE REMEDIES

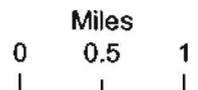
Notice of this decision will be posted on the District internet website. In accordance with 43 CFR 2931.8, this decision is in effect immediately and will remain in effect pending any appeal to the Interior Board of Land Appeals under 43 CFR Part 4, unless a stay is granted under 43 CFR § 4.21(b).

SRP Map: MRA Proposed Course Fall Poker Run 2009



Legend

-  Main Course
-  County Roads
-  BLM Owned
-  Extended Route
-  Other Roads



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.