

## **Categorical Exclusion Determination and Decision Record for Spur Road Authorization DOI-BLM-OR-M050-2009-0030-CX**

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### **Description of Proposed Action**

The applicant requested to improve an existing spur road off of road 34-4-11.3 to access private property. The authorization allows the improvement (grading, surfacing and installing a gate) of an existing spur road of approximately 125 feet on BLM-administered lands to access private property.

Applicant property is located in Township 34 South, Range 4 West, Section 14 (Tax Lot 100) in Jackson County, Oregon. Spur road to be improved is located in the NE ¼ of the NE¼ of section 13; Township 34 South Range 4 West.

### **Plan Conformance Review**

The Bureau of Land Management did not scope this proposal and the public was not involved in its development. This proposal is consistent with policy directed by the following:

- *Final Environmental Impact Statement for the Revision of the Resource Management Plans of the western Oregon Bureau of Land Management and Record of Decision and Resource Management Plan for the Medford District* (EIS, 2008 and ROD/RMP, 2008)
- *Medford District Integrated Weed Management Plan Environmental Assessment* (1998) and tiered to the *Final-Northwest Area Noxious Weed Control Program Environmental Impact Statement* (EIS, 1985)

This proposal conforms to the Medford District's 2008 Record of Decision and Resource Management Plan (ROD/RMP) (USDI 2008). This project complies with the Management Objectives and Direction of the 2008 ROD/RMP. In addition, this project fully complies with the management objectives, actions, and direction of the resource management plan in place prior to December 30, 2008, which was the 1995 RMP, as amended (USDI 1995). The design of this project would not have differed under either the 2008 or the 1995 RMPs. This proposal also complies 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 1995 and 2008 Medford District ROD/RMPs that direct the BLM to

“Continue to make BLM-administered lands available for needed rights-of-way where consistent with local comprehensive plans, Oregon statewide planning goals and rules, and the exclusion and avoidance areas identified in this RMP” (1995 ROD/RMP, p. 82).

“Provide needed rights-of-way, permits, leases, and easements over BLM-administered lands in a manner consistent with federal and state laws” (2008 ROD/RMP, p. 49).

## **Project Design Features**

- Road improvements will occur during dry weather conditions, June 15 to October 15.
- Mechanical equipment (e.g., graders, loaders, etc.) will be power washed and cleaned of all soil and vegetative material before entering the project area.
- Native grass seed or an approved seed mix will be applied on areas of highly disturbed soil (e.g., new road cut and fill slopes, etc.).
- Gate will be installed to restrict unauthorized use.
- Road will be surfaced with rock.
- Road subgrade shall be a maximum of 14 feet wide, outsloped, with no ditch.

## **Categorical Exclusion Determination**

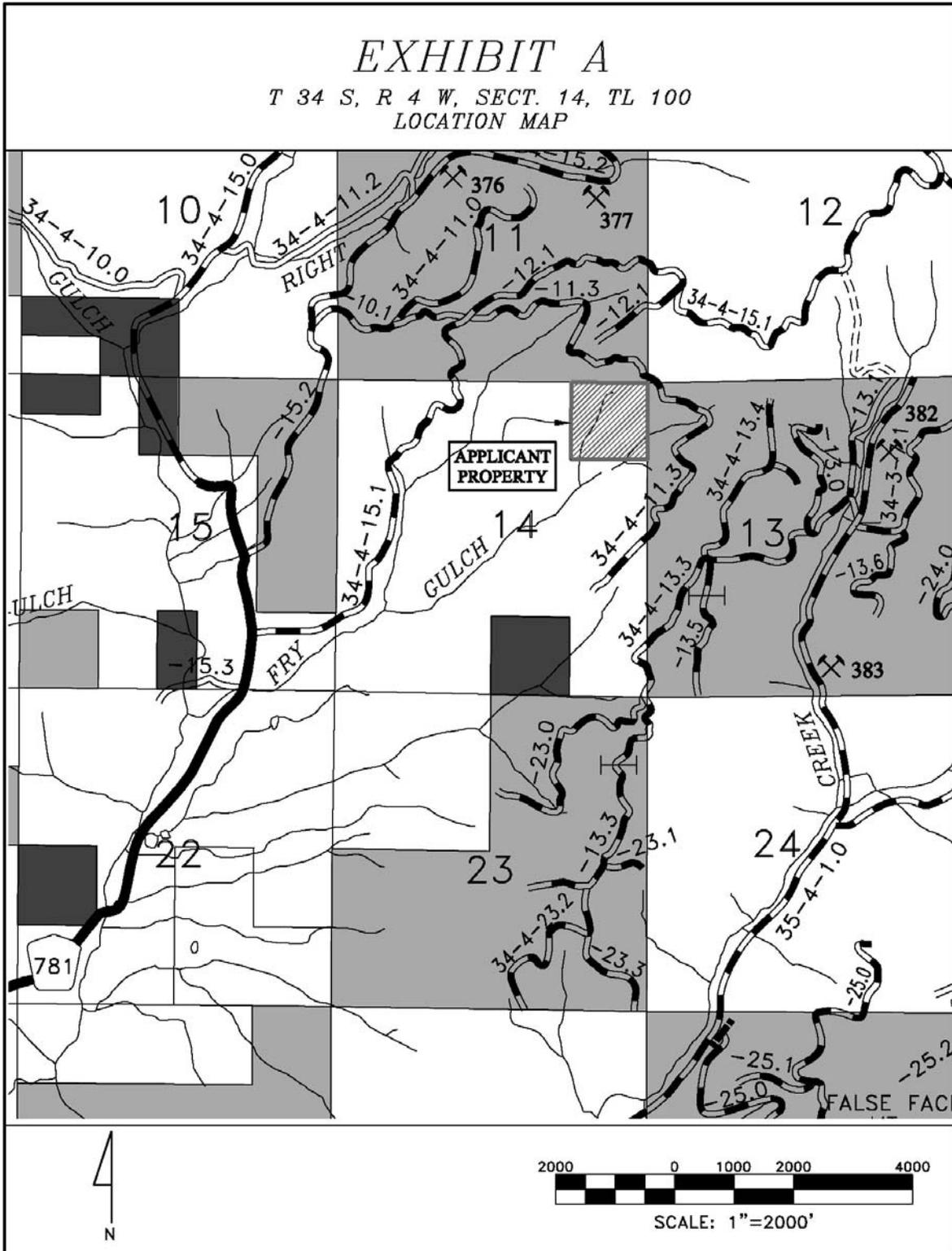
This proposed action qualifies as a categorical exclusion as provided in the Code of Federal Regulations (CFR) Title 43 § 46.210 (f):

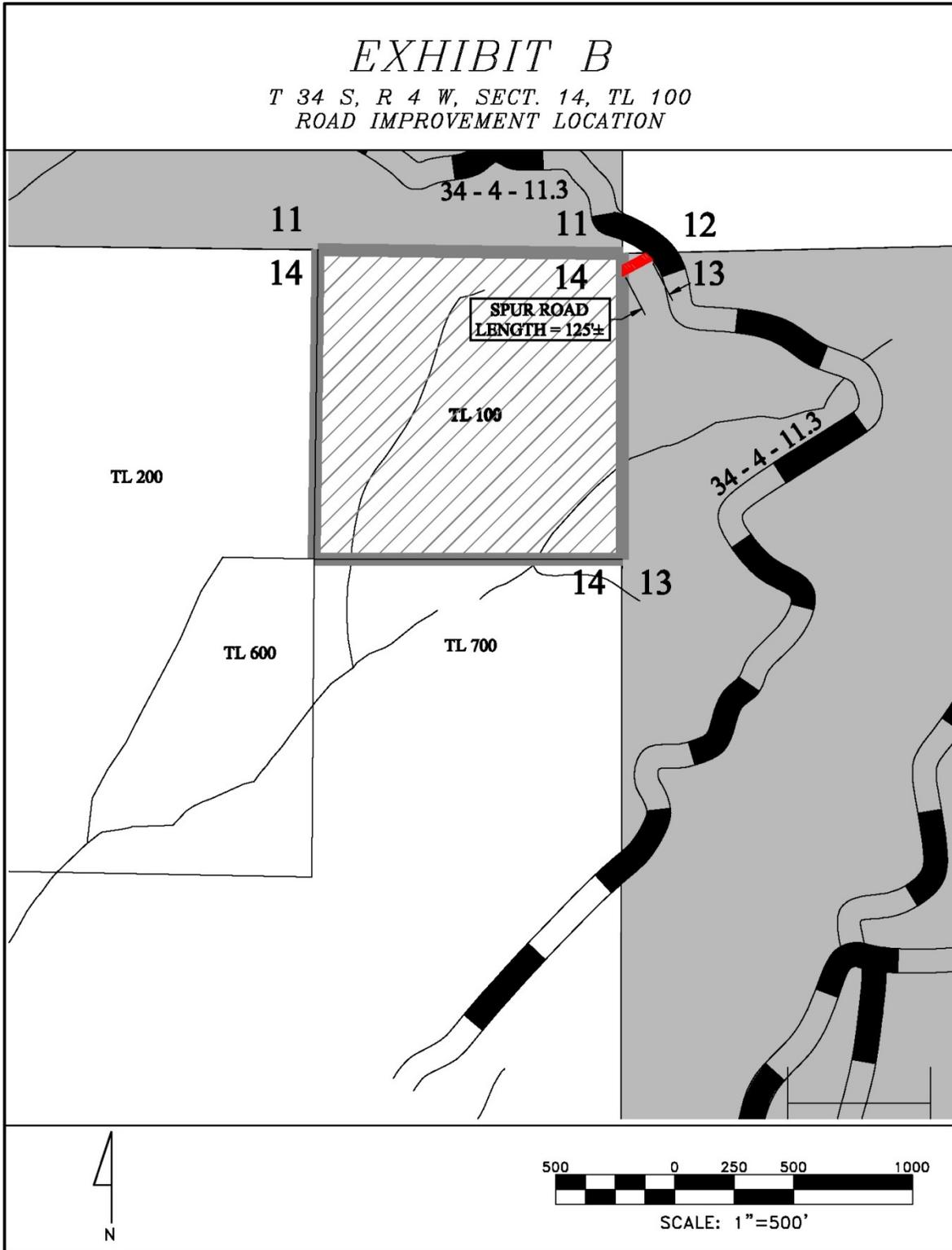
- Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects).

Before any action described in the list of categorical exclusions may be used, the “extraordinary circumstances,” included in the Code of Federal Regulations (CFR) at 43 CFR 46.205(c) 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.

## **Contact Person**

For additional information concerning this project, contact Randy Bryan, Project Leader, at (541) 618-2322.





### NEPA Categorical Exclusion Review

#### Proposed Action:

Authorize the improvement of an existing spur road off of road 34-4-11.3 to access private property as described above.

The Code of Federal Regulations at 43 CFR 46.205(c) requires that “any action that is normally categorically excluded must be evaluated to determine whether it meets any of the extraordinary circumstances in section 46.215” (listed below). Additional analysis and environmental documents must be completed for any normally categorically excluded action which may

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

Yes  No

Initial JS Remarks:

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.*

Yes  No

Initial JS 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 JS Remarks:

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

Yes  No

Initial JS 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 JS Remarks:

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

Yes  No

Initial SL Remarks:

7. *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.*

Yes  No

Initial JCA 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 DK Remarks:

Fish  Yes  No

Initial SL Remarks:

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

Yes  No

Initial JCA Remarks:

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

Yes  No

Initial OW 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 JCA 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 *with Project Design Features*

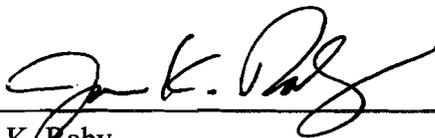
Initial MW Remarks:

**Decision**

It is my decision to authorize the improvement and use of a spur road off of BLM road 34-4-11 on BLM-administered lands, as described in the Proposed Action.

**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.



6/1/09

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Jon K. Raby  
Field Manager  
Butte Falls Resource Area

Date

**Administrative Review or Appeal Opportunities**

Notice of the forest management decision to be made on the action described in this categorical exclusion will be posted on the Medford District internet website. The action is subject to protest under 43 CFR 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:**

<b>Name</b>	<b>Title</b>	<b>Date</b>	<b>Initials</b>
Jean Williams	NEPA Coordinator	5/28/09	JW
Marcia Wineteer	Botanist	5/7/09	mw
Dave Roelofs	Wildlife Biologist	5-6-09	D.R.
Steve Liebhardt	Fisheries Biologist	5/4/09	SL
Shawn Simpson	Hydrologist	5/18/08	SLS
Ken Van Etten	Soil Scientist	5/15/09	K.V.
Al Mason	Fire/Fuels Specialist	5/18/09	AM
John McNeel	Archaeology	5-5-2009	JCM
Rand Byran	Engineer	5/18/09	RRB
Trish Lindaman	Outdoor Recreation Planner	5-6-09	TL