

Categorical Exclusion Determination and Decision Record for Special Recreation Permits in Ashland and Butte Falls Resource Areas

DOI-BLM-OR-M050-2012-0004-CX

Description of Proposed Action

Issue Special Recreation Permits (SRPs) or Letters of Agreement to allow commercial companies, educational organizations, individuals, or organized groups to lead participants on foot-based trips on public lands and waters throughout the Ashland and Butte Falls Resource Areas. This categorical exclusion does **not** apply to SRP activities within the Cascade-Siskiyou National Monument or Soda Mountain Wilderness. SRP applications for activities within the Cascade-Siskiyou National Monument and Soda Mountain Wilderness are subject to special restrictions and require individual consideration and analysis.

Access would be by vehicle on existing roads to developed trailheads or undeveloped parking areas. A variety of recreational activities could take place including walking, running, birding, geocaching, Nordic skiing, photography, art activities, fishing, gold panning, plant identification, and other similar low-impact recreational activities. Use would take place year round, and would primarily occur along BLM roads and at developed high interest locations. In Butte Falls Resource Area, use may occur at developed locations such as Upper Table Rock, Lower Table Rock, Elderberry Flat Campground, and Gold Nugget Waysides and in undeveloped areas such as Flounce Rock, Nugget Falls, and Lodgepole. In the Ashland Resource Area, use would primarily take place at developed recreation sites such as Grizzly Peak, Buck Prairie Nordic Ski Area, Table Mountain Winter Play Area, Sterling Mine Ditch Trail, and Pacific Crest Trail. These lists of activities and sites are examples and are not inclusive of all sites or activities that may occur. Anticipated group sizes and associated impacts would be small and similar to those of casual use by the general public. Individual permit applications will be submitted to resource area personnel and project descriptions will be reviewed on a case-by-case basis to determine if additional project design features or analyses are required. Large events or activities beyond the scale of casual use would require additional NEPA analysis beyond this categorical exclusion.

If the BLM Outdoor Recreation Planner determines an activity or event does not require an SRP, a Letter of Agreement may be issued instead. An SRP is required if there is a fee charged to participate; concern for health and safety; a management concern for cultural or natural resource, or facilities; or the activity requires services such as law enforcement, fire protection, on-site monitoring, exclusive use, or other specialized management. A Letter of Agreement may be used if the activity is taking place in an appropriate area and there are no major concerns over the activity. A Letter of Agreement is documentation of BLM's determination that a permit is not required and that the group contacted and worked with the BLM in planning their activity. It is not an authorization to use public land. If an authorization is required, an SRP would be issued.

The project area is located on public lands in the Ashland and Butte Falls Resource Areas, Jackson County, Oregon.

Plan Conformance Review

This proposal is in conformance with objectives, land use allocations, and management direction of the 1995 and 2008 Medford District Records of Decision and Resource Management Plans (ROD/RMP) and any plan amendments in effect at the time this document is published.

This project also conforms with the 1994 *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)

The proposed action was designed to be consistent 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 1995 ROD/RMP that directs the BLM to:

Pursue recreation opportunities that will benefit local community economic strategies consistent with BLM land use objectives (USDI 1995, p. 63); and

Enhance recreation opportunities provided by existing and proposed watchable wildlife and wildflower areas and national back country byways (USDI 1995, p. 64).

This proposal is also consistent with management direction in the 2008 Medford District ROD/RMP that directs the BLM to:

Provide a diversity of developed and dispersed outdoor recreational opportunities that contribute to meeting recreational demand and quality visitor experiences (USDI 2008, p. 54).

Project Design Features

- Motorized vehicles must stay on existing roads; no cross-country use, or use behind gates or areas closed to such use is allowed.
- No activities will take place within the Cascade-Siskiyou National Monument or Soda Mountain Wilderness.
- No signs, billboards, outdoor advertising, structures, or advertising of any kind or nature shall be located on BLM lands.
- Harassing, disturbing, or collecting threatened or endangered wildlife is prohibited.
- Damaging, disturbing, removing, or collecting any live vegetation, including wildflowers, is prohibited.
- Damaging, disturbing, or removing any artifacts or cultural features is prohibited.
- No digging or other ground-disturbing activities are allowed.
- Any items brought for use by the permit holder must be removed at the end of the activity or event.

- If BLM resource specialists determine additional site-specific stipulations may be necessary to protect resources, stipulations will be incorporated into the SRP or Letter of Agreement.
- The permit holder shall comply with all Federal, state, and local laws, ordinances, regulations, posting,; or written requirements applicable to the area covered by the SRP.
- Issuance of an SRP or Letter of Agreement does not imply exclusive use of a site or area by the permit holder.
- Permit holder shall submit final event or quarterly post-use reports.

Categorical Exclusion Determination

This proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 H(1). This section allows for *Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; and /or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).*

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 Trish Lindaman, Butte Falls Resource Area Outdoor Recreation Planner (541-618-2266); or Nick Schade, Ashland Resource Area Outdoor Recreation Planner (541-618-2281) .

NEPA Categorical Exclusion Review

Proposed Action:

Issue Special Recreation Permits (SRPs) or Letters of Agreement to allow commercial companies educational organizations, individuals, or organized groups to lead participants on foot-based trips on public lands and waters in the **Butte Falls Resource Area**.

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 RW 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 RW 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 RW Remarks:

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

Yes No

Initial RW 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 RW Remarks:

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

Yes No

Initial SLS 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 AB 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:

no collection or special status or SE M species. specific activities need review by botanist.

Animals Yes No

Initial DF

Remarks:

botanist.

Fish Yes No

Initial DJ

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 RW Remarks:

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

Yes No

Initial RW 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 RW 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: *No ground disturbance*

NEPA Categorical Exclusion Review

Proposed Action:

Issue Special Recreation Permits (SRPs) or Letters of Agreement to allow commercial companies educational organizations, individuals, or organized groups to lead participants on foot-based trips on public lands and waters in the **Ashland Resource Area**.

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 RW 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 RW 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 RW Remarks:

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

Yes No

Initial RW 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 RW Remarks:

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

Yes No

Initial RW 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 AR 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 _____ Remarks:

Animals Yes No Initial _____ Remarks:

Fish Yes No Initial _____ 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 RW Remarks:

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

Yes No

Initial RW 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 RW 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 RW Remarks:

Decision

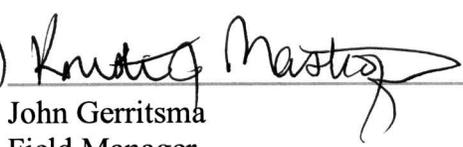
It is my decision to issue Special Recreational Permits or Letters of Authorization as described in the Proposed Action.

Decision Rationale

The proposed action has been reviewed by Ashland and 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.


3/26/12

 Jon K. Raby Date
 Field Manager
 Butte Falls Resource Area

acting

3/26/12

 John Gerritsma Date
 Field Manager
 Ashland Resource Area

Administrative Review or Appeal Opportunities

The decision to be made on the action described in this categorical exclusion is subject to appeal under 43 CFR subpart 2931. Under 43 CFR 5003.2 (a), a notice of decision will be published in local newspaper(s). Under 43 CFR 2931.8 (a), appeals may be filed under 43 CFR parts 4 and 1840. Under 43 CFR 2931.8 (b), all decisions BLM makes under this part will go into effect immediately and will remain in effect while appeals are pending unless a stay is granted under 43 CFR 4.21(b) of this title.

Butte Falls Resource Area Categorical Exclusion Reviewers:

Name	Title	Date	Initials
Robyn Wicks	NEPA Coordinator	3/22/12	RW
Marcia Wineteer	Botanist	3/22/12	mw
Dave Roelofs	Wildlife Biologist	3-6-12	D.R.
Dale Johnson	Fisheries Biologist	3-6-12	DJ
Shawn Simpson	Hydrologist	3/13/12	SLS
Amy Meredith	Soil Scientist	3/11/12	AM
Al Mason	Fire/Fuels Specialist	3/6/12	AM
Lisa Rice	Archaeologist	3/2/12	LR
Leo Kalvels	Engineer	3-2-12	LK
Trish Lindaman	Outdoor Recreation Planner	3-22-12	TL

Ashland Resource Area Categorical Exclusion Reviewers:

Name	Title	Date	Initials
Ted Hass	NEPA Coordinator	3/25/12	<i>[Handwritten Signature]</i>
Armand Rebeschke	Botanist	3/25/12	AR
Steve Godwin	Wildlife Biologist	3/22/12	<i>[Handwritten Signature]</i>
Jennifer Smith	Fisheries Biologist	3/26/12	<i>[Handwritten Signature]</i>
Mike Derrig	Hydrologist	3/22/12	<i>[Handwritten Signature]</i>
Amy Meredith	Soil Scientist		
Greg Chandler	Fire/Fuels Specialist		 N/A
Lisa Rice	Archaeologist	3/22/12	<i>[Handwritten Signature]</i>
John McNeel	Engineer	3/26/2012	JCM
Nick Schade	Outdoor Recreation Planner	3-22-12	<i>[Handwritten Signature]</i>
Dennis Byrd	Outdoor Recreation Planner	3-25-12	<i>[Handwritten Signature]</i>