

DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

(DOI-BLM-OR-M060-2015-0003-CX)

Project Name: MRA Ghost and Goblin Poker Run

BLM Office: Ashland Resource Area, Medford District Office

Contact: Jamison Whitehead, 541-618-2369

DESCRIPTION & LOCATION OF THE PROPOSED ACTION:

The BLM proposes to issue a renewable Special Recreation Permit (SRP), subject to stipulation adherence, from 2014 to 2019 to 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 near the end of October. This event has previously been permitted by the BLM for years 2007 to 2012 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. This will reduce the overall impact to portions of the route where all riders would normally be funneled together. 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, but 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 3 days prior to alert the public of the potential delays. Radios will be used by event staff to regulate traffic and to provide added safety. Pruning of overhanging branches may be performed inside the road prism for safety. The event will begin and end on MRA land at Lilly Prairie.

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

- The Oregon State noise statute of 99 decibels will be strictly enforced.
- To comply with state fire regulation, the club would be required to contact the 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 required 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 OHVs off improved roads, trail courses would be modified to remove unimproved road and un-maintained trail segments from the course.
- BLM specialists must be given a minimum of 2 weeks notification of planned trail maintenance, including detailed location and procedures, in order to avoid impacts to Special Status species and damage to resources.

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 the BLM. **For the event to occur, the soil moisture in non-granitic soils 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 will be postponed if 0.2 inches or more of rain falls within a 24-hour period, within the event 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 (RAWS) 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 a BLM 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 the BLM 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 the BLM's watershed specialist that resource damage would occur if the event is not halted.
- Restrict all event activities to open and existing roads and trails.
- Mulch any disturbed areas resulting from race activities with approved native seed and certified 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. Consultation with BLM personnel is required.
- Where logs have fallen across trails intended for route use and bypass trails have resulted, 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.

For the protection of Special Status Plant Species:

- Areas with trailside Special Status plant populations (see Botany input on file) will impose a maximum speed limit of 10 miles per hour (mph) to ensure that OHVs do not accidentally leave the existing trail within 150 feet of plant sites. In addition to the “slow zone” designation, this area 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 150 feet on the trail, on either side of the population boundary, and will include a “chute” at the entrance to the “slow zone” to ensure rider awareness. This will provide the riders an adequate distance to reduce their speed, and will also reduce the likelihood of riders accidentally leaving the trail within the plant population boundary. Signs may also be posted at the entry points of the “slow zones” to ensure rider awareness. Flagging may be hung by MRA or BLM personnel with the consultation of a BLM botanist regarding the location and length of the flagged corridor.
- BLM personnel must be present at sites where trail maintenance is to occur. Areas determined to need maintenance must be approved by a BLM botanist prior to the start of maintenance. Maintenance in these areas is limited to the trail bed as it presently exists; no widening, water bars, or other disturbance is to occur within 150 feet of the trailside plants without prior approval of a BLM botanist.

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 and introduction of noxious weeds and nonnative plant species. This must be done at the carwash located in Jacksonville prior to the event, or the MRA must provide an on-site weed wash station that properly contains solid matter and gray water.
- No trail maintenance will occur in areas with known noxious weed sites prior to those sites being assessed by a BLM Botanist for the potential risk posed by the movement of soil and seed.
- Budget and personnel permitting, monitoring and follow-up treatment (if needed) will continue for 3 years beyond the completion of trail maintenance in those areas where noxious weeds are identified and/or treated.

PLAN CONFORMANCE

The proposed action is in compliance with the *1995 Medford District Record of Decision and Resource Management Plan (RMP)*. 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 consistent with the *2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, as incorporated into the Medford District Resource Management Plan. This project utilizes the December 2003 Survey and Manage species list. This list incorporates species changes and removals made as a result of the 2001, 2002, and 2003 Annual Species Reviews (ASRs) with the exception of the red tree vole.

The proposed action is consistent with BLM Manual 6840 (USDI 2008), the purpose of which is to provide policy and guidance for the conservation of BLM Special Status species and the ecosystems upon which they depend on BLM-administered lands. BLM Special Status species include those species listed or proposed for listing under the Endangered Species Act (ESA), as well as those designated as Bureau Sensitive by the State Director(s). The objectives of the BLM Special Status policy are:

To conserve and/or recover ESA-listed species and the ecosystems on which they depend so that ESA protections are no longer needed for these species; and to initiate proactive conservation¹ measures that reduces or eliminates threats to Bureau Sensitive species to minimize the likelihood of and need for listing of these species under the ESA (USDI 2008: section 0.02).

This decision is also 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 National Environmental Policy Act of 1969 (NEPA), 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 of 1990, the National Historic Preservation Act of 1966 as amended, 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:

<u>Yes</u>	<u>No</u>	<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

¹ Conservation: as applied to Bureau sensitive species, is the use of programs, plans, and management practices to reduce or eliminate threats affecting the status of the species, or improve the condition of the species' habitat on BLM-administered lands (USDI 2008, Glossary p. 2).

- farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
- () (X) 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.
 - () (X) 4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
 - () (X) 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
 - () (X) 6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (40 CFR 1508.7 and 1508.25(a)).
 - () (X) 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
 - () (X) 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.
 - () (X) 9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
 - () (X) 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

Jameson Whitehead	OHV Specialist	September 15, 2014
Prepared by	Title	Date

Stephanie Kelleher	Environmental Coordinator	October 9, 2014
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) which allows for the “*Issuance of Special Recreation Permits for...recreational travel along roads, trails, or in areas authorized in a land use plan.*”

DECISION

Based on this NEPA CATEGORICAL EXCLUSION REVIEW, I have determined that the proposed action involves no significant impact to the human environment and that no further environmental analysis is required. The project design features included in this Categorical Exclusion Documentation will further protect those resources from the potential for significant impacts resulting from implementation of the Proposed Action.

It is my decision to issue a renewable Special Recreation Permit to the MRA for the Ghost and Goblin Poker Run event that will take place annually at the end of October in 2014 to 2019.



John Gerritsma
Field Manager; Ashland Resource Area

10/10/14

Date

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: Fall Poker Run Planning Map



Legend

- Gate_Barricade_Clip
- MRA_SRP_Course_Poker_Run_Route
- MRA_Long_Course_2009_Fall

Existing Trails

TRAIL_TYPE

- Class 1
- Class 2
- 3; Class 3; class 3

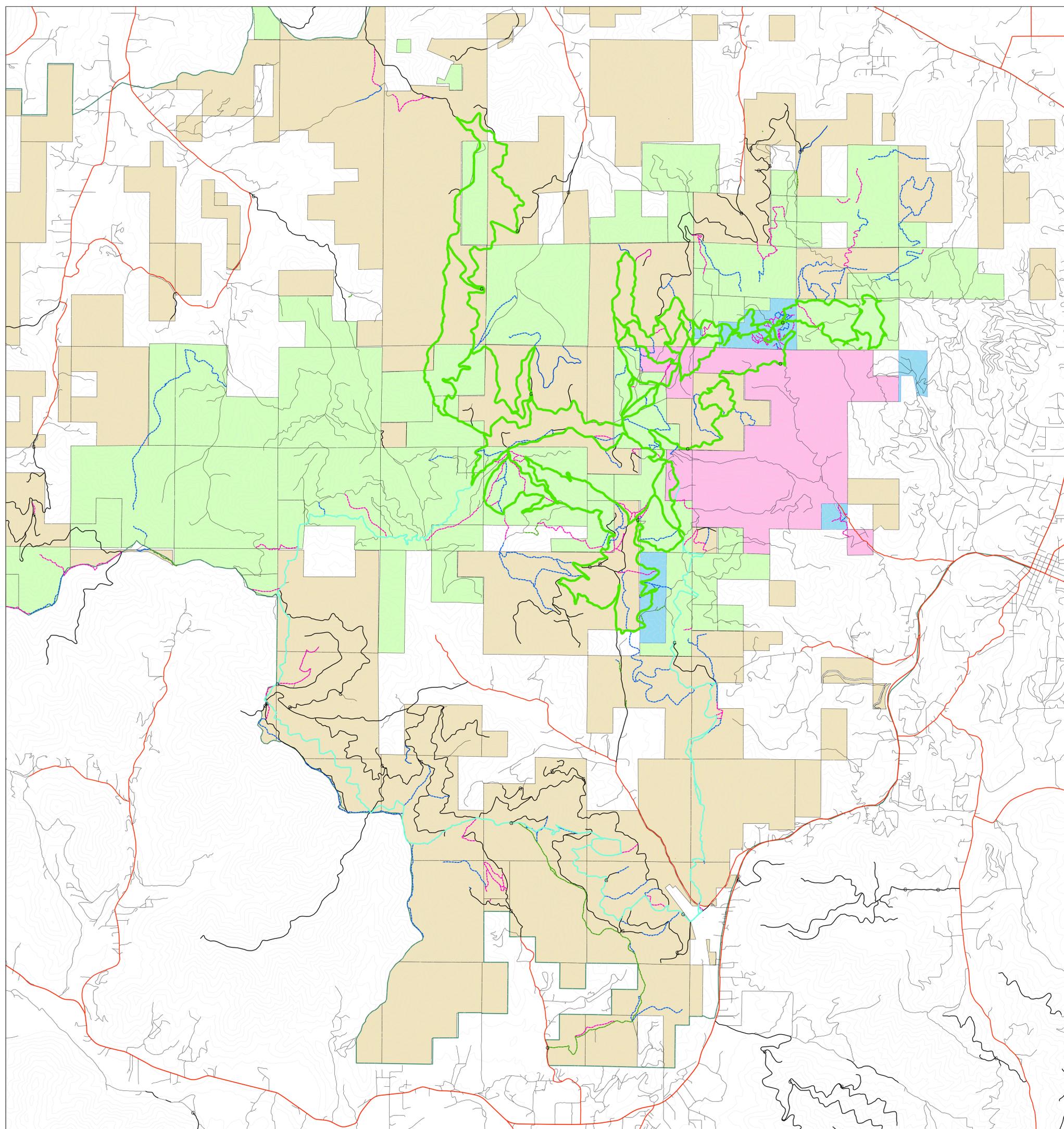
GTRN_PUB_ROADS_ARC

OwnerDesg

- BLM
- CNTY
- PVT
- HIGHWAYS
- TM_120_Ft_Contours_Clip
- Planning_Area_Boundary

Land Ownership

- Forest Land Owners
- City of J. Ville
- MRA
- B L M



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.

Prepared By: dbyrd
Current Date: 10/21/2009 05:20:31 PM