

## DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

**Project Name:** MRA Poker Run and Hare Scramble (DOI-BLM-OR-M060-2011-0017-CX)

**BLM Office:** Ashland R.A., Medford District.

**Contact:** Dennis Byrd (541) 618-2369

### DESCRIPTION & LOCATION OF THE PROPOSED ACTION:

The proposed action involves the issuance of a renewable Special Recreation Permit to the Motorcycle Riders Association (MRA). This permit would authorize the MRA to conduct two annual spring events at Timber Mt. OHV Area from 2011 to 2015. The events are sponsored by the Oregon Motorcycle Riders Association and would adhere to safety rules set forth by the American Motorcycle Association. The first event, the May Day Poker Run, would occur on May 1, 2011, and is expected to have between 100-150 participants. The second event is the MRA Hare Scrambles which is a two day event that would be held May 14<sup>th</sup> and 15<sup>th</sup>. The Hare Scramble event is expected to have between 100-140 participants. A permit was authorized for these two events in 2009.

Each event would involve the use of existing roads and trails within the Timbered Mountain Off-Highway Vehicle (OHV) Management Area (see attached map).

To comply with state fire regulation the club would be required to contact to Oregon Department of Forestry prior to the event. The City of Jacksonville Emergency Medical Technician (EMT) staff or a local EMS contract crew would 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 provided by MRA and placed in pairs in the stage and pit areas at Lilly Prairie. Regular traffic would be delayed Galls Creek Road, Forest Creek Road, and Kane Creek Road during the event, however, for no more than 45 minute intervals and given information regarding the delay by a club representative. The road would be posted by Friday, the weekend prior to the event, to alert the public of 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.
- Resource Area specialists will be notified of planned routes and event dates four (4) months in advance of planned use to allow time for a determination of NEPA adequacy.

*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 event 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, event 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, event 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:*

- Three areas that have trailside rare plant populations will impose maximum speed limits to ensure OHVs do not accidentally leave the existing trail. Both areas are on the “A Course” and the maximum speed limit is 10 miles per hour. 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 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.

## PLAN CONFORMANCE

The Federal Land Recreation Enhancement Act (REA) authorizes the BLM to issue special recreation permits for group activities and recreation events (16 U.S.C. 6802(h) (43 CFR § 2931.3(b)).

The proposed action is in compliance with the *1995 Medford District Record of Decision and Resource Management Plan* (RMP) which states to “provide a wide range of developed and dispersed recreation opportunities that contribute to meeting projected recreation demand within the planning area” (USDI 1995:63). 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). The 1995 Medford District Resource Management Plan was later amended by 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*. 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).

This project is not a habitat disturbing activity, as defined in page 22 of the Standards and Guidelines of the *2001 Record of Decision and Standards and Guidelines*, for any Survey and Manage species. Because the project is not habitat disturbing, the Survey and Manage provisions, including pre-disturbance surveys, are not required (USDA and USDI 2001:7, 21-22).

The Medford District BLM is also aware of the District Court’s March 31, 2011 decision to vacate and remand the Secretary of the Interior’s July 16, 2009 decision to withdraw the Western Oregon Plan Revisions ROD. This proposed renewable Special Recreation Permit also complies with direction provided under the 2008 Western Oregon Plan Revision Record of Decision and Resource Management Plan, to “provide a diversity of developed and dispersed outdoor recreational opportunities that contribute to meeting recreational demand and quality visitor experiences” (USDI 2008: 52).

The proposed action 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 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, 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 farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. |



## 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 their spring May Day Poker Run and Hare Scramble events that will take place each May from 2011-2015.

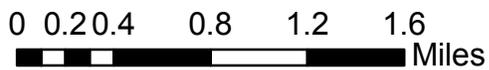
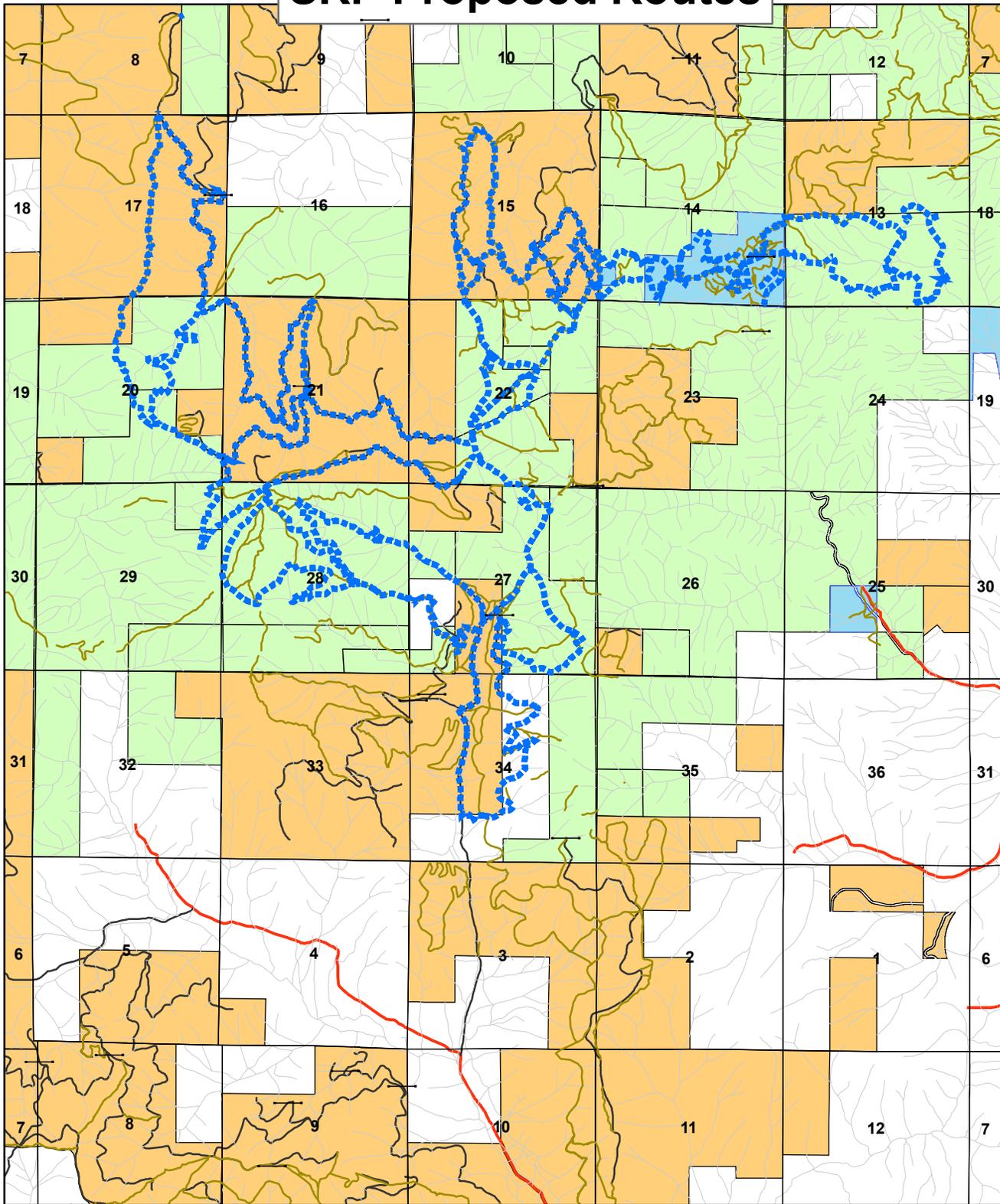
  
\_\_\_\_\_  
John Gerritsma  
Field Manager; Ashland Resource Area

4/28/11  
\_\_\_\_\_  
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).

# MRA Spring Events SRP Proposed Routes



Legend	
Blue dashed line	MRA_SRP_Spring Poker
Thin grey line	Streams
Thick black line	BLM
Red solid line	County