

## DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

**Project Name:** NYC Timber Mtn. OHV Trail Maintenance and Rehabilitation DOI-BLM-OR-M060-2009-0031

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

### DESCRIPTION & LOCATION OF THE PROPOSED ACTION:

The proposed action involves the maintenance and rehabilitation of OHV trails within the Timber Mountain Off-highway Vehicle Recreation Management Area. The maintenance of OHV trails is a priority in the Timber Mountain Recreation Management Area to ensure a quality riding experience for trail users, minimize user conflicts, provide for user safety, and to protect natural resources (1995 RMP p. 63). Trail maintenance and rehabilitation is proposed to correct trail rutting, braiding, and associated erosion for resource protection and trail user safety.

The trail segments proposed for maintenance/rehabilitation are Class I and III trails in need of features such as waterbarring or rolling dips, turnpikes, stabilization with crib walls, and trail hardening with rock or geo block to stabilize trails. Tread work will be done to BLM trail standards using hand tools and kept within the existing trail prism. Brushing of some vegetation will occur to remove hazards and improve overall safety. Work will be completed by hand crews (primarily Class III trails) and a Sweco® or mini-excavator (primarily Class I trails). Equipment will be kept within existing trail prism or designated work area. Equipment will be cleaned before moving to different project sites. This project involves the maintenance and rehabilitation of approximately 14 miles of trail to be implemented over a period of about four years.

This trail maintenance and rehabilitation proposal is located in T. 38 S., R. 3 W. in sections 6, 7, 9, 10, 11, 14, 15, 16, and 17; T. 37 S., R. 3 W., in sections 15, 21, 22, 23, 27, 31, 33, and 34; W.M., Jackson County (see attached map).

The following project design features are required conditions for the trail maintenance:

#### **General**

1. Trail maintenance will not occur during the wet season (October 15 to June 15) when the potential for soil erosion and water quality degradation exists. This restriction would be waived by the Responsible Official under dry conditions and with a specific erosion control plan (e.g. rocking, waterbarring, seeding, mulching, barricading).
2. All construction activities would be stopped if determined by the Responsible Official, based on input from a watershed specialist (soil scientist, hydrologist, or fish biologist), that resource damage would occur if construction is not halted.

3. Use of sediment ponds, trenches, weed free straw bales, geotextile fabric or coconut fiber logs/bales, would be used to prevent or reduce the movement of sediment from the project site to stream channels.
4. Trails over 20 percent incline or decline will be treated to harden the surface. Techniques include but are not limited to tread blocks, rock surfacing, or soil amendments. Other techniques which meet the objective of reducing rutting and erosion will be used as needed.
5. Water drainage facilities (drain dips, waterbars, etc.) will be designed and constructed to insure rutting, rilling and/or gulying does not occur.
6. Water drainage facilities and trail treads will be maintained as needed to avoid excessive trail gulying and erosion. If excessive rutting, rilling, and gulying does occur the affected trails (or areas) will be shut down, rehabilitated, and rested in compliance with 43 CFR 8341.2(a).
7. Where possible, rolling grades and outsloping would be used on trails with grades that are less than 8%. These design features would be used to reduce concentration of flows and minimize accumulation of water on the trail.
8. Woody material would be windrowed at the base of trail fill slopes to catch sediment.
9. Maintain large coarse woody material along trail edges, keeping rider safety in mind, to maintain the stability of the trail running surfaces.
10. Inventories would occur annually to identify and schedule ongoing trail maintenance needed to ensure resource protection and rider safety.

**To minimize the spread of noxious weeds**

1. Project tools and all related heavy equipment (e.g. hand tools. Handheld power tools, Sweco®, mini-excavator, OHVs) will be washed and cleaned of all soil and vegetative material before entering BLM lands and areas proposed for restoration/rehabilitation. Where appropriate (i.e. large equipment) "washed and cleaned" indicates that power washing is required to ensure the complete removal of potential contaminates.
2. Equipment will be washed in the field when moving from a weed infested area to another work site. Field washing station would include a high pressure pump and a system to contain all plant material waste for subsequent landfill disposal.
3. Seeding of native grasses and/or an approved seed mix will occur in areas where the soil has been disturbed (e.g. trail cutbanks, project staging area, trail widening).
4. BLM will inventory and apply appropriate noxious weed treatments along trails in the project area prior to the start of all trail restoration/rehabilitation project work. Inventories will occur periodically. Treatment will be scheduled by priority and will occur based on the potential of the weed population to cause economic or environmental harm or harm to human health. These weed inventories and treatments will occur depending on available funding and workforce.
5. In project areas determined to be of high risk for weed seed spread and infestation, project work manager will coordinate with BLM weed specialist to apply site specific mitigation for weed eradication and control prior to commencing with maintenance work.
6. Known sites of noxious weeds will be treated by the BLM along trail segments in T. 37 S., R. 3 W., in section 6 and T.38 S., R. 3 W. in section 31 during the growing season.

### **For the protection of Special Status Plant Species**

- 1 Trail sections with *Fritillaria gentneri* (FRGE) present within 100 feet will be excluded from trail restoration/rehabilitation under this categorical exclusion review.
- 2 In section T38S R03W S07, trail work will only occur on the northern portion of the trail, extending from Road 38-4-1.1 southward, not to approach the northernmost FRGE site on the trail closer than 300 feet. Work may also be done on the southernmost portion of the trail, extending westward from the junctions of roads 38-3-7.1 and 38-3-8, and not to proceed closer than 300 feet from known FRGB site. Both aforementioned sites will be buffered with flagging by a BLM botanist prior to the start of restoration/rehabilitation work. Work may proceed outside of the buffer on the existing road to the north of the established trail.
- 3 In section T37S R03W S33/34, the trail connecting the upper and lower portions of road 38-3-10 has conditions for inclusion in the Timber Mountain. OHV Trail maintenance/rehabilitation project. Trail work may only occur on the western portion of the trail, extending downhill from road 38-3-10 to and continuing up to, but no closer than, 300 feet from the FRGE site located near the section boundary of sections 33 and 34. No trail work is to occur on the eastern (lower slope) portion of this trail. Access with equipment, trail crews and non-BLM-operated OHVs must occur from the upslope access point.
- 4 150 foot buffers will be installed around populations of *Cypripedium montanum* (CYM02) prior to the start of trail restoration/rehabilitation. No activity is to occur within the installed buffer.
- 5 All restoration/rehabilitation activities must remain within the approved trail segment areas and must not extend into or impact buffered areas.
- 6 Coordination with Ashland botany must occur the fiscal year prior to the start of project activities to determine the need for additional surveys and to ensure adequate buffers are in place to protect plant sites.
- 7 All state fire restrictions and requirements will be met.

### **PLAN CONFORMANCE**

On July 16, 2009 the U.S. Department of the Interior, withdrew the Records of Decision (2008 ROD) for the Western Oregon Plan Revision and directed the BLM to implement actions in conformance with the resource management plans for western Oregon that were in place prior to December 30, 2008.

This project had been designed to comply with the land use allocations, management direction, and objectives of the 1995 resource management plan (1995 RMP). Trail maintenance is a priority in the Timber Mountain OHV Recreation Management Area to ensure a quality riding experience for trail users, minimize user conflicts, and to protect natural resources (RMP, p. 63). Project Design Features listed above are consistent with Best Management Practices identified for maintaining water quality goals (RMP Appendix D).

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, 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:

- | <b><u>Yes</u></b> | <b><u>No</u></b> | <b><u>Categorical Exclusion Exception</u></b>   |
|-------------------|------------------|---|
| ( )               | ( X )            | 1. Have significant adverse effects on public health or safety.   |
| ( )               | ( X )            | 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. |
| ( )               | ( 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).

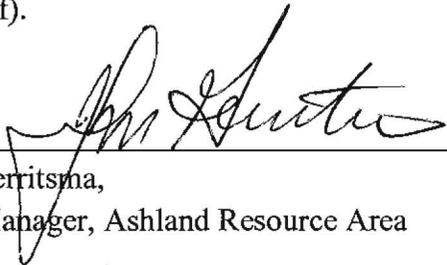
**DOCUMENT PREPARATION AND REVIEW**

Dennis Byrd                      Outdoor Recreation Planner                      May 20, 2009  
Prepared by                                      Title    Date

Kristi Mastrofini                      Environmental Coordinator                      July 23, 2009  
Reviewed & Edited 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 43 CFR 46.210(f).

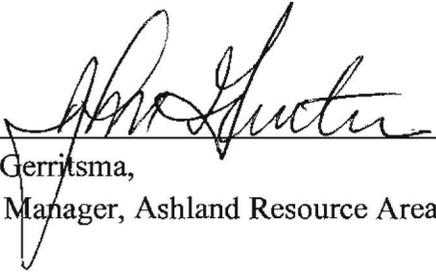
  
\_\_\_\_\_  
John Gerritsma,  
Field Manager, Ashland Resource Area

7/24/09  
\_\_\_\_\_  
Date

**CONTACT PERSON: Dennis Byrd (541) 618-2369**

**DECISION**

It is my decision to implement the proposed action, as described in the above documentation for the NEPA Categorical Exclusion Review. Trail maintenance and rehabilitation of approximately 14 miles of trail will implemented over a period of about four years on a schedule determined by trail inventories and the availability of funding.



John Gerritsma,  
Field Manager, Ashland Resource Area

7/24/09

Date

**ADMINISTRATIVE REMEDIES**

Notice of this decision will be posted on the 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.

# NYC Timber Mountain OHV Trail Maintenance & Rehabilitation

