

Categorical Exclusion Determination and Decision Record for Robert Rancourt/BearStik Vending SRP DOI-BLM-OR-M050-2009-0043-CX

Description of Proposed Action

Issue a one-year Special Recreation Permit to allow a vendor - Robert Rancourt (BearStik) - to sell hiking staffs and area hiking guides from the parking lots at Upper and Lower Table Rock trailheads. Vendor would park and set up a small stand next to his vehicle at the edge of the parking lots. Sales would primarily occur in the spring and fall months on weekends and holidays, 3-6 hours a day; sales may take place during the summer and winter months, weather permitting. Project is located in Township 35 South, Range 2 West, Sections 1 and 4 in Jackson County, Oregon.

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 project is also consistent with the objectives, land use allocations, and management direction of the 1995 Record of Decision and Resource Management Plan (1995 ROD/RMP).

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, 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 2008 ROD/RMP that directs the BLM to “Implement administrative actions including . . . competitive and commercial recreation activities” (2008 ROD/RMP, p. 65).

This proposal is also consistent with management direction in the 1995 ROD/RMP that directs the BLM to “Provide a wide range of developed and dispersed recreation opportunities that contribute to meeting projected recreation demand within the planning area” (1995 ROD/RMP, p. 63).

Project Design Features

1. Vendor shall park in the established parking lot and set up any display stands next to own vehicle so as not block vehicle or pedestrian access.
2. Damaging, disturbing, or removing any live vegetation is prohibited.
3. Any items brought for use by the vendor, such as a chair or umbrella, as well as any trash that may be collected must be removed at the end of the day.

Categorical Exclusion Determination

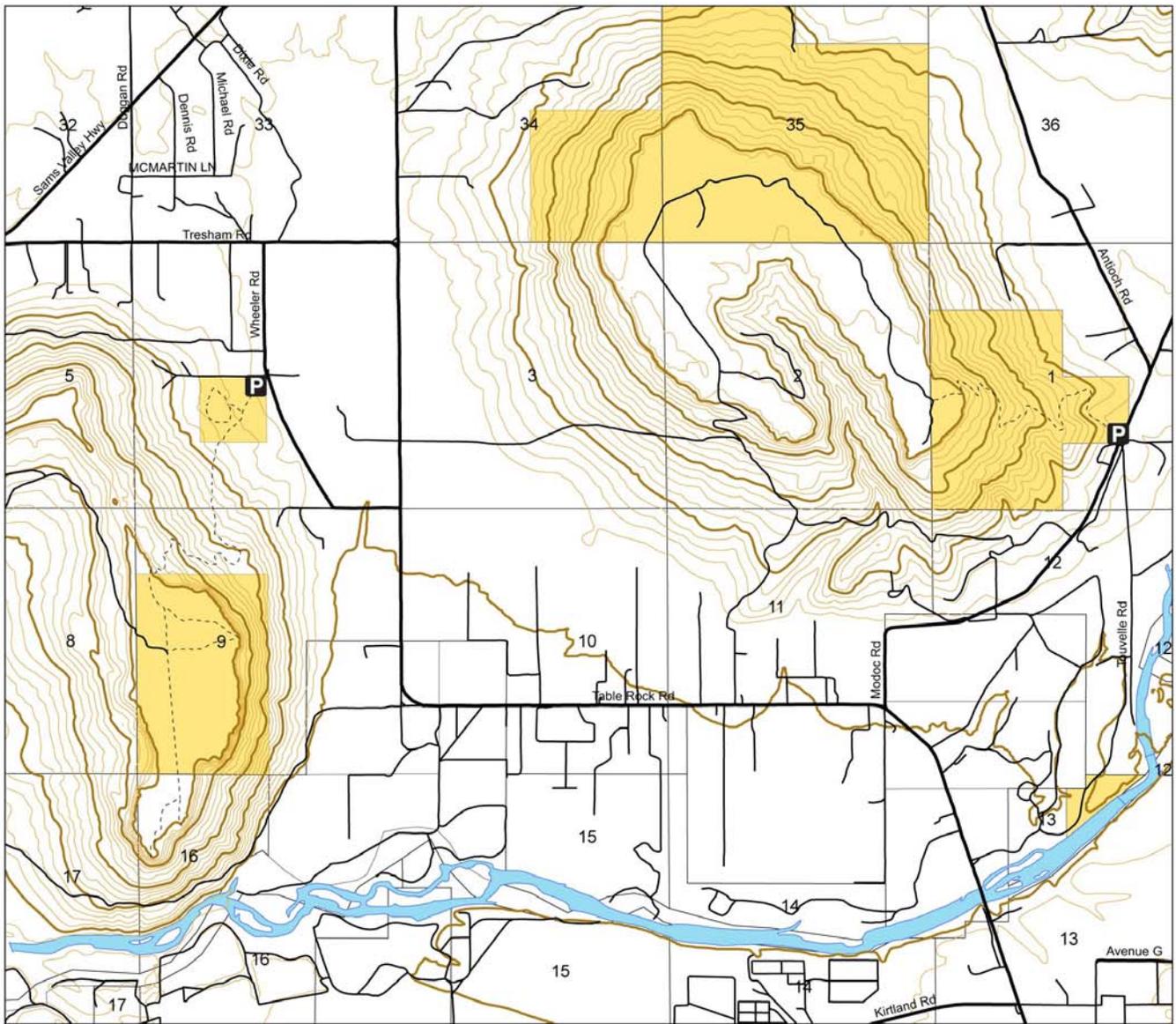
This proposed action qualifies as a categorical exclusion as provided in United States Department of the Interior Departmental Manual 516 DM 11.9 H(1). This section allows for “Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan.”

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.

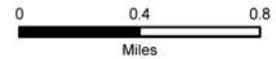
Contact Person

For additional information concerning this project, contact Trish Lindaman, Project Leader, at (541) 618-2266.

Upper and Lower Table Rocks



- P** Parking Area
- Trail
- Road
- 200 ft. Index Contour
- 40 ft. Intermediate Contour
- Rogue River
- BLM-Administered
- Private



NATIONAL SYSTEM OF PUBLIC LANDS
MEDFORD DISTRICT
June 2009

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. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

NEPA Categorical Exclusion Review

Proposed Action: Issue a Vending Special Recreation Permit to Robert Rancourt to sell hiking staffs and hiking guides from the parking lots at Upper and Lower Table Rocks.

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 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 AMR Remarks: *Will not affect the ACEC or O.N.A.*

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 SS 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 AM 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 MR Remarks: No effect

Animals Yes No

Initial LA Remarks:

Fish Yes No

Initial SZ 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

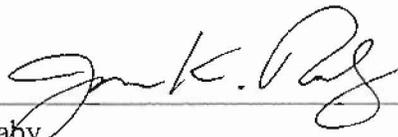
Initial AMB Remarks:

Decision

It is my decision to issue a vending SRP to Robert Rancourt, 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.



Jon K. Raby
Field Manager
Butte Falls Resource Area

7/2/09

Date

Administrative Review or Appeal Opportunities

Notice of the 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 appeal under 43 CFR 2931.8, parts 4 and 1840 of this title. A decision made under this part will go into effect immediately while appeals are pending unless a stay is granted under 4.21(b) of this title.

Categorical Exclusion Reviewers:

Name	Title	Date	Initials
Jean Williams Robyn Wicks	NEPA Coordinator	6/30/09	RW
Marcia Wineteer	Botanist	6/30/2009	MRM
Linda Hale	Wildlife Biologist	6/22/2009	LH
Steve Liebhardt	Fisheries Biologist	6/29/09	SL
Shawn Simpson	Hydrologist	6/22/09	SLS
Ken Van Etten	Soil Scientist	6/29/09	KBV
Al Mason	Fire/Fuels Specialist	6/24/09	AM
Lisa Brennan	Archaeologist	6/25/09	LB
Randy Bryan	Engineer	6-22-09	RRB
Trish Lindaman	Outdoor Recreation Planner	6-29-09	TL