

Categorical Exclusion Determination and Decision Record for Tiller Trail Highway Slide Repair

DOI-BLM-OR-M050-2014-0016-CX

Introduction

The BLM received a request from Jackson County Roads to repair a section of the Tiller Trail Highway (Oregon State Highway 227). The highway travels north from the intersection with Highway 62 near the community of Trail, through Tiller, and ultimately connects to Interstate 5 at Canyonville. The section of highway at milepost 42.9 has experienced landslides for several years that often deposit debris on the highway. Engineers observed slides continuing in this area as late as September 2014.

Jackson County hired a geotechnical consulting firm to study the area to determine the cause of the instability at this site and provide recommendations for a more permanent solution. There is an urgent need to address the instability in this area before the winter rains arrive.

The project is located on BLM land in SW¹/₄ section 30, Township 32 South, Range 1 West, Willamette Meridian, Jackson County, Oregon. It is located northwest of Shady Cove, Oregon in the Trail Creek fifth field watershed.

Description of Proposed Action

Jackson County Roads proposes the following actions (Figure 1):

- Construct a catchment wall along the Tiller Trail Highway to keep soil and debris from moving onto the highway.
- Place a diversion berm to keep water from moving onto the unstable slope area.

Catchment Wall: A 110-foot catchment wall would be constructed 6 to 7 feet from the edge of the pavement at the toe of the slope. The wall would be 8 feet tall and would be embedded 7 feet into the ground. A new roadside ditch would be constructed in front of the wall and an 8- to 10-foot-wide level area would be left or created behind the wall to allow equipment access for soil and debris removal (Figure 2).

Diversion Berm: A berm would be placed across the slope about 200 feet upslope from the area of movement. The eroded water flow areas at the head of the unstable area would be filled with soil and rock. The diversion berm would be limited to the length needed to divert the water into a more stable ravine to the south but would be no longer than 100 feet. The berm would consist of crushed rock about 10 inches deep and 8 feet wide placed on top of the native soil. The forest duff under the diversion berm would be removed before construction and used to cover the berm after construction (Figure 3).

The berm would be angled across the area of water passage in a slightly downslope direction to the southeast. This would allow water to flow through an erosion control area on the upslope side of the berm, along the berm, across an erosion control discharge area, and into a ravine to the south. The erosion control area would consist of crushed rock 4 to 6 inches deep and 4 feet wide. The erosion control discharge area, located at the downslope end of the berm, would be made of

crushed rock (6 feet wide and 15 feet long) placed over nonwoven filter fabric. The ravine discharges into the steep rock cataract and under-road culvert south of the slide area.

A small tracked dumper would be used to haul rock approximately 350 feet from an existing road to the site of the diversion berm. The dumper would wind around trees to avoid tree removal; although, some small vegetation would be cut. No soil or duff would be removed.

Plan Conformance Review

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

This project is consistent 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).

This project is also consistent with the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Stands and Guidelines (Survey and Manage), as incorporated into the ROD/RMP. This project uses the December 2003 species list. This list incorporates species changes and removals made as a result of the 2001, 2002, and 2003 Annual Species Reviews, with the exception of the red tree vole. For the red tree vole, the Ninth Circuit Court of Appeals in *KSWC et al. v. Boody et al.*, 468 F3d 549 (9th Circuit 2006) vacated the category change and removal of the red tree vole in the mesic zone and returned the red tree vole to its status as existed in the 2001 Survey and Manage ROD, which makes this species Category C throughout its range.

The BLM designed this project to be consistent with laws, regulations, and policies that include the following: 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 manage and design road systems to reduce public health and safety hazards (ROD/RMP, p. 88) and meet riparian reserve objectives by reconstructing roads and associated drainage features that pose a substantial risk (ROD/RMP, p. 28).

Project Design Features

- If, during project implementation, the contractor encounters or becomes aware of any objects or sites of cultural value on Federal lands, such as historical or pre-historical ruins, graves, grave markers, or artifacts, the contractor shall immediately suspend all operations in the vicinity of the cultural value and notify the Contract Officer Representative so the site can be evaluated by a BLM archaeologist.
- Protect known Special Status and Survey and Manage wildlife, vascular plant, lichen, bryophyte, and fungi sites. Buffers will be determined based on species, proposed treatment, site-specific environmental conditions, and available management recommendations.

- Require equipment that will travel off system roads to be washed prior to entry onto BLM lands.
- Use weed-free gravel from an accredited quarry for construction on BLM land.
- Use temporary sediment control measures (e.g., check dams, silt fencing, bark bags, filter strips, and mulch) to slow runoff and contain sediment from road construction areas. Remove the control measures and any accumulated sediment when work or haul is complete. When long-term structural sediment control measures are incorporated into the final erosion plan, remove any accumulated sediment to retain capacity of the control measure.
- Block access road to exploratory boring sites using barricades constructed of earth/logs or boulders.
- Seed disturbed soil with site appropriate native plant species and mulch with weed-free straw or native grass hay.
- Pull back displaced vegetation where possible on the access road footprint on project completion.
- Use the same trail off the existing road, as much as possible, to access the diversion berm construction site with the small tracked dumper.
- Place woody debris or other appropriate barriers (e.g., rocks, logs, and slash) on the first 100 feet of access road on project completion.
- Prepare a spill plan. If a spill does occur, waste diesel, oil, hydraulic fluid, and other hazardous materials will be removed from the site and disposed of at an approved location in accordance with Federal regulations.
- Store all hazardous materials and petroleum products in durable containers placed outside of riparian reserves. Locate so an accidental spill will be contained and will not drain into the stream system.
- Refuel equipment at least 170 feet from streams, ponds, or other wet areas. Equipment will not be stored in a stream channel. Hydraulic fluid and fuel lines will be in proper working condition in order to minimize leakage into streams.
- All operations will be in compliance with fire season restrictions and regulations identified by the Oregon Department of Forestry.

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 I(1),

Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition as a result of the event. Such activities shall be limited to: repair and installation of essential erosion control structures; replacement or repair of existing culverts, roads, trails, fences, and minor facilities; construction of protection fences; planting, seeding, and mulching; and removal of hazard trees, rocks, soil, and other

mobile debris from, on, or along roads, trails, campgrounds, and watercourses. These activities:

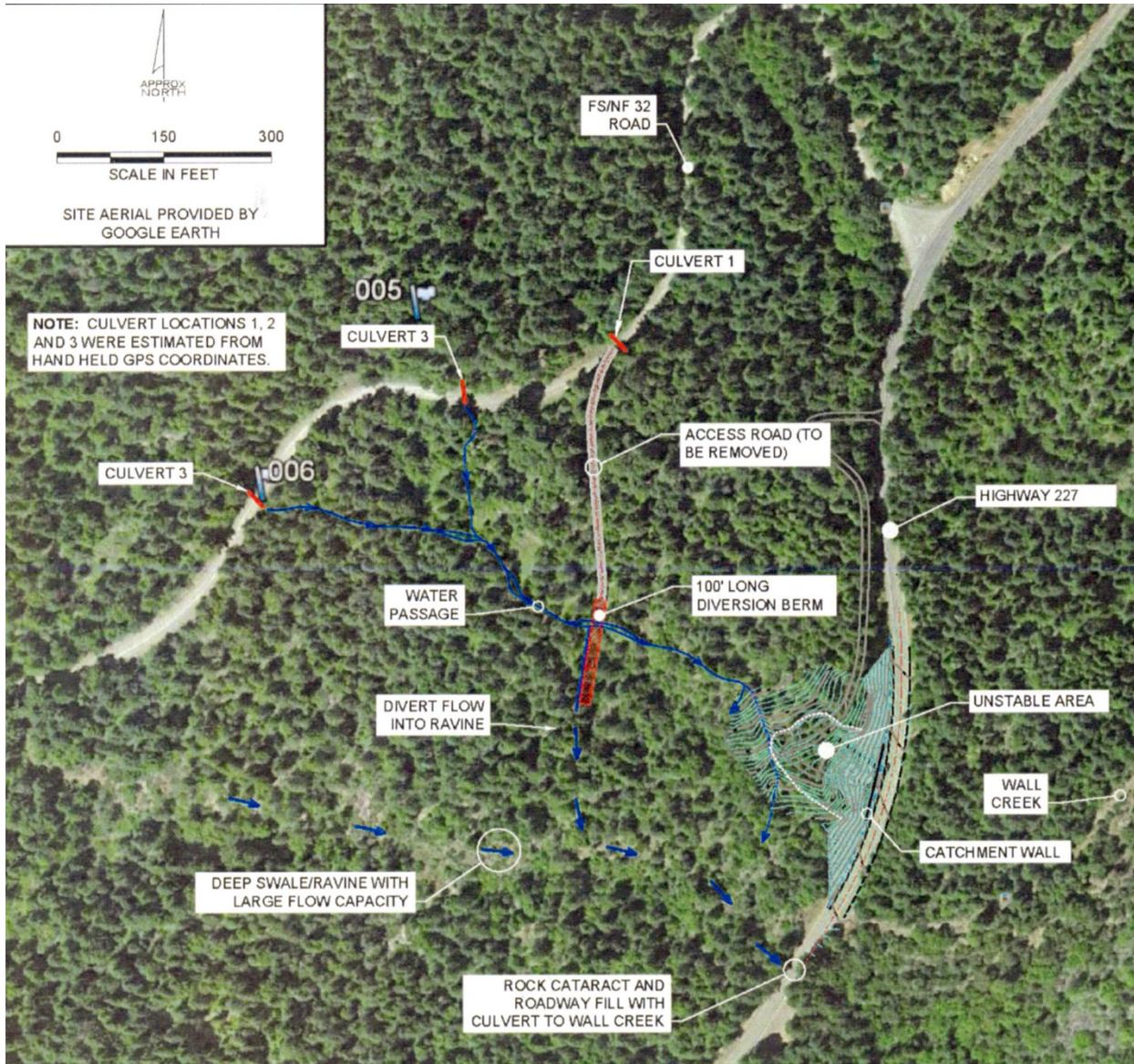
- a. Shall be completed within one year following the event;
- b. Shall not include the use of herbicides or pesticides;
- c. Shall not include the construction of new roads or other new permanent infrastructure;
- d. Shall not exceed 4,200 acres; and
- e. May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
- f. Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means, of vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract.

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

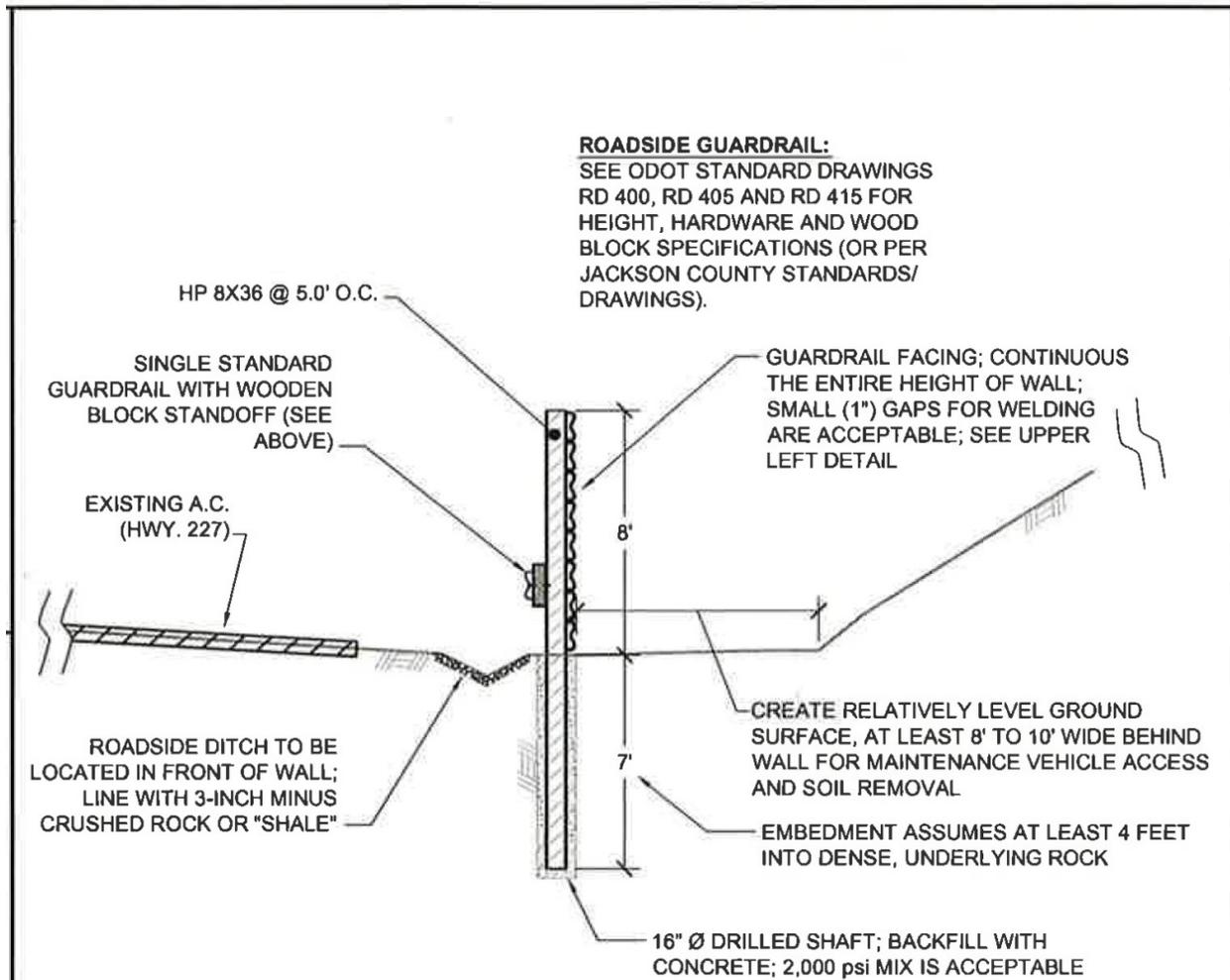
For additional information concerning this project, contact Jeff Brown, Project Leader, at 541-618-2322.

Figure 1. Aerial Photograph of Proposed Tiller Trail Highway Project Location



	AREA PLAN & AIR PHOTO TILLER/TRAIL HIGHWAY LANDSLIDE JACKSON COUNTY, OREGON	
	THE GALLI GROUP GEOTECHNICAL CONSULTING 612 NW 3rd Street Grants Pass, OR 97528 Phone: (541) 955-1811	
JOB NO: 02-4829-01 REV: 12/18/2013 8:55 AM DESIGN ENGINEER: WFG DRAFTED BY: MG3	SHEET <div style="font-size: 2em; text-align: center;">4</div>	<small>©2013 Tiller Slide - Area Aerial.dwg</small>

Figure 2. Catchment Wall Schematic

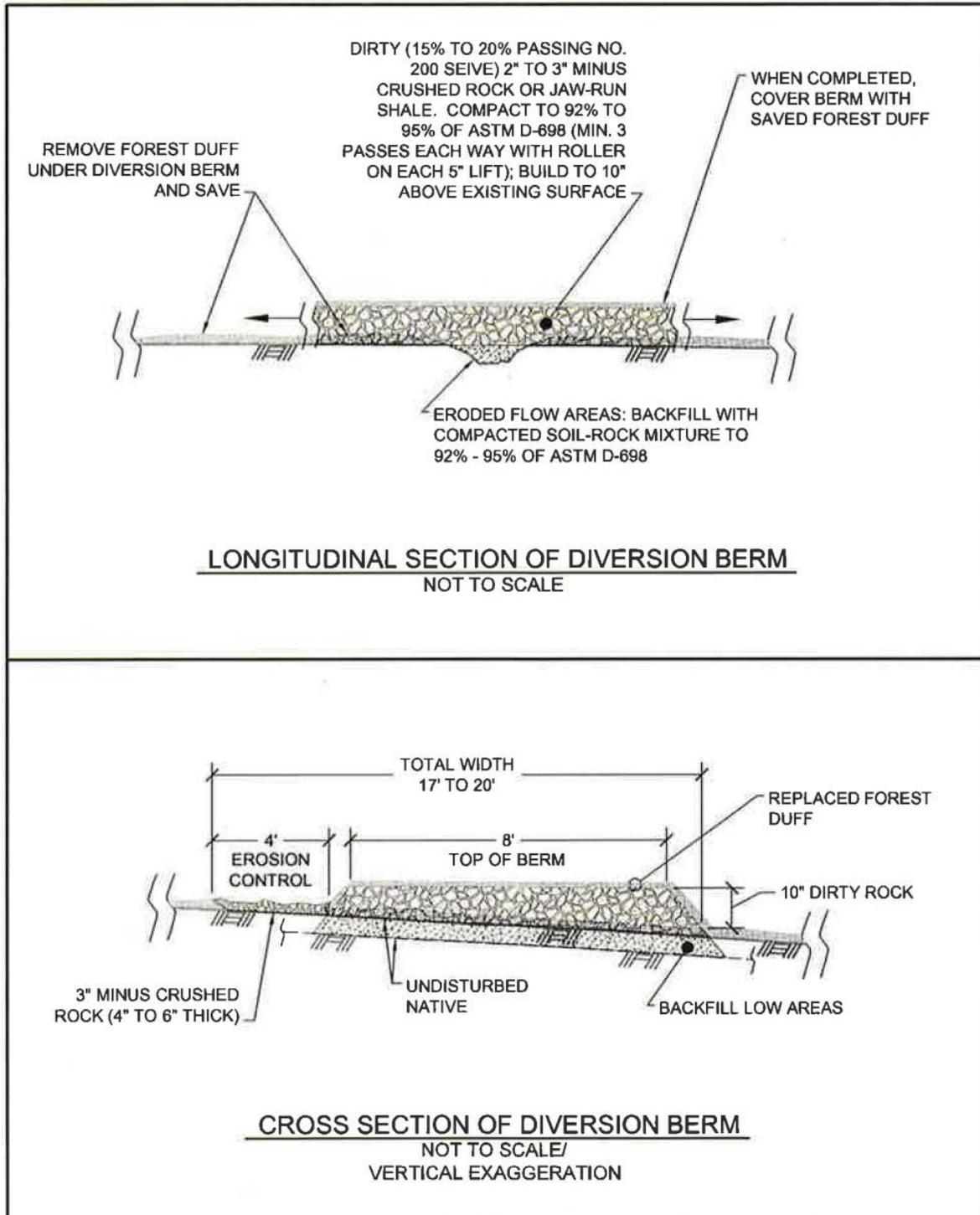


CATCHMENT WALL CROSS SECTION

1 INCH = 5 FEET

	WALL CATCHMENT DETAILS	
	TILLER/TRAIL HIGHWAY LANDSLIDE JACKSON COUNTY, OREGON	
	 THE GALLI GROUP GEOTECHNICAL CONSULTING 612 NW 3rd Street Grants Pass, OR 97526 Phone: (541) 955-1611	
	JOB NO: 02-4829-01	SHEET
	REV: 12/18/2013 8:58 AM	8
DESIGN ENGINEER: WFG		
DRAFTED BY: MG3		
4829 Tiller Slide - #Catchment Cross Section.dwg		

Figure 3. Schematic of Diversion Berm



NEPA Categorical Exclusion Review

Proposed Action: The BLM would authorize Jackson County Roads to install a catchment wall along the Tiller Trail Highway and construct a diversion berm no more than 100 feet long (see Description of Proposed Action).

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 that 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 SJL

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 DJL

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:

Wildlife Yes No Initial DJL Remarks:

Fish Yes No Initial JR 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 DJL

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 DJL

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: If PDFs are followed.

October 2014

Categorical Exclusion Reviewers:

Name	Title	Date	Initials
Robyn Wicks	NEPA Coordinator	11/7/2014	RW
Marcia Wineteer	Botanist	10/13/14	mw
Dave Roelofs	Wildlife Biologist	10/06/2014	D.R.
JON RAYBOURN	Fisheries Biologist	11/7/2014	JR
Shawn Simpson	Hydrologist	10/21/14	SS
Amy Meredith	Soil Scientist	10/14/14	ACM
Al Mason	Fire/Fuels Specialist	10/8/14	APM
Stephen Summers	Archaeologist	10/9/14	SS
Jeff Brown	Engineer	10/22/14	JB
Trish Lindaman	Outdoor Recreation Planner	10/8/14	TL

October 2014

Decision

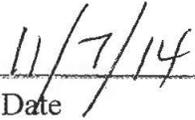
It is my decision to authorize Jackson County Roads to install a catchment wall along the Tiller Trail Highway, construct a diversion berm no more than 100 feet long, and build a temporary construction access road (approximately 360 feet) that would be fully removed after use, as described in the Proposed 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.



Jeanne M. Klein
Acting Field Manager
Butte Falls Resource Area



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 Web site. 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.