

DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

Project Name: MRA Poker CE OR116-08-42)

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

DESCRIPTION & LOCATION OF THE PROPOSED ACTION:

The proposed action involves the use of existing roads and trails within the Timber Mountain Off-Highway Vehicle (OHV) Management Area (see attached map) for a one day event on October 25 2008. This event was previously permitted through BLM Special Recreation Permits in 2007. In attendance will be approximately 80 spectators and up to 280 participants of whom less than 65-75% will finish the complete course. 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.

The A Course is a 100% class 3 course with approximately 70 riders on 25-35 miles of road/trail on 5-8 miles of BLM lands. The B Course is a 75% class 3, 25% class 1 course with approximately 130 riders on 20-25 miles of trail/road on 3-4 miles of BLM lands. And the C Course is a 70% class 2 and 30% class 1 course on 9-12 miles of trail/road on 1.5 miles of BLM lands.

This event is sponsored by the Oregon Motorcycle Riders Association and adheres to safety rules of that Association. This event is not a race and is not based on time. Riders are allowed to ride at their own pace and required to stop and draw a playing card at each checkpoint. The checkpoints are structured in a way that a rider has the option to take an easier course at any time. The MRA will provide staff to ride the course and check for riders who have broken down or have possibly been injured during the event. Courses will be marked on the ground with flagging and signs. All materials will be removed within 3 days of the event's completion. BLM staff will ride course one day before event and the day of the event to monitor and insure stipulation compliance.

The MRA will be required to conduct trail maintenance work on specified trail segments before and after the event. Maintenance work will be done with hand tools unless otherwise directed by BLM. BLM resource staff will identify locations and work to be done to trail segments. BLM staff will be on site during all trail maintenance work.

In addition to the maintenance of trails within the Poker Run course, two trail segments require maintenance before winter weather moves in. These segments (located in range 37s-3w-31 thru 38s-3w-6 and 38s-3w-14) are class III single track trail in need of water barring or rolling dips and trail hardening with rock. Tread work will be done to BLM trail standards using hand tools and kept to within existing trail prism.

The MRA must show proof of contact with the Oregon Department of Forestry prior to the event to acquire and comply state fire regulation. The City of Jacksonville EMT staff will be on site and fire suppression equipment will be staged at the MRA's Lilly Prairie property (indicated on the attached map). Portable toilets will be provided by MRA and located at the staging and pit area at Lilly Prairie. Regular traffic on specified roads may be delayed for no more than 30-minute intervals during the event and given information regarding the delay by a club representative. Galls Crk. Road, Kane Creek Rd. and Forest Crk. Rd. will be posted one week in advance of the event to alert the public of the delay. MRA will provide radios to event staff to regulate traffic and to provide added safety.

The following project design features are required conditions for the issuance of the Special Recreation Use Permits (SRUP) or non-event related trail maintenance:

- All known T&E plant sites would be well marked and speeds would be reduced to 10 mph in those areas.

- Bikes will be clean before entering public lands. All bikes, ATVs, and race support vehicles will be inspected at the staging and event starting location on MRA lands. Dirt and debris will be cleaned from vehicles using a high pressure washer prior to starting the event. All waste water will be filtered and properly disposed of to prevent spreading noxious weeds.
- 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 next growing season.
- The Oregon State noise statute of 99dbs would be strictly enforced.
- All event materials would be removed within seven days of the event.
- In the event of inclement weather such as heavy rain or snow, the event date must be changed and approved by BLM. If modifications to the event courses or dates are not possible, it shall be cancelled. 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 moistures will be monitored and be determined by BLM. Seven days prior to the event the BLM will make a determination on soil moisture levels. The MRA will be informed of these results. Weather trends will be monitored during the seven day period 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 as to whether a cancellation or a postponement is necessary.
- 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 written 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 written permission for access is not granted by all landowners whose lands are crossed by the event.
- 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.
- All materials (flagging, signs, and trash) are to be removed within 7 days of the event's completion.
- 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.
- 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.

In the *Code of Federal Regulations Public Lands: Interior 43 Part § 2932.11* Permits Required. Special Recreation Permits are required for commercial or competitive use involving more than one mile of public lands or shoreline.

PLAN CONFORMANCE

The proposed action is in compliance with and is tiered to the *Medford District Record of Decision and Resource Management Plan (RMP)* as amended by the *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl (USDI 2007)*. 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 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 Manual 516 DM 2, Appendix 2 provides for a review of the following criteria for categorical exclusion to determine if exceptions apply to the proposed action based on actions which 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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (<i>40 CFR 1508.7 and 1508.25(a)</i>).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	10. Have disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	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).

SUMMARY OF FINDINGS

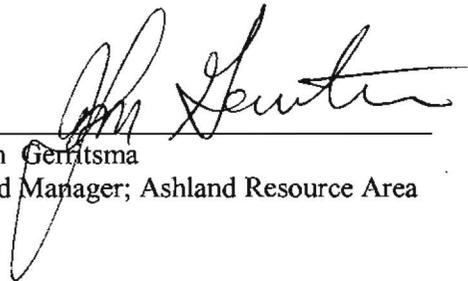
The proposed action has been reviewed against the twelve criteria above for an exception to a categorical exclusion and does not fall under any exception as identified in 516 DM 2, Appendix 2. The project qualifies as a categorical exclusion under 516 DM 11.5 H (5).

Dennis Byrd Outdoor Recreation Planner June 29, 2007
Prepared by Title Date

Kristi Mastrofini Env. Coord. July 12, 2007

DECISION

Based on the NEPA CATEGORICAL EXCLUSION REVIEW above, I have determined that the proposed action qualifies as a categorical exclusion under 516 DM 11.5 H (5) involves no significant impact to the human environment and that no further environmental analysis is required.



John Geritsma
Field Manager; Ashland Resource Area

10/8/08

Date