

DECISION RECORD & CATEGORICAL EXCLUSION REVIEW

Project Name: Sterling Mine Ditch Trail Maintenance (DOI-BLM-OR-M060-2009-0038-CX)

BLM Office: Ashland R.A., Medford District. Phone # (541) 618-2281

DESCRIPTION AND LOCATION OF THE PROPOSED ACTION:

The proposed action involves the brushing of vegetation to remove hazards and improve overall safety on a portion of the Sterling Mine Ditch Trail in T 39S, R 2W, Sections 17 and 20. As an existing recreational trail, The Sterling Mine Ditch Trail must “continue to be managed and maintained” to “enhance visitor recreation experience expectations and satisfy public land users” (1995 ROD/RMP, p.66, 63). In many areas of the trail overhanging, encroaching, and fallen vegetation has impeded travel. Brushing will include clearing of vegetative growth along 1.83 miles of the Sterling Mine Ditch trail. This clearing includes cutting, trimming, and scattering of live and dead brush/slash, logs and debris. Vegetation will be cleared within the trail prism and approximately 18 inches from either edge of the trail prism from 2 feet to 8 feet high. Cleared vegetation will then be scattered outside the trail prism in a manner that mimics natural downed vegetative debris conditions in the landscape surrounding this portion of the trail. Brushing and lopping will be done to BLM trail standards using both power and hand tools. Hand crews will be used exclusively in the clearing of vegetation. Pack animals will be used to transport project tools (e.g. loppers, pole saws, and chainsaws) to the work site. This will ensure unimpeded travel for the current authorized non-motorized recreational uses of hiking, horseback riding, and mountain biking.

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

General

- The number of pack animals used will not exceed two in order to minimize resource impacts.
- Pack animals will be tethered on the Sterling Mine Ditch Trail at a minimum distance of 50 ft. from each other in order to minimize resource impacts both on the trail and to land adjacent to the trail.
- Maintain large coarse woody material along trail edges, keeping user safety in mind, to maintain the stability of the trail running surfaces.
- Cleared vegetation will be scattered outside the trail prism in a manner that mimics natural downed vegetative debris conditions in the landscape surrounding this portion of the Sterling Mine Ditch Trail.
- Trail maintenance will not occur from October 15 to April 15.

To minimize the spread of noxious weeds

- Project tools (e.g. hand tools, handheld power tools) will be washed and cleaned of all soil and vegetative material before entering BLM lands and upon leaving the project area.
- Pack animals will be fed certified weed free feed for 48 hours prior to project.

For the protection of Special Status Plant Species

- All work will occur from the trail (foot and animal traffic is not allowed off the trail).

For the Protection of Cultural Resources

- 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 (COR) so the site can be evaluated by a BLM archaeologist.

PLAN CONFORMANCE

This project has been designed to comply with the land use allocations, management direction, and objectives of the 1995 Medford District Resource Management Plan (RMP) (USDI 1995). As an existing recreational trail, The Sterling Mine Ditch Trail must “continue to be managed and maintained” to “enhance visitor recreation experience expectations and satisfy public land users” (1995 ROD/RMP, p.66, 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:

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
()	(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).

COMPLIANCE WITH NEPA

In accordance with 43 CFR §§ 46.205 (c) and 46.215, the proposed action has been reviewed against the above twelve criteria, 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).

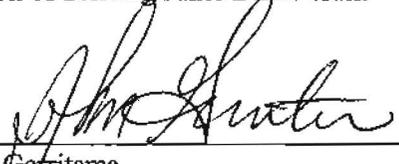
DOCUMENT PREPARATION AND REVIEW

Nicholas Schade	Park Ranger	9-10-2009
Prepared by	Title	Date

Stephanie Larson	Assistant Environmental Coordinator	9-24-2009
Reviewed/Edited by	Title	Date

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. It is my decision to authorize the requested trail maintenance on the 1.83 mile section of Sterling Mine Ditch Trail.



John Gerritsma
Field Manager, Ashland Resource Area

10/2/09

Date

ADMINISTRATIVE REVIEW

Notice of the forest management 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 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.