

CATEGORICAL EXCLUSION REVIEW & DECISION RECORD

(DOI-BLM-OR-M060-2013-012-CX)

Project Name: Vault Toilet Installations (OR 067793)

BLM Office: Ashland Resource Area, Medford District Office

Contact: Dennis Byrd, Project Leader @ 541- 618-2275

Location: There are three separate locations in which the toilet installations will take place; Woodrat Mountain Recreation Site, Grizzly Peak Trail Parking Area, and Kenney Meadows Day Use Site. The Woodrat Site is located in Section 25 of Township 38 South, Range 3West, Willamette Meridian, Jackson County, Oregon. The Grizzly Peak Site is located in Section 17 of Township 38 South, Range 3East, Willamette Meridian, Jackson County, Oregon. The Kenney Meadows Day Use Site is located on Yale Creek Road in the NW 1/4 of Section 10 in Township 40 South, Range 2 West, Willamette Meridian, Jackson County, Oregon.

DESCRIPTION OF THE PROPOSED ACTION:

The proposed action involves the installation of three vault toilet facilities within the scope of the Ashland Resource Area at the Woodrat Mountain Recreation Site, the Grizzly Peak Trail parking area, and the Kenney Meadows Day Use Site. The Woodrat Mountain Hangliding and Paragliding Site experiences over 7000 launches yearly including a two week long international event with over 200 participants. Grizzly Peak Trail is a highly used site and is estimated to have over 8000 visitors annually. Both site areas are heavily used and there is a need for adequate toilet facilities. The existing vault toilet at Kenney Meadows site has a leak. Due to its proximity to Yale Creek, the vault was pumped and the facility was closed in 2011. A deferred maintenance project proposal was approved by the BLM and funding was acquired to replace the facility. All three sites are heavily used and there is a need for adequate toilet facilities.

Woodrat Mountain Site: The area in which the toilet facilities would be installed is a historic rock quarry and the main launch site for the recreation area. To accommodate the concrete vault toilet a trench would be excavated in the southeast corner of the gravel launch area. In the event the required depth is unachievable due to the soil density or soil makeup, large concrete blocks (2'x2'x6') would be placed around the toilet. The space between the block and the vault would be backfilled to the appropriate level and then compacted. The vault for the toilet would be approximately 5' deep, 6' wide and 10' long. In total an area 5' deep, 8'5 wide and 17' long would be impacted to accommodate the installation of the toilet facility. A site pad would be graveled or treated and compacted to provide for ease of access to visitors and ADA accessibility if applicable.

Grizzly Peak Site: The area in which the toilet facilities would be installed is currently used as the primary parking area and houses the only access site to the Grizzly Peak Trail. The access road and parking area were graveled and chip sealed to provide better accessibility to the site. Due to the topography of the area and the lack of parking available, excavation of the hillside adjacent to the parking area and trail will be required to accommodate the vault toilet. The excess fill created by the excavation of the site will be spread around the site and utilized to improve drainage where needed. The vault would be placed in the excavated site and the site would be backfilled and leveled. The toilet vault would be approximately 5' deep, 6' wide and 10' long. In total an area 5' deep, 10' wide and 17' long would be impacted to accommodate the installation of the toilet facility. A site pad would be graveled or treated and compacted to provide for ease of access to visitors and ADA accessibility if applicable.

Approximately 200 ft of existing trail would be decommissioned beginning at the trailhead and continuing uphill to the intersection of the proposed trail segment. This new segment of trail would be approximately 200 ft in length and traverse the contour of the hillside utilizing two minor switchbacks to reach the existing elevation of the trail tread. While the new route is roughly the same length, the location and slope of the tread will; reduce the potential for erosion, reduce future maintenance needs, and provide a more gentle access for hikers.

Kenney Meadows: The existing facility is located 75' below the road in a heavily forested area. Pumping of the site is difficult due to its distance from the road. Replacement of the vault toilet would include removal of the existing facility, backfilling and smoothing the site to match the general contour of the area. Decommissioning the cistern would be done by removing the cement lid from the site, notching the floor and wall of the cistern, backfilling it with small river rock (1-3 inch), and finishing it off with lift of soil from the project site. The cistern is approximately 40 feet from the existing vault toilet and adjacent to the access trail which will be utilized for this project. The replacement vault would be placed near the road along the southern end of the parking pullout. This location would require no excavation but a cement block and backfill material would be used to level the site and provide access to visitors. The proposed site is more conducive for cleaning and will provide more sun exposure to the riser to facilitate the evacuation of odors from the vault. Furthermore, the added visibility of the vault would reduce the potential for vandalism to the toilet facility. The removal of 3-6 small diameter trees (6" or less) may be required to provide access to the existing site.

The design and earth tone color of the toilet facilities would be similar to other BLM vault toilet facilities in the area. The design would be vandal resistant and adherent to ADA accessibility standards and guidelines. The concrete vault walls, lined with plastic, would act to separate sewage effluent from soil and ground water. The vault toilets are engineered and designed for long-life in extreme conditions. The building meets or exceeds the requirements to withstand the effects of a seismic design category E earthquake, a 150-mph wind load, and a 350-pound per square foot snow load.

The Permittee agrees to comply with the following environmental and safety stipulations as required project design features:

Wildlife:

- To avoid disturbance to Northern Spotted Owl nest sites that may exist undetected in unsurveyed suitable habitat these installations should not occur between March 15th and June 30th.

Fish:

- Seed and mulch disturbed ground with approved weed free seed and straw, and scatter any slash generated over the access route upon completion of demolition activities.

Hydrology:

- Restrict road maintenance activities to the dry months (May-October).
- When maintaining inboard ditches, avoid blading and vegetation removal unless absolutely necessary.
- All soil disturbance associated with road drainage improvement shall be within the existing road Rights-of-Way
- All ground disturbance within riparian reserves shall be mulched with weed free straw or native materials. A minimum of 80 percent ground cover shall be maintained following such activities. Where the potential for surface erosion is high, consider seeding with native grass seed.
- Avoid blading and vegetation removal unless necessary to remove drainage impediments when maintaining inboard ditches. Control sediment by spreading weed free straw in ditchlines where ditchline blading is required within 100 feet of streams.

Botany:

- All equipment shall be washed prior to entering the project area at a site where any mud or debris from the equipment will not contribute to the spread of noxious weeds.
- At the Grizzly Peak trailhead, excessive damage to the native vegetation on the south edge of the parking area shall be avoided to the extent practical (it is assumed that some damage to native vegetation is unavoidable).

PLAN CONFORMANCE

The proposed action is in compliance with the *1995 Medford District Record of Decision and Resource Management Plan (RMP)* which states to “continue to make BLM-administered lands available for needed rights-of-way.” 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 1995 Medford District Resource Management Plan was later amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*.

This proposed action 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 Standards and Guidelines (2001 ROD), as modified by the 2011 Settlement Agreement. This project is not a habitat disturbing activity, as defined in page 22 of the Standards and Guidelines of the *2001 Record of Decision and Standards and Guidelines*, for any Survey and Manage species. Because the project is not habitat disturbing, the Survey and Manage provisions, including pre-disturbance surveys, are not required (Standards and Guidelines, p. 7, 21-22).

The proposed action is also 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:

Yes No

Categorical Exclusion Exception

- | | |
|------------------------------|---|
| <input type="checkbox"/> (X) | 1. Have significant adverse effects on public health or safety. |
| <input type="checkbox"/> (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. |
| <input type="checkbox"/> (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. |
| <input type="checkbox"/> (X) | 4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks. |
| <input type="checkbox"/> (X) | 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. |
| <input type="checkbox"/> (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)). |
| <input type="checkbox"/> (X) | 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places. |
| <input type="checkbox"/> (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. |
| <input type="checkbox"/> (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 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 516 DM 11.9 E (16) which allows for the *“issuance of leases, permits, or rights-of way for the use of existing facilities, improvements, or sites for the same or similar purposes.”*

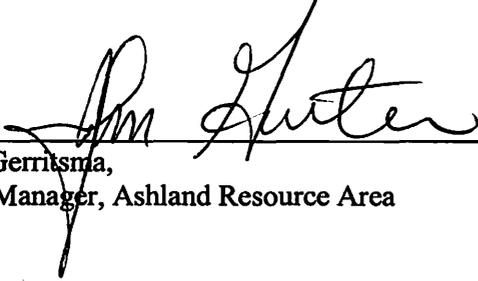
DOCUMENT PREPARATION AND REVIEW

<u>Allison Hass</u>	<u>Clerk</u>	<u>6/11/13</u>
Prepared by	Title	Date

<u>Ted Hass</u>	<u>Environmental Coordinator</u>	<u>6/11/13</u>
Reviewed & Edited by	Title	Date

DECISION

I have determined that the proposed action, which qualifies as a categorical exclusion under 516 DM 11.9 E (16), involves no significant impact to the human environment and that no further environmental analysis is required. It is my decision to authorize the issuance of the O&C Logging Road Right-of-Way Permit No. M-5066, OR 067793, to the private land owner. Notice of this decision will be posted on the District internet website.



John Gerritsma,
Field Manager, Ashland Resource Area

8/15/13
Date

ADMINISTRATIVE REMEDIES

This is a lands decision on a right-of-way action in accordance with BLM regulations under 43 CFR Part 2812. All BLM decisions under 43 CFR 2812 will become effective on the day after the expiration of the appeal period (30 days after this decision is signed) where no petition for a stay is filed, or 45 days after the expiration of the appeal period where a timely petition for a stay is filed, unless the Director of the Office of Hearings and Appeals or an Appeals Board has determined otherwise in accordance with specified standards enumerated in 43 CFR 4.21 (b).