

# Categorical Exclusion Documentation

## A. Background

**BLM Office:** Prineville Field Office

**NEPA Log #:** DOI - BLM - OR – P060 - 2015 - 0020 - CX

**Proposed Action Title:** Rock Springs and Fly Spur SRP renewals

**Location:** Approximately 7 miles North West of Bend, Oregon, in the BLM's Tumalo Recreation Area, T 17S, R 11E, Sections, 3, 4, and 10 (see map for detail)

**Description of the Proposed Action:** To renew two Special Recreation Permits for hiking, equestrian, and mountain bike trail use on approximately 12 mile with all use being on designated trails; picnicking and other off-trail activities on BLM managed land would not be authorized. Maximum group size would be 30 and minimum size 1. Number of staff to customer ratio would be at least 1:30 for hiking trips and at least 1:5 for bike or equestrian trips. Trip length would be 1- 4 hours and would not include overnight stays. Trip start/end point is on adjacent ranch on private land. The average number of trips per week is 21, and maximum number of trips per day is 4. Horses would not be fed or housed on BLM managed lands. The seasonal closure for nesting eagles would prohibit access to approximately 80 acres and 1/3 mile of trail to all users from January 1<sup>st</sup> to August 31<sup>st</sup>. The site will be monitored and if conditions allow, the closure will be lifted earlier.

**Background:** The recreation permittees have operated responsibly in the area since the early 1990s. The 12 mile trail system is within the Wierleske Grazing Allotment, which is grazed by horses with the grazing permittee being HSW Rock Springs LLC. Four weeks a year the area is grazed, generally from April 30 through May 15 and then from October 10 through November 4. The location is in an area where no wilderness characteristics have been identified.

## B. Land Use Plan Conformance

**Land Use Plan Name:** Upper Deschutes Resource Management Plan    **Date approved (ROD):** 2005

The proposed action is in conformance with the above even though it is not specifically provided for, because it is clearly consistent with the following land use plan objectives, allowable uses and guidelines:

Page 109: Recreation Objective R – 5: Provide for projects, programs, and permits that promote a diverse range of recreation opportunities. Provide for individual, group, and competitive event recreational use that could not be reasonably accommodated on private land.

### Allocation/Allowable Use

1. Special Recreation Permits (SRPs) are required for all commercial and competitive uses on BLM administered lands.

2. New commercial SRPs for non-foot traffic, trail dependent annual use (e.g., guided horseback rides, llama pack trips, mountain bike rides, etc.) will only be issued for designated trails or routes that are part of BLM's transportation system. Note: No Comprehensive Travel Management Plan has been completed for the area, however, in 2014 the BLM completed the Tumalo Vegetation and Trail Management Project, DOI-BLM-OR-P060-2012-0008-EA, analyzed and a subsequent Decision authorized the development a 10-12 mile system of non-motorized trails and limits equestrian and bicycle use limited to designated non-motorized trails (see the Decision Record, page 2-3).

#### Guidelines

1. Prior to the issuance of a SRP, assess the proposed activity to determine if it is in the public interest and to assure adequate mitigation of effects.
2. Manage SRP authorizations to allow specified recreational use of public lands and related waters. These permits will be used as a mechanism to accommodate specific recreation uses, protect resources, and manage visitor use.
3. For hiking/foot traffic use, emphasize authorizing commercial annual use on designated trails, then consider non-designated routes (in areas where no trail systems have been designated) through the SRP process if these routes are mapped and do not present resource or social concerns. In areas where a designated trail system is implemented after the ROD, manage trail dependent commercial use (including hiking) through this system to avoid creation of additional routes.

Page 134: Tumalo Recreation Area, Objective R-4: Provide identifiable non-motorized recreation opportunities to provide visitor satisfaction, protect natural resources, and minimize conflicts among public land visitors and adjacent land owners.

#### **C. Compliance with NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, H. Recreation Management 1. 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. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for "Special Area" management (43 CFR 2932.5).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply. See attached CX Extraordinary Circumstances Documentation checklist.

## D. Signature

I considered the social and environmental impacts of approving this Special Recreation Permit. My concerns about human safety, environmental damage and noxious weed have been resolved by incorporating the following design features into the proposed action:

- Supplemental feeding of horses is not allowed on BLM managed lands
- Hikers/Bikers would be instructed to arrive with clean shoes/bikes and to thoroughly clean them after the activity.
- No picnicking or other activities would be authorized.

Authorizing official: \_\_\_\_\_

*Matt Preston*  
 Matt Preston, (Acting) Deschutes Resource Field Manager

6/17/15

Date

## Contact Person

For additional information concerning this review, contact: *Amy Bannon, Resource Assistant, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6767, abannon@blm.gov.*

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed action would:			
2.1	Have significant impacts on public health or safety.		X
Rationale: Additional stipulations associated with this permit would provide for safety of the participants and other users of the public lands			
2.2	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.		X
Rationale: The proposed action would not have impacts on any of the resources listed above. Continued trail use would not affect the historic Tumalo Project Irrigation System.			
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		X
Rationale: There are no know controversial environmental effects and this action would not involve unresolved conflicts concerning alternative use of available resources.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X

Rationale: There are no such effects or risks associated with this activity. The non-motorized activity would not conflict with the existing ROW to the Tumalo Irrigation District		
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	X
Rationale: The approval of this renewal and the association use would not establish a precedent or decision		
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	X
Rationale: This activity would not have a cumulative impact with significant environmental effects		
2.7	Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	X
Rationale: The BLM parcel includes the historic Tumalo Project irrigation system under right-of-way with Tumalo Irrigation District. The historic property has been documented and the trail use would not affect the irrigation system and contributing features.		
2.8	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
Rationale: This activity would not violate any such law or requirements		
2.9	Violate a federal law, or a state, local, or tribal law or requirement imposed for the protection of the environment.	X
Rationale: The proposed action conforms to the direction given for the management of public lands in the Prineville District which complies with all applicable laws, such as Clean Water Act, Endangered Species Act and others.		
2.10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	X
Rationale: The proposed action would have no effect on any low income or minority population		
2.11	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
Rationale: Activity would remain on existing roads and trails. There would be no change or limitation on access.		
2.12	Contribute to the introduction, continued existence, or spread of noxious weeds or non-native 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).	X
Rationale: The proposed activity would not measurable change the rate of introduction; continue existence or spread of noxious weeds or invasive species. Stipulations associated with this activity address the concern by not allowing supplement feed. Hikers/bikers would be instructed to arrive with clean shoes/bikes and to thoroughly clean them after the activity.		