

Categorical Exclusion Documentation

A. Background

BLM Office: Marys Peak Resource Area **Lease/Serial/Case File No:** N/A

Categorical Exclusion Number: DOI-BLM-OR-S050-2015-0008-CX **Date:** 8/6/2015

Proposed Action Title/Type: Special Recreation Permitting: Non-motorized use on authorized trails within Alsea Falls and Fall Creek trail systems.

Location of Proposed Action: Trails and roadways authorized for the activity specified in the permit within Township 14 South, Range 7 West Sections 25, 25, 27, 34, 35, and 36, Willamette Meridian in Benton County, Oregon.

Land Use Allocation(s): Late-Successional Reserves, Riparian Reserves, and Matrix

Background and Description of the Proposed Action:

The proposal is to allow Mudslinger Events, LLC to host a non-motorized racing event on existing roads and trails within the Alsea Falls and Fall Creek trail systems on Saturday, August 8 and Sunday, August 9, 2015. Approximately 210 participants and staff are expected for this mountain bike event. The group will operate a shuttle for participants on Sunday. The event will adhere to rules regarding designated trail uses and will be sanctioned under a Special Recreation Permit. The Alsea Falls day-use area and campground may also be used in conjunction with the permitting authority, though they would remain open to public use during events. The permittee will not have exclusive-use rights to the trail nor the Alsea Falls Recreation Site. BLM and county law enforcement staff will be present to monitor the event.

Prior to the event, the permittee will place signs within the event area to notify visiting publics of the upcoming event. Additional signage may be placed by the permittee at trailheads and the Alsea Falls day-use area to announce the event. The course will be flagged preceding the event and all signs will be removed the day following the event.

Event parking will be located primarily within the Fall Creek staging area and along the 14-7-25 road. Parking may also be available within the Alsea Falls Day-use area parking lot. Parking within the Alsea Falls day-use area and campground will follow the fee structure of the site unless otherwise determined through the permitting process.

Project Design Features (stipulations for permittee):

- Aesthetics: Permittee shall protect the scenic and aesthetic values of the public lands used in the operations, and maintain premises on permitted grounds and areas to acceptable standards of repair, orderliness, and cleanliness. After use, insofar as practical, the area shall be left in a natural state.

- Trash Disposal: Trash generated by the permitted operation shall be packed out of public land. No trash or litter shall be allowed to accumulate on the grounds. Trash shall not be buried on public land.
- Waste or by-products of any kind shall not be discharged into any stream, reservoir, lake or pond. Pit toilets or latrines shall be located at least 150 feet away from any river, stream, or spring.
- Soils: Permittee shall conduct the permitted operations in a manner which prevents severe rutting, or severe soil erosion.
- Vegetation Damage or Removal: The event shall be conducted in a manner which prevents damage to or loss of vegetation cover. Cutting or clearing of standing trees, alive or dead, or clearing and cutting of shrub/groundcover for any reason shall require specific advance authorization.
- Non-native plant species/noxious weeds: All bikes are required to be clean of soil and vegetation prior to the event. Upon completion of the event, the Authorized Officer will determine if sowing areas with grass seed is warranted.
- Protection of Public Property: Signs, equipment, markers, and fences or any other property found on public land shall not be damaged, destroyed, defaced, removed, or disturbed.
- Cultural Resources: Archeological and historical values including, but not limited to, petroglyphs, ruins, historic structures, and artifacts shall not be damaged, destroyed, removed or disturbed. Any hidden cultural values uncovered through authorized operations shall be left in place, and the Area Manager shall be notified of their discovery.
- Facility Construction: Construction of permanent facilities or improvements of any kind, (including, but not limited to, roads, trails, or structures) is not approved by this permit and shall require separate authorization.
- Post event walk-through: Permittee will repair any excess damage to event route trails within two months following completion and before rainy season begins.

B. Land Use Plan Conformance

Land Use Plan Name: *Salem District Record of Decision and Resource Management Plan (1995 RMP)* **Date Approved** May 1995 **Date Amended:** The 1995 RMP was amended in January 2001 as documented in the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines*, dated January 2001 (SM/ROD).

This project conforms and is consistent with the Land Use Plan (LUP) because it is specifically provided for in the following LUP decision (RMP p. 41):

- Provide for a wide range of developed and dispersed recreation opportunities that contribute to meeting projected demand within the planning area.
- Continue to provide non-motorized recreation opportunities and create additional opportunities where consistent with other management objectives.

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 which allows for issuing “Special Recreation Permits for day use...; 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 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 DM2 apply.

Table 1

Categorical Exclusions: Extraordinary Circumstances Review

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>A) <i>Have significant impacts on public health or safety?</i></p> <p>Rationale: All proposed activities follow established rules concerning health and safety. If flaggers are deemed necessary for safety, they will be staged at road crossings or other locations of safety concern.</p>		No
<p>B) <i>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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas?</i></p> <p>Rationale: No unique geographical characteristics are within the project area or affected by this project. Recreation use of Alsea Falls recreation site, the South Fork Alsea Access Road, gravel roads, and existing non-motorized trail system around Alsea Falls recreation site increases during the summer months, June through September. Crowding may affect recreational resources. There are no recorded cultural resources within the event area.</p>		No
<p>C) <i>Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</i></p>		No

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>Rationale: Based on experience, this type of activity has no predicted environmental effects that may be considered highly controversial nor are there any unresolved conflicts concerning alternatives uses.</p>		
<p>D) <i>Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</i></p> <p>Rationale: Experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown environmental risks.</p>		No
<p>E) <i>Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</i></p> <p>Rationale: Similar actions have taken place throughout the district with no evidence suggesting that this type of project will establish a precedent or decision for future action. Each special recreation permit is processed according to BLM regulations which review past performance, states stipulations on issuing a permit, mitigation measures, safety measures to be taken, and record keeping.</p>		No
<p>F) <i>Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</i></p> <p>Rationale: The BLM has conducted this type of activity in the past with no significant direct, indirect, or cumulative effects.</p>		No
<p>G) <i>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?</i></p> <p>Rationale: No listed or eligible properties are known within the project area.</p>		No
<p>H) <i>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?</i></p> <p>Rationale:</p> <p>Fisheries: ESA listed threatened Oregon Coastal (OC) Coho salmon are known to be present up to Alsea Falls. Designated Critical Habitat extends to the falls. Event participants will be on gravel and paved roads and existing dirt trails. No aquatic habitat will be disturbed by the proposed activities. All trails proposed for use within ½ mile of listed fish habitat are nearly flat with little or no transport capacity to nearby streams. No effects to OC Coho or designated Critical Habitat will be anticipated.</p> <p>Wildlife: No modification of suitable habitat or critical habitat will occur for any listed wildlife species. No adjacent suitable habitat will be disturbed by the increased activities. No effect to listed species.</p>		No

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>Botany: Travel is restricted to existing routes. There are no known T&E plants within the project area. No effects to T&E plant species.</p>		
<p><i>J) Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</i></p> <p>Rationale: Road and trail usage follows all known Federal, State, local, Tribal laws, or requirements imposed for the protection of the environment.</p>	No	
<p><i>J) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</i></p> <p>Rationale: The proposed action is not anticipated to have disproportionately high or adverse human health or environmental effects on minority populations and low-income populations.</p>	No	
<p><i>K) 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)?</i></p> <p>Rationale: Use of proposed trails has not resulted in tribal identification of concerns.</p>	No	
<p><i>L) 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)?</i></p> <p>Rationale: No increase in exposed mineral soil above the current level is expected. Subsequently the risk rating for the long-term establishment of noxious weed species and consequences of adverse effects is low. Any soil disturbance is expected to be localized and minimal.</p>	No	

D. Interdisciplinary Team Review and Signature

The BLM interdisciplinary team developed design features and restrictions to minimize effects to natural resources for non-motorized events on trails in the project area.

Name	Specialty
Debra Drake	Outdoor Recreation Planner
Ron Exeter	Botanist
Scott Hopkins	Wildlife biologist
Stefanie Larew	NEPA coordinator
Scott Snedaker	Fisheries biologist
Heather Ulrich	Archaeologist
Steve Wegner	Hydrology and soils

Authorized Official: /s/ Diane Morris Date: 8/6/2015

Name: Diane Morris

Title: Acting Marys Peak Field Manager

Contact Person

For additional information concerning this Categorical Exclusion, contact Diane Morris, Natural Resources Staff Administrator, at (503) 315-5960.

**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT, MARYS PEAK RESOURCE AREA**

Decision Record

Based on the attached Categorical Exclusion Review, DOI-BLM-OR-S050-2015-0008-CX, I have determined that the proposed action, authorization of Special Recreation Permits for a mountain bike race on authorized trails in the Alsea Falls and Fall Creek recreation areas, involves no significant impacts to the human environment and requires no further environmental analysis.

It is my decision to authorize the implementation of the proposed action, as described in the attached Categorical Exclusion Documentation.

Implementation: This event will occur on Saturday, August 8 and August 9, 2015.

Administrative Remedy: Notice of the decision to be made on the action described in this categorical exclusion will be posted on the Salem District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Contact Person: For additional information concerning this Categorical Exclusion, contact Diane Morris, Natural Resources Staff Administrator, Salem District Office, 1717 Fabry Rd SE, Salem, Oregon, 97306, at (503) 315-5960.

Authorized Official: /s/ Diane Morris **Date:** 8/6/2015
Diane Morris
Acting Marys Peak Field Manager