

**U.S. Department of the Interior
Bureau of Land Management
Salem District – Marys Peak Field Office
Categorical Exclusion Documentation**

A. Background

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

Categorical Exclusion Number: DOI-BLM-ORWA-S050-2016-0023-CX **Date:** 9/19/2016

Proposed Action Title/Type: Mudslingers Trail Run Special Recreation Permit

Location of Proposed Action: The event will take place on the Fall Creek Trail system located within T. 14 S., R. 7 W., Sections 25-27, 34-36, W.M., Benton County, Oregon.

Land Use Allocation(s): Late-Successional Reserve (LSR), Riparian Reserve, and District-Designated Reserves

Description of Proposed Action

The proposed action is for the Bureau of Land Management (BLM) to issue a special recreation permit to Mudslingers to conduct two trail running events, October 22, 2016 and March 18, 2017, using trails near and around the Alsea Falls Recreation Site and the Fall Creek Mountain Bike Trail System. The trail run events are conducted in the spring and fall, outside the high use mountain bike season. Each event will host up to 220 participants and support staff. Event registration will begin at 7:30 a.m., runners will start the race between 9:30 a.m. and 10:00 a.m. with staggered start times for the 5K, 10K, and 1/2 marathon. The event and following awards ceremony is expected to be completed by 3:00 p.m. The special recreation permit will not grant exclusive use of the area; trails will remain available for public use. The special recreation permit will also include reservations for no more than two campsites within Alsea Falls Campground for event participant use. Site reservations will begin one day prior to each scheduled event, camping fees will be the responsibility of the site occupant and will follow the current fee structure outlined for each camping site.

Prior to each event, the permittee will place signs within the event area to notify the visiting publics of upcoming events. The course will be flagged preceding the event and all signs will be removed within 48 hours following the event. Multiple signs will be placed on Alpine Road and South Fork Alsea Access Road to alert travelers of runners crossing at one location of the South Fork Road. Flaggers, provided by Mudslingers, will be stationed at the crossing to ensure runner safety. Medical support (in the means of basic first aid) and radio communications will be stationed at staging and at 5K intervals throughout the route; local resources will be notified prior to the event if a need beyond the basic first aid becomes necessary local resources will be contact by radio.

Event staff will conduct a sweep of the course following the event to ensure all runners have exited the course. Mountain bikers using the area will be provided information as to the trails

being used for the event and the estimated location of event participants.

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.
- Sanitation: Toilet facilities will be available along the travel route.
- Trash Disposal: All 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.
- Fire Season: When the Oregon Department of Forestry (ODF) has instituted public use fire restrictions and the Regulated Use Closure is in effect, permittees shall follow ODF guidelines for Regulated Use Closure.
- Vegetation Damage/Removal: All operations shall be conducted in a manner which prevents damage to or loss of vegetation. Cutting or clearing of vegetation shall require specific advance authorization.
- 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 actions shall be left in place, and the Field Manager shall be notified of their discovery.
- Post-event walk through: Permittee will repair any excess damage to event route trails within two months following completion and before the rainy season begins.

B. Land Use Plan Conformance

The BLM signed a Record of Decision approving the Northwestern and Coastal Oregon Resource Management Plan (2016 ROD/RMP) on August 5, 2016. The Salem District initiated and designed this project to conform to the Northwestern and Coastal Oregon 2016 ROD/RMP.

The project is in conformance with the Northwestern and Coastal Oregon 2016 ROD/RMP.

Management direction within the 2016 ROD/RMP allows for the issuance of special recreation permits on BLM-administered lands:

- Issue discretionary Special Recreation Permits for a variety of uses that are consistent with resource and program objectives (ROD/RMP, p. 88).

The Proposed Action is also in conformance with the Salem District Recreation Management Area Framework (RMAF) associated with the ROD/RMP:

- Allow for Special Recreation Permits within the Recreation Management Area boundaries (RMAF, p. 2).

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. Issuance of Special Recreation Permits for day use or overnight use of 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, nor can it be used for the establishment or issuance of Special Recreation Permits for “Special Area” management.

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, Appendix 2 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>2.1. Have significant impacts on public health or safety?</p> <p>Rationale: The proposed action will follow established rules concerning health and safety. Flaggers will be staged on 14-6-34.1 South Fork Access Road) where runners cross at the 14-6-9 road.</p>		No
<p>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, floodplains, national monuments, migratory birds, other ecologically significant or critical areas?</p> <p>Rationale: No unique geographical characteristics are within the project area or affected by this project. There are no recorded cultural resources within the event area.</p>		No
<p>2.3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2) (E)]?</p> <p>Rationale: This type of activity has no predicted environmental effects that may be considered highly controversial, nor are there unresolved conflicts concerning alternatives uses.</p>		No

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
<p>2.4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?</p> <p>Rationale: Experience from this type of activity has shown no highly uncertain, potentially significant, unique or unknown environmental risks.</p>		No
<p>2.5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?</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>2.6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?</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>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?</p> <p>Rationale: The event will not have any significant impacts on properties listed or eligible to be listed, because none are known within the project area.</p>		No
<p>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?</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 1/2 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> <p>Botany: Travel is restricted to existing routes. There are no known T&E or bureau special status botanical or fungal species known from along or adjacent to the project route.</p>		No
<p>2.9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?</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>2.10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?</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

<i>Will the Proposed Action documented in this Categorical Exclusion</i>	<i>Yes</i>	<i>No</i>
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)? Rationale: The proposed route will not limit access or adversely affect the physical integrity of ceremonial or sacred Indian sites on Federal lands.		No
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)? Rationale: No increase in exposed mineral soil 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.		No

D. Interdisciplinary Team Review and Signature

Name	Specialty
Debra Drake	Outdoor Recreation Planner
Ron Exeter	Botanist
Douglass Fitting	Hydrologist and Soil Science
Fred Greatorex	Cultural Resources
Scott Hopkins	Wildlife Biologist
Stefanie Larew	NEPA Coordinator
Scott Snedaker	Fisheries Biologist

Authorized Official:  _____ **Date:** 9/19/16
Name: Paul Tigan
Title: Marys Peak Field Manager

Contact Person: For additional information concerning this CX, contact Debra Drake, Outdoor Recreation Planner, Salem District Office Bureau of Land Management, 1717 Fabry Rd. SE Salem, Oregon at (503) 375-5667 or by e-mail at d1drake@blm.gov.

**U.S. DEPARTMENT OF INTERIOR
BUREAU OF LAND MANAGEMENT
SALEM DISTRICT, MARYS PEAK FIELD OFFICE**

Decision Record

Based on the attached Categorical Exclusion (DOI-BLM-ORWA-S050-2016-0023-CX), I have determined that the proposed action, Mudslingers Trail Run Special Recreation Permit, involves no significant impacts to the human environment and requires no further environmental analysis. It is my decision to implement the Mudslingers trail running Permit activities, as described in the attached Categorical Exclusion.

Effective Date of Decision

This is a land decision on a Special Recreation Permit in accordance with BLM regulations at 43 CFR Part 2930. BLM decisions under 43 CFR Subpart 2931.8(b) go into effect immediately and will remain in effect unless a stay is granted on appeal under 43 CFR Subpart 4.21(b) by the Director of the Office of Hearings and Appeals or an Appeals Board. The permit will be issued directly following the date of the posting of this decision on the BLM's NEPA Register web page, which can be found online at: <http://bit.ly/MudslingersSRP>.

Administrative Remedy

Notice of the decision to be made on the action described in this CX will be posted on the BLM ePlanning website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Appeals can be made by those who have a "legally cognizable interest" to which there is a substantial likelihood that the action authorized in this decision would cause injury, and who have established themselves as a "party to the case". (See 43 CFR Subpart 4.410). If an appeal is taken, a written notice of appeal must be filed with Paul Tigan, Marys Peak Field Manager, at 1717 Fabry Road SE, Salem, OR 97306 by close of business (4:30 p.m.) not more than 30 days after the date of service of the decision. Only signed hard copies of a notice of appeal received in the Salem District Office at the address above will be accepted. Appeals faxed, e-mailed, or sent by any other electronic format will not be considered. In order to request a stay of the decision, an appellant must file a petition for stay at the same time as the appeal in accordance with 43 CFR Subpart 4.21(b).

Contact Person: For additional information concerning this CX, contact Debra Drake, Outdoor Recreation Planner, Salem District Bureau of Land Management, at (503) 375-5667 or by e-mail at d1drake@blm.gov

Authorized Official: 
Name: Paul Tigan
Title: Marys Peak Field Manager

Date: 9/19/14