

**OR 140 Corridor Plan:  
I-5 to Brownsboro–Eagle Point Road**

**DRAFT Technical Memorandum #3  
Environmental and Land Use Reconnaissance**

**Prepared for**

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### 3. ENVIRONMENTAL AND LAND USE RECONNAISSANCE

This memorandum identifies and reviews the existing environmental and land use conditions in the project study area, with the intent being to help inform the conceptual alternatives development process in a subsequent phase of planning for improvements... The resources identified in the Environmental and Land Use Section for each were based on Geographic Information System (GIS) maps, previous reports, and known resource sites. The analysis is limited to “visual windshield validation.” Further resources may exist in the study area that are not yet documented or are not visually apparent.

The *project* study area encompasses the OR 140 corridor from I-5 Interchange 35 (Seven Oaks) in the west to Brownsboro-Eagle Point Highway in the east. OR 140, also known as “Lake of the Woods Highway”, runs generally west to east, with its western terminus at the I-5 Interchange 35 (Seven Oaks) and its eastern terminus at the Oregon/Nevada border. Figure 3-1 illustrates the related study area for the Corridor Plan and for this report.

This memorandum begins with a review of environmental and historic resources, then examines existing land use conditions, and concludes with a summary of potential constraints.

#### Environmental Reconnaissance

Below is a summary of research that includes the mapped known environmental resources. The information gathered was taken primarily from published documents and maps, GIS data, and conversations with appropriate professional contacts.

#### **Goal 5 Resources**

Statewide Planning Goal 5 requires local jurisdictions to inventory natural resources such as riparian corridors, wetlands, wildlife habitat, and recreation trails. These resources are shown on Figure 3-2 and described below.

#### Riparian Corridors

The study area is within the Middle Rogue River Watershed. The Rogue River and adjacent riparian corridor parallel the study area to the north at varying distances of 0.25 miles and 0.6 miles from Blackwell Road to 5<sup>th</sup> Avenue, at which point the Rogue River curves northward. Bear Creek, which is located at the western edge of the study area as indicated on Figure 3-2, is a key north-south riparian corridor. Bear Creek runs parallel to Blackwell Road located to the east at varying distances; the closest being approximately 0.2 miles. Bear Creek then passes under Kirtland Road where it curves to run east to west and empties into the Rogue River. Bear Creek is designated as Essential Salmonid Habitat (ESH) by the Oregon Department of State Lands (DSL). Bear Creek supports runs of coho and Chinook salmon steelhead trout, and resident cutthroat trout. The U.S. Environmental Protection Agency lists Bear Creek as a “303(d)” stream because of flow modification, habitat modification, summer temperatures, and fecal coliform levels.

Smaller riparian corridors which follow creeks flowing south to north through the study area to connect with the Rogue River include: Whetstone Creek (intersects Kirtland west of Table Rock Road), Dry Creek (intersects OR 140 east of Kershaw Road), Antelope Creek (east of Dry Creek), and Little Butte Creek (west of Eagle Point Road). Of these creeks, only Antelope Creek and Little Butte Creek provide salmon habitat.

## Wetlands

Substantial areas of high value wetlands are found in the study area and, in many areas, adjacent to OR 140, as displayed on Figure 3-2. Most of the study area is within the Agate Desert, a prairie of native grassland which has vernal pools, a type of wetland. Vernal Pools are rain-fed, seasonal wetlands found on hardpan soils. They typically fill and drain several times during the rainy season, then dry out completely in summer and fall. The impermeable hardpan layer allows the pools to retain water longer than their surroundings. In the Agate Desert, the pools vary in size from 3 to 100 feet across and are rarely deeper than one foot. The vernal pools contain a rare species of fairy shrimp and are the only known place where the endangered big-flowered woolly meadowfoam grows (described below in Threatened and Endangered Species).

Due to the topography of the study area, a valley floor with the Rogue River flowing east to west to the north and numerous creeks and their tributaries flowing south to north into the Rogue River, additional wetland areas to those mapped are likely to be found in the study area.

## Wildlife Habitat

The Jackson County Goal 5 Resources Background Document (1991) identifies a Deer and Elk winter range habitat, the Lake Creek Unit east of the study area and the Grizzly Unit south of the study area, as shown on Figure 3-2. The document characterizes the importance as follows:

The Lake Creek and Grizzly Units are highly important to both deer and elk because of the large populations they support. Much of the area has relatively little human impact and, an excellent variety of browse is available on warm, south-facing slopes. Animals are relatively free to migrate from the upper slopes of the Cascades ...

The Rogue River, associated creeks and their tributaries also provide a network of linear wildlife habitat throughout the study area.

The Ken Denman Wildlife Area (KDWA) was established on April 5, 1954 when 1,760 acres of the former Camp White Military Reservation were conveyed to the Oregon Game Commission. The KDWA consists of three tracts: 1) the Hall Tract, which is south of Antelope Road between Agate Road and Table Rock Road; 2) the Military Slough Tract, located adjacent to Rogue River just north of Avenue G and adjacent and east of Agate Road; and 3) the Bear Creek Tract, adjacent and south of Kirtland Road along Bear Creek. The KDWA is 1,858 acres in size and is bordered by the Rogue River and Table Rocks on the north, agricultural and urban development on three sides and is split by a large industrial park. The wildlife area is currently managed by the Oregon Department of Fish and Wildlife to:

...protect, enhance and restore all fish and wildlife species and their habitats located on the wildlife area, and to provide a wide variety of wildlife-oriented recreational and educational opportunities to the public. The wildlife area contains many different types of habitats supporting a great diversity of plant and animal species. Important habitats include vernal pools, prairie grasslands, oak woodlands, riparian habitat and wetlands. A major function of the wildlife area's management is to provide waterfowl, upland bird and deer hunting opportunities.

## Recreation Trails

The Bear Creek Greenway, shown in Figure 3-3, extends from Medford to Ashland and is a linear park that also provides valuable habitat for wildlife. Ultimately, the Bear Creek Greenway Foundation intends to complete the greenway from Ashland to Central Point, and eventually to the confluence with the Rogue River near Gold Hill. The multi-use path, which follows the creek within the Bear Creek Greenway, was designated as a National Scenic Trail in 1975 and is part of the Oregon Recreational Trail system. A portion of the greenway is near the very eastern end of the study area and is proposed to extend up north through further through the study area to connect with the Rogue River. There are also 22 miles of recreational trails throughout KDWA.

## ***Threatened and Endangered Species***

The Oregon Natural Heritage Information Center (ONHIC) database documents the federally listed and state listed, threatened, or endangered species. The State of Oregon and the federal government maintain separate lists of Threatened and Endangered (T & E) species. These are species whose status is such that they are at some degree of risk of becoming extinct. The ONHIC information, based on reported historic sightings in the vicinity of the OR 140 corridor through the Rogue Valley, is summarized in Table 3-1. There are 4 species of Federally listed, threatened or endangered species, and 4 species of State listed threatened and endangered species. Some of the species such as the Agate Desert lomatium and Dwarf woolly meadow-foam are species particular to the area.

Under state law (ORS 496.171-496.192) the Fish and Wildlife Commission, through the Oregon Department of Fish and Wildlife (ODFW), maintains the list of native wildlife species in Oregon that have been determined to be either "threatened" or "endangered" according to criteria set forth by rule (OAR 635-100-0105). Plant listings are handled through the Oregon Department of Agriculture, while most invertebrate listings are conducted through the Oregon Natural Heritage Program.

Under federal law, the U.S. Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration (NOAA) share responsibility for implementing the federal Endangered Species Act (ESA) of 1973 (Public Law 93-205, 16 United States Code (USC) § 1531), as amended. In general, USFWS has oversight for land and freshwater species and NOAA for marine and anadromous species. In addition to information about species already listed, the USFWS Oregon Field Office maintains a list of Species of Concern.

**Table 3-1. ONHIC-Identified Listed Threatened or Endangered Species within the OR 140 Corridor Area**

Common Name	Scientific Name	Status	
		Federal <sup>1</sup>	State <sup>2</sup>
<i>Vertebrate Animal</i>			
Northern Pacific pond turtle	<i>Actinemys marmorata marmorata</i>	SOC	SC
Tricolored blackbird	<i>Agelaius tricolor</i>	SOC	
Bald eagle	<i>Haliaeetus leucocephalus</i>		LT
Western least bittern	<i>Ixobrychus exilis hesperis</i>	SOC	
Common kingsnake	<i>Lampropeltis getula</i>	SOC	SV
Lewis's woodpecker	<i>Melanerpes lewis</i>	SOC	SC
Coho salmon (Southern Oregon/Northern California Coasts ESU)	<i>Oncorhynchus kisutch</i> pop. 2	LT	SV
Steelhead (Klamath Mountains Province ESU, summer run)	<i>Oncorhynchus mykiss</i> pop. 24		SV
Chinook salmon (Southern Oregon/Northern California Coast ESU, spring run)	<i>Oncorhynchus tshawytscha</i> pop. 25		SV
<i>Invertebrate Animal</i>			
Franklin's bumblebee	<i>Bombus franklini</i>	SOC	
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	LT	
<i>Vascular Plant</i>			
Big-flowered woolly meadow-foam	<i>Limnanthes floccosa</i> ssp. <i>grandiflora</i>	LE	LE
Dwarf woolly meadow-foam	<i>Limnanthes floccosa</i> ssp. <i>pumila</i>	SOC	LT
Agate Desert lomatium	<i>Lomatium cookii</i>	LE	LE
White meconella	<i>Meconella oregana</i>	SOC	C
Coral seeded allocarya	<i>Plagiobothrys figuratus</i> ssp. <i>corallicarpus</i>	SOC	C
Southern Oregon buttercup	<i>Ranunculus austrooreganus</i>		C

## Notes:

1. SOC (Species of Concern); LT (Listed Threatened), LE (Listed Endangered)
2. SV (Sensitive-Vulnerable); SC (Sensitive-Critical); C (Critical)

Source: Oregon Natural Heritage Information Center (ONHIC) database

Once it is listed as threatened or endangered, a species is afforded the full range of protections available under the ESA, including prohibitions on killing, harming or otherwise “taking” a species. In some instances, the listing of a species can be avoided by the development of Candidate Conservation Agreements that may remove threats facing the candidate species.

A species is listed as one of two categories, endangered or threatened, depending on its status and the degree of threat it faces. An “endangered species” is one that is in danger of extinction throughout all or a significant portion of its range. A “threatened species” is one that is likely to become endangered in the foreseeable future throughout all or a significant portion of its range. “Species of Concern” is an informal term under the federal listing that is not specifically

defined in the federal ESA. The term commonly refers to species that are declining or appear to be in need of conservation.

Under Oregon's Sensitive Species Rule (OAR 635-100-040), a "sensitive" species classification was created that focuses fish and wildlife management and research activities on species that need conservation attention. "Sensitive" refers to naturally reproducing fish and wildlife species, subspecies, or populations that are facing one or more threats to their populations and/or habitats. Implementation of appropriate conservation measures to address the threats may prevent them from declining to the point of qualifying for threatened or endangered status.

Sensitive species are assigned one of two subcategories. "Critical" sensitive species are imperiled with extirpation from a specific geographical area of the state because of small population sizes, habitat loss or degradation, and/or immediate threats. Critical sensitive species may decline to the point of qualifying for threatened or endangered status if conservation actions are not taken. "Vulnerable" sensitive species are facing one or more threats to their populations and/or habitats. Although not currently imperiled with extirpation from a specific geographical area of the state, vulnerable species could, however, become so with continued or increased threats to populations and/or habitats.

### ***Wildlife Crossings***

The Oregon Department of Fish and Wildlife, under the Oregon Wildlife Movement Strategy and in partnership with other government agencies, produces data for wildlife linkages, which are key movement areas for wildlife, specifically across roads. The data identified the area from White City to the eastern study area terminus as having a high wildlife movement threat value based off of roadkill data for that area (see Figure 3-2). This area correlates with the frontage of the Grizzly and Lake Creek Wildlife areas and may represent wildlife crossing from those units to water resources on the valley floor.

### ***Floodplains and Floodways***

Acting through the local planning agencies, the Federal Emergency Management Agency (FEMA) regulates development within floodplains. FEMA-designated floodplains and floodways in the vicinity of the study area are displayed in Figure 3-2. The study area intersects two floodways: Bear Creek at the west end of the study area and Little Butte Creek at the east end of the study area. The study area intersects the 100-year floodplains of, from west to east: Bear Creek and the Rogue River, Whetstone Creek, Antelope Creek and Little Butte Creek.

### ***Socioeconomic and Environmental Justice***

Executive Order (EO) 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations of February 11, 1994, requires agencies undertaking federal projects to identify low-income and minority populations; assess whether high and adverse human health or environmental impacts would result from the alternatives; and ensure participation of low-income and minority populations in the transportation decision making

process. The Federal Highway Administration (FHWA) defines a disproportionately high and adverse impact on minority and low-income populations as one that:

- Is predominantly borne by a minority population and/or a low-income population; or
- Will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population.

EO 12898 states that agencies must consider whether human health effects, in terms of risks and rates, are significant or above accepted norms.

Socioeconomic data for the study area was drawn primarily from the American Community Survey (ACS) 2009. The Census provides the smallest geographical unit of data available. However, all 2010 census data has yet to be released. Census tract data from the ACS provides an overview of the socioeconomic make up of the study area. The census tracts reviewed for this memorandum represent the following geographical areas:

- Census tract 1100 represents the western portion of the study area from the western terminus to Table Rock Road.
- Census tract 1301 represents the western end of White City.
- Census tract 1302 represents the eastern end of White City.
- Census tract 1400 represents the Eagle City area and the area north of OR 140 from White City of the eastern edge of the study area terminus.
- Census tract 2600 represents the eastern end of the study area south and east of OR 140.

Based on the data from the ACS, the study area, except for the White City area, is similarly diverse as Jackson County, but less so than the state. (See Table 3-2.) The White City area has the same percentage of persons identifying themselves as white (86-87%) as the state. Census tract 1301 has a 3% population of Black or African American compared with 0% for the other census tracts in the study area and Jackson County. However, the White City area has substantially more persons identifying themselves as Hispanic particularly in census tract 1302. The Hispanic population in census tract 1302 also reflects in the age of persons in census tract 1302 which is substantially lower than the County and surrounding census tracts. (See Table 3-3.)

In determining the poverty status of individuals, persons are in poverty status when income earned is less than the income threshold. The percent of population in poverty for the study area is shown in Table 3-4. As shown in the table, census tract 1301, which represents the western section of White City, has a substantially higher percentage of individuals living in poverty. Elsewhere in the study area, poverty rates are the same or lower than that for Jackson County.

**Table 3-2. Race and Ethnicity (2005-2009 American Community Survey 5-Year Estimates)**

Geography	Race									
	White	Black or African American	American Indian and Alaska Native	Asian	Native Hawaiian and Other Pacific Islander	Some Other Race	Two or More Races	Not Hispanic	Hispanic	
Oregon	86%	2%	2%	3%	7%	3%	3%	89%	11%	
Jackson County	93%	0%	1%	1%	21%	1%	3%	91%	9%	
Census Tract	1100	95%	0%	1%	1%	0%	0%	3%	93%	7%
	1301	86%	3%	2%	1%	0%	2%	7%	85%	15%
	1302	87%	0%	1%	1%	0%	9%	1%	75%	25%
	1400	95%	0%	1%	1%	0%	0%	2%	96%	4%
	2600	93%	0%	1%	0%	0%	1%	5%	96%	4%

Source: ACS: B02001. Race - Universe: Total Population & B03002. Hispanic or Latino Origin by Race - Universe: Total Population

**Table 3-3. Age of Census Tracts (2005-2009 American Community Survey 5-Year Estimates)**

Geography	Median Age; Total (Estimate)	Under 17	18 and 39 years	40 to 64 years	65 and older	
Oregon	37.7	22.39%	29.88%	33.76%	12.51%	
Jackson County	41.5	21.52%	25.64%	35.33%	15.95%	
Census Tract	1100	38.3	21.66%	28.35%	33.38%	14.11%
	1301	47.4	18.29%	18.78%	55.79%	8.52%
	1302	33.5	27.42%	29.94%	33.66%	7.65%
	1400	39.0	23.82%	25.28%	38.03%	9.98%
	2600	47.4	18.29%	18.11%	41.74%	18.33%

Source: ACS B01002\_1\_EST

**Table 3-4. Percent of Individuals Below Poverty Level (2005-2009 American Community Survey 5-Year Estimates)**

Geography	Percent Population for Whom Poverty Status is Determined	
Oregon	14%	
Jackson County	14%	
Census Tract	1100	4%
	1301	27%
	1302	14%
	1400	14%
	2600	14%

Source: ACS B17001. Poverty Status in the Past 12 Months by Sex by Age - Universe: Population for Whom Poverty Status Is Determined

From the data reviewed, it can be inferred that the White City area, in the study area, has Environmental Justice populations. The White City area is also the only area in the study area where the OR 140 right-of-way abuts numerous residential lots. If right-of-way acquisition is needed in the White City area, there is potential for there to be adverse impacts to Environmental Justice populations.

Transportation-disadvantaged populations are documented in two census tracts in the study area: census tract 1301 (White City) because of the particularly high poverty rates, and census tract 2600 (rural eastern edge of study area) which has a higher population of residents 65 or older than the County or other census tracts. It is likely that the residents in these tracts need to travel to and from the Medford area for services such as financial assistance and health services.

## Land Use Summary (Summary of Built Environment)

This section summarizes existing land use conditions within the study area. Figure 3-4 shows the Comprehensive Plan designations. Figure 3-5 shows the zoning designations in the study area. The information in this section is taken primarily from published documents, maps, GIS data, city and county websites, and other Internet websites.

A review of aerial photography indicates the following current land uses for the study area:

- Land surrounding Blackwell Road to where it connects with Kirtland Road is primarily undeveloped, with some rural and sand and gravel uses.
- Surrounding Kirtland Road, there are areas that appear to be actively farmed closer to Blackwell Road, with mostly undeveloped land uses until West Antelope Road, where there is a Medford City Water Reclamation facility on the north side of Kirtland and industrial uses to the south.
- East of West Antelope Road is also mostly undeveloped with some industrial uses and industrial uses becoming more prominent east through the corridor to OR 62.
- East of OR 62, there are residential areas primarily north of OR140 and vacant and recreational land south, with rural and agricultural uses stretching to the eastern project terminus.
- The Jackson County Comprehensive Plan map identifies most of the parcels immediately around Interchange 35 (the western end of the study area) as Agricultural.
- Just north of the interchange, between I-5 and Blackwell Road, there is a small pocket of parcels designated Commercial. The Erickson Air Crane property is Industrial, as is the majority of land north of I-5 on both sides of the railroad line (and Gold Ray Road). North of the interchange, there is Urban Residential land west of Blackwell Road. Extending from Blackwell Road to Table Rock Road land use is designated Aggregate Resource, Agricultural and Forestry/Open Space to the north of the corridor.
- There are small areas of Aggregate Resource, Agricultural and Forestry/Open Space land uses closer to Blackwell Road and south of the study area, but the lands are primarily Industrial until reaching Table Rock Road. From Table Rock Road, the corridor is mostly

designated Industrial and then Commercial along OR 62. Or 140 then abuts Urban Residential Areas of White City. From White City, to the eastern terminus of the study area is primarily designated Agricultural and Forestry/Open Space.

- The Jackson County Comprehensive South Zoning map identifies most of the parcels immediately around Interchange 35, the western end of the study area, as Agricultural.
- Just north of the interchange, between I-5 and Blackwell Road, there is a small pocket of parcels zoned Interchange Commercial (IC). There are clusters of parcels zoned Urban Residential (UR-1) west of Blackwell Road. Lands east of Blackwell Road are zoned Agricultural (EFU) and Aggregate Resource (AR).
- Parcels along Kirtland Road to the north until the White City Urban Unincorporated City are zoned EFU and AR with small pockets of Open Space Reserve (OSR) and Limited Use zoning (LU).
- To the south of Kirtland Road in the same area, zoning is EFU, AR but mostly and General Industrial (GI) closer to White City. There is a large area zoned General Industrial (GI) along Avenue G and Agate Road.
- Zoning along OR 62 is commercial and in White City is Urban Residential. Along avenue G and Agate Road, zoning is entirely industrial. From White City to the eastern end of the study area, zoning designations are mostly EFU and OSR.

The purpose of the Agricultural Land designation is to implement Statewide Planning Goal 3 by preserving agricultural lands for farm use and preventing uses and activities incompatible with farm-related activities. Commercial Land is established to provide markets in appropriate locations for the efficient and economic exchange of goods and services. The comprehensive plan recognizes that the traveling public also has commercial needs that are related to transportation facilities. The purpose of the Forestry/Open Space Land designation is to conserve forest lands for forest uses and ensure a continued yield of forest products. The designation restricts the type and intensity of development in order to preserve the economic base and reduce conflicts between rural development and forest resource management. It also is intended to protect and provide for compatible forest uses and natural resources. The plan establishes criteria for removing parcels from Agricultural or Forestry/Open Space designations.

The Industrial Land designation is intended to provide a supply of sites of suitable sizes, types, locations, and service levels to meet the economic objectives of the region. Urban Residential Lands are areas that have been allowed through the Statewide Goal exception process or are within urban growth, urban containment, or urban unincorporated community boundaries. Urban Residential Lands within White City are designated in the White City Urban Unincorporated Community Plan. The Aggregate Resource Land designation is intended to protect such resources from incompatible uses, particularly residential uses.

### **Community Features**

White City is in the center of the study area, with rural areas to the west and east. White City's primary residential area is directly east of OR 62 and north of OR 140. Commercial centers to support the residential area are mostly adjacent to OR 62 between Gramercy Drive and

Antelope Road. Eagle Point is to the northeast, Central Point to the west and Medford to the southwest. Residents of White City most likely travel to Medford to receive some services such as health services and potentially employment opportunities.

Community features within or near the study area are listed below and shown on Figure 3-3:

- Rogue Community College - 7800 Pacific Avenue, White City, OR
- Jackson County Fire District #3 - 8333 Agate Road, White City, OR
- Cascade Community Pool - 7800 Division Road, White City, OR
- White City Elementary School - 2830 Maple Court, White City, OR
- Mountain View Elementary School - 7837 Hale Way, White City, OR
- White City Branch Library - 3143 Avenue C, White City, OR
- Rogue Family Center - 3131 Avenue C, White City, OR
- US Post Office - 7561 Oregon 62, White City, OR

### Parks and Recreation Areas

Parks within the study area are shown on Figure 3-3 and listed below:

- Bear Creek Greenway – just south of Interchange 35
- Hoover Ponds County Park – adjacent and south of OR 140, west of Kershaw Road
- Stone Ridge Golf Club - adjacent and south of OR 140, west of Antelope Road
- Jackson County Sports Park - south of OR 140, east of Kershaw Road
- Ken Denman Wildlife Area – north of Avenue G and east of Agate Road
- Touvelle State Park – Table Rock Road, north of Kirtland Road

### Historic and Archaeological Resources

Under Section 106 of the National Historic Preservation Act of 1966 (Public Law 89-665), 16 USC 470-470m, and under federal regulations governing the protection of historic and cultural resources (36 Code of Federal Regulations [CFR] 800), federal agencies, and the state and local agencies to which the federal agency has delegated responsibility, are directed to avoid undertakings that adversely affect properties that are included in or are eligible for inclusion in the National Register of Historic Places (NRHP). The NRHP identifies and documents (in partnership with state, federal, and tribal preservation programs) districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture. This section summarizes NRHP resources near the study area, as well as other historic, prehistoric, and cultural resources.

For the study area, the State Historic Preservation Office (SHPO) database shows historical resources listed on the NRHP and resources that are not listed on the register but that are identified as potentially eligible for inclusion on the register. None of the identified study area resources summarized in Table 3-5 have yet been listed on the National Register.

**Table 3-5. Historical Resources**

Historic Name	Location Description	Resource Type	Eligibility Evaluation	Primary Construction Date	Original Use
TouVelle, Frank, Landmark	TouVelle State Park, White City, Jackson County	Object	Eligible/Contributing	1946	Monument/Marker
Table Rock Ditch Company Ditch	Rogue River	Structure	Undetermined	unknown	Irrigation Facility
Fort Lane Military Post Site	Fort Lane Military Post Site Central Point vicinity, Jackson County	Site	Individually Listed	1853	Military Facility
Camp White Motor Pool Buildings	Antelope & Table Rock Rds	Building	Eligible/Contributing	1942	DEFENSE: General
Oak Manor Motel	6355 Blackwell Rd, Central Point	Building	Eligible/Contributing	1920	Hotel
Hanson-Elder, House	6389 Blackwell Rd, Central Point	Building	Eligible/Contributing	1910	Farmstead
Love, Lewdelbert, House	7017 Blackwell Rd, Central Point	Building	Eligible/Contributing	1895	Farmstead
Noyes, William, House	3660 Kirkland Dr	Building	Eligible/Contributing	1915	Farmstead
	Kirkland & Blackwell Rds	Building	Eligible/Contributing	1890	Single Dwelling
Camp White	8495 Crater Lake Hwy	Building	Eligible/Contributing	1942	Military Facility/Hospital
Little Butte Creek Bridge	Hwy 140	Structure	Undetermined	1912	Road Related (vehicular)

Source: State Historic Preservation Office

Jessica Bochart, ODOT's Rogue Valley Office Archaeologist, was contacted to identify recorded archaeological locations within the study area. Ms. Bochart concluded that the study area has a high probability for archaeological and historical resources. Ms Bochart provided the following basis for her conclusion:

Archaeological sites are very common near water sources and there are several within this project area. Several surveys have taken place and numerous isolates and archaeological sites identified. There was a homestead identified near where Blackwell Road heads due north, numerous prehistoric isolates were recorded near where W. Antelope Road connects with Kirkland, and several isolates and a hunting camp near the intersection of OR140 with Agate Road have been recorded. Much of 140 east of White City has not been surveyed, but given the numerous water sources I would venture to guess this area is high probability as well. Another factor that must be considered is Camp White. See links below. This facility would increase the likelihood that historic period resources (more than 50 years old) would be encountered. In speaking with a colleague who has written a report on Camp White he said the POW camp and hand grenade practice field were located on Ave. G between Pacific and Agate Road. In my opinion, the OR140 Corridor Plan exhibits a high potential for prehistoric and historic era cultural resources and would need to be budgeted for accordingly.

As mentioned above, it is likely that historical and archaeological resources are in the study area including resources that have not been identified, surveyed or structures that have not been reviewed and identified as eligible and entered into the SHPO database. Due to the high potential for resources in numerous areas within the study area, historical and cultural resources surveys by professionals should be conducted prior to the development of specific transportation improvement projects. The cultural surveys could potentially provide project design parameters if resources, their values and their locations and proximity to OR 140 have been identified.

### Section 4(f) Resources

Section 4(f) refers to a part of federal law that protects public parks, recreation lands, wildlife and waterfowl refuges, and public or private historic sites. Section 4(f) applies only to Departments of Transportation (DOTs) and their agencies. Highway projects that use public parks must fulfill the requirements of Title 23, USC, Section 138, Section 4(f) of the Department of Transportation Act of 1966, as amended.

A “use” that is subject to the provisions of Section 4(f) occurs:

- When land is permanently incorporated into a transportation facility;
- When there is a temporary occupancy of land that is adverse in terms of the statute’s preservationist purpose; or
- When there is constructive use of the land.

DOTs must demonstrate that a proposed project will not “use” the publicly owned parks and recreation land, where “use” can mean both actual conversion of recreation lands into a transportation use, or a “constructive use,” where off-site impacts of the transportation project substantially impair the site’s vital functions. Findings of “no feasible and prudent alternatives” and “all possible planning to minimize harm” must be well-documented and supported. A feasible alternative is an alternative that is possible to engineer, design, and build. To find that an alternative that avoids a Section 4(f) resource is not “prudent,” one must find that there are unique problems or unusual factors involved with the use of such an alternative. This means that the cost, the social, economic, and environmental impacts, and/or community disruption resulting from such alternatives reach extraordinary magnitudes.

Section 4(f) resource lands within the study area consist of the parks described in the following subsection, the historic structures discussed previously in the section titled *Historic and Archaeological Resources*, and recreational areas including the Bear Creek Greenway and the Ken Denman Wildlife Area. In addition, structures eligible or potentially eligible for inclusion on the NRHP within the study area but not yet identified are potential candidates for Section 4(f) status. A Section 4(f) evaluation will require ODOT to assess all reasonable alternatives that adversely affect protected lands. If every potential alternative that can meet the purpose and need for the project would impact some Section 4(f) property, then the alternative with the least impact must be selected unless it is not feasible and prudent.

## Section 6(f) Resources

The Land and Water Conservation Fund (LWCF) Act of 1965 established grants-in-aid funding to assist states in the planning, acquisition, and development of outdoor recreational land and water areas and facilities. Section 6(f) of the LWCF Act prohibits the conversion of property acquired or developed with the assistance of the fund to anything other than public outdoor recreation use without the approval of the Secretary of the U.S. Department of the Interior.

Section 6(f) of the LWCF Act concerns transportation projects that propose impacts to, or the permanent conversion of, outdoor recreation property that was acquired or developed with LWCF Act grant assistance. Section 6(f) requires that replacement lands of equal value, location, and usefulness are provided as conditions to approval of land conversions.

The LWCF website (<http://waso-lwcf.ncrc.nps.gov/public/index.cfm>) lists projects that have received LWCF grants. However, it does not provide mapped limits of parcels receiving funding for the projects which compromise the area protected under 6(f). Therefore, only potential Section 6(f) resources can be identified. Potential Section 6(f) projects within the study area include:

- Bear Creek Greenway 2
- Sports Park Drag Strip (Kershaw Road)
- Sports Park Development
- Sports Park Sewer Line
- TouVelle State Park Sewers

## **Canals and Culverts**

The Hopkins Canal intersects OR 140 east of White City and the East Canal is in close proximity to and potentially adjacent to the OR 140 roadway just east of Meridian Road. The canals are managed by the Rogue Valley Irrigation District.

## **Right-of-Way**

Jurisdictional Transfer Agreement No. 781, which was fully executed on October 17, 2007, gave ODOT jurisdiction of several roads extending between the intersection of Highways 140 and 62, and the Interstate-5 Exit 35 (Seven Oaks Interchange). An amendment to the Oregon Highway Plan (OHP) newly designates OR 140 from I-5 Interchange 35 to Leigh Way, White City as a statewide highway. The eastern portion of OR 140 in the study area is already a designated statewide highway and a freight route. It is anticipated that the newly designated portion of OR 140 will eventually become an OHP designated freight route as well.

Figure 3-6 shows the tax lots and estimated right-of-way in the study area. Most of the tax lots lining the corridor are large lots except for where OR 140 passes through southern White City where the lots are close together and dense along the north side of OR 140.

## Potential Design Constraints

Much of the content of this report has identified baseline information regarding resources in the study area from a “visual windshield validation” perspective. Further detailed studies of specific areas will probably discover additional study area features that could present design limitations. Because most of the surrounding land is rural and undeveloped, there is a substantial amount of natural resources and protected rural uses surrounding the corridor. From a regulatory perspective, any transportation improvements in the OR 140 corridor are likely to impact several types of natural and man-made phenomena, including high-value wetlands, archeological and historical properties, streams, floodplains, lands designated EFU and Environmental Justice communities.

Table 3-6 summarizes resources that may present potential design constraints; these resources are also summarized in the figures presented in this memorandum.

**Table 3-6. Environmental and Land Use Summary**

Feature	Summary of Key Resources and Concept Guidance	Key Potential Conflict Location(s)	Potential Approval/Permit If Resource Impacted
Riparian Areas (Goal 5 Resource)	Bear Creek, Whetstone, Dry Creek, Antelope Creek and Little Butte Creek riparian corridor - <i>Disturbance to riparian corridors should be avoided where possible. Water quality impacts should also be avoided or mitigated through design.</i>	2 of the creeks are west of White City, 3 are east.	Local land use approvals
Wetlands (Goal 5 Resource)	High-value vernal pools adjacent to right-of-way - <i>Wetland delineations should be conducted once concept footprints are identified. Impacts to wetlands should be avoided; mitigation and permitting will be necessary if impacts cannot be avoided. BMPs incorporated into project design and construction can help minimize impacts.</i>	Throughout corridor	<b>RED FLAG – High quality wetlands may have to be avoided which could provide serious design fatal flaws for built projects due to their proximity to OR 140.</b> U.S. Army Corps of Engineers Oregon Department of State Lands Local land use approvals
Wildlife Habitat	Deer and Elk winter range habitat - <i>Disturbance to undeveloped areas especially should be avoided if possible.</i>	Eastern study area	Oregon Department of Fish and Wildlife
Recreation Trails	Bear Creek Recreation Trail/Greenway - <i>Interference with planned recreation functions should be avoided.</i>	Western project terminus	Local land use approvals
Wildlife Crossings	Wildlife associated with and Deer and Elk winter range habitat - <i>Wildlife crossings should be considered during concept design.</i>	Eastern study area	N/A
Threatened and Endangered Species	5 T&E Species are found in the study area - <i>Concepts should avoid disturbance of areas where the species are found and water quality impacts and physical impediments in T&amp;E species contributing waterways.</i>	Throughout Corridor	Oregon Department of Fish and Wildlife (Section 7 Endangered Species Act Consultation)
Floodplains and Floodways	Bear Creek and Little Butte Creek Floodways and 100-year floodplain - <i>Fill in floodways and floodplains should be avoided. No net rise will have to be demonstrated if improvements involve any sort of fill in floodways. Cut and fill requirements will need to be adhered to in floodplains.</i>	Western and eastern edges of study area.	FEMA regulations administered through local land use approvals
Socioeconomic and Environmental Justice Impacts	Businesses, affected communities, minorities and low income populations - <i>Displacements should be avoided or minimized.</i>	White City	The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) Title VI Compliance

**Table 3-6. Environmental and Land Use Summary**

Feature	Summary of Key Resources and Concept Guidance	Key Potential Conflict Location(s)	Potential Approval/Permit If Resource Impacted
Land Use and Zoning	EFU, Historical Overlays, Floodplain Overlays, Riparian Corridor Overlays, Open Space Reserve - <i>Impacts to resource zones should be avoided. Impacts to EFU and Open Space zones may require goal exception.</i>	Throughout corridor	Local land use approvals
Community Features	Fire Stations, Police Stations, Schools - <i>Access to these facilities and their specific needs to provide their required level of service should be considered during concept development.</i>	White City	N/A
Parks and Recreation	Bear Creek Greenway, Sports Park, Hoover Ponds - <i>Impacts to parks and recreation resources should be minimized so that they can fulfill their intended purpose without loss of enjoyment by users and can realize goals of applicable Comprehensive Plans' elements.</i>	Western end of study area and White City area	Local land use approvals (also see Section 6(f))
Historical and Archaeological Resources	Historical and cultural resources - <i>Further surveys will need to be completed, especially if improvements will include ground-disturbing activities and or right-of-way acquisition of lots with potential historical resources.</i>	Throughout corridor	<b>Red Flag – Potential for substantial archeological and historical resources throughout corridor.</b> Local land use approvals (also see Section 4(f))
Section 4(f) Resources	Parks and Historical/Cultural Resources - <i>Avoid resources if possible. Any "use" of Section 4(f) lands will need to demonstrate that it is either a "de minimis" impact or that there was no alternative for the impact.</i>	Throughout corridor	Federal Highway Administration Consultation and Approval
Section 6(f) Resources	Parks funded by Land and Conservation Funds - <i>Avoid resources if possible. Use of Section 6(f) land needs to be mitigated in kind.</i>	White City area	National Parks Service Consultation and Approval
Right-of-Way	Existing corridor area - <i>Acquisition and displacements should be avoided where practicable.</i>	Throughout corridor	The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act)
Canals and Culverts	Hopkins and Medford Canals - <i>Water quality impacts should be avoided.</i>	Eastern study area	Rogue River Irrigation District U.S. Bureau of Reclamation Oregon Department of Fish and Wildlife U.S. Army Corps of Engineers

The baseline data identifies several environmental constraints that pose potential barriers to transportation improvements. Most notably, the vernal pools, high-value wetlands that contain T&E species, abut the corridor in some areas and could prohibit any built improvements in certain areas where the pools are present. Furthermore, as identified by ODOT's Rogue Valley Office Archaeologist, potential archeological and historical resources throughout the corridor may also present a challenge to built improvements. Environmental Justice and transportation-disadvantaged populations have also been identified in the White City area. Development in White City is concentrated tightly around existing OR 140 right-of-way, making adverse impacts to businesses and residences difficult to avoid if right-of-way acquisition is necessary for improvements. Additional studies - cultural resources, wetland delineation, and potentially a Socioeconomic and Environmental Justice Analysis - are recommended before the concept design phase of the project so that the barriers to potential projects are identified and can inform alternatives developments.

Other natural features in the study area, such as floodways and riparian corridors, may provide additional design challenges. In the western and eastern ends of the study area, transportation improvements may impact agricultural or rural lands. For Goal exceptions for transportation improvements on rural lands such as those that exist primarily in the eastern portions of the study area, an exception involves weighing transportation proposed improvements and needs against state policies in Goals 3, 4, 11 and 14 to protect resource land and promote efficient urban development.

Most of the identified adverse environmental and land use impacts cannot be wholly avoided but can potentially be minimized and mitigated through design and Best Management Practices (BMPs). However, special attention should be given to avoiding or minimizing:

- Right-of-way acquisitions in Environmental Justice communities
- Section 4(f) protected properties, including parks, recreation and historic properties
- Wetlands impacts
- Impacts to T&E species
- Habitat and riparian corridor impacts
- Regulated floodways
- Exclusive Farm Use or other resource lands

Depending on the location of the preferred project and final design and construction details, there will be specific permits, regulatory requirements, or authorizations required prior to construction of the project.

Attachments:

Figure 3-1. Study Area

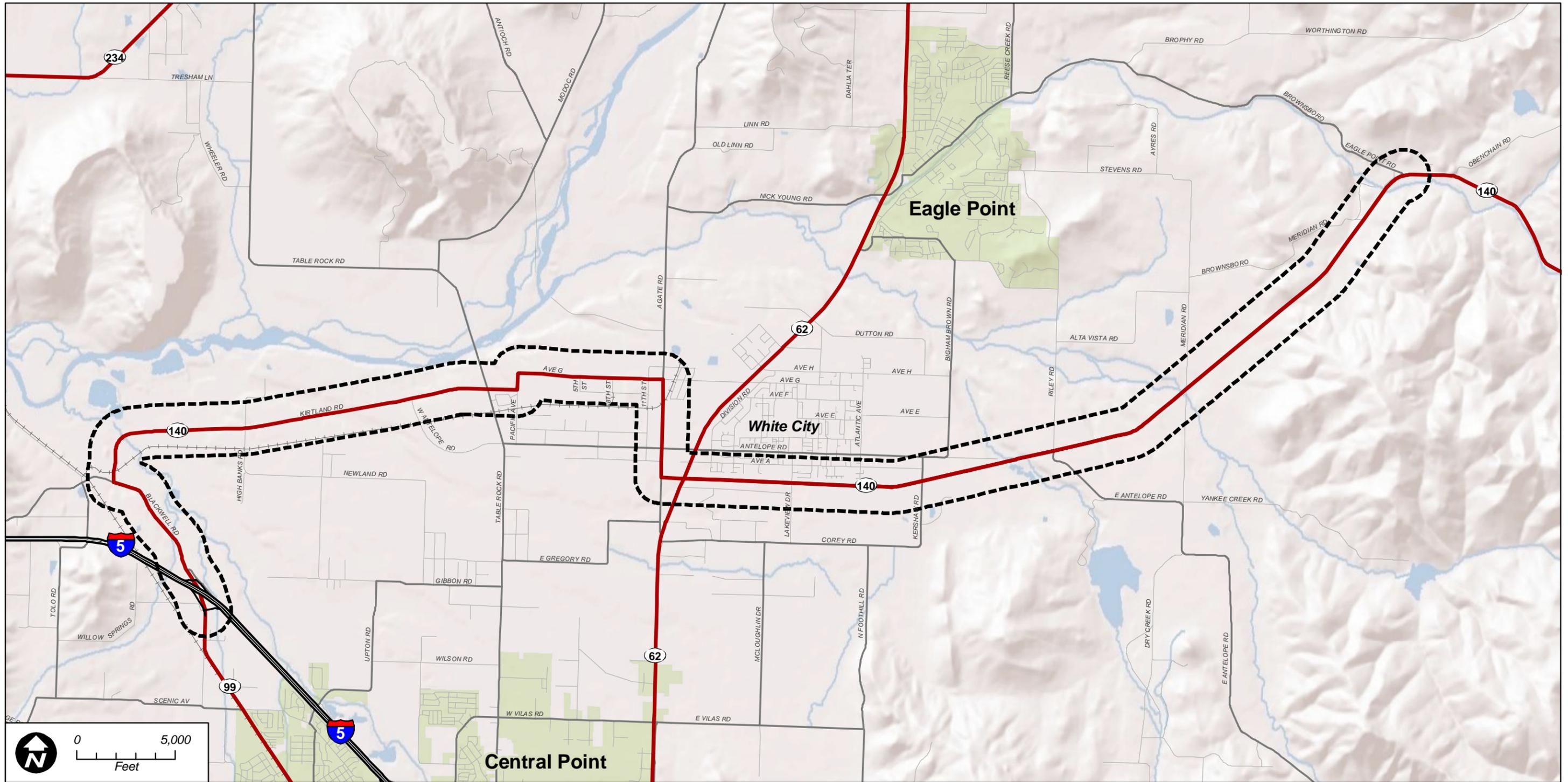
Figure 3-2. Natural Resources

Figure 3-3. Community Features

Figure 3-4. Comprehensive Plan Designations

Figure 3-5. Zoning Map Designations

Figure 3-6. Tax lot maps

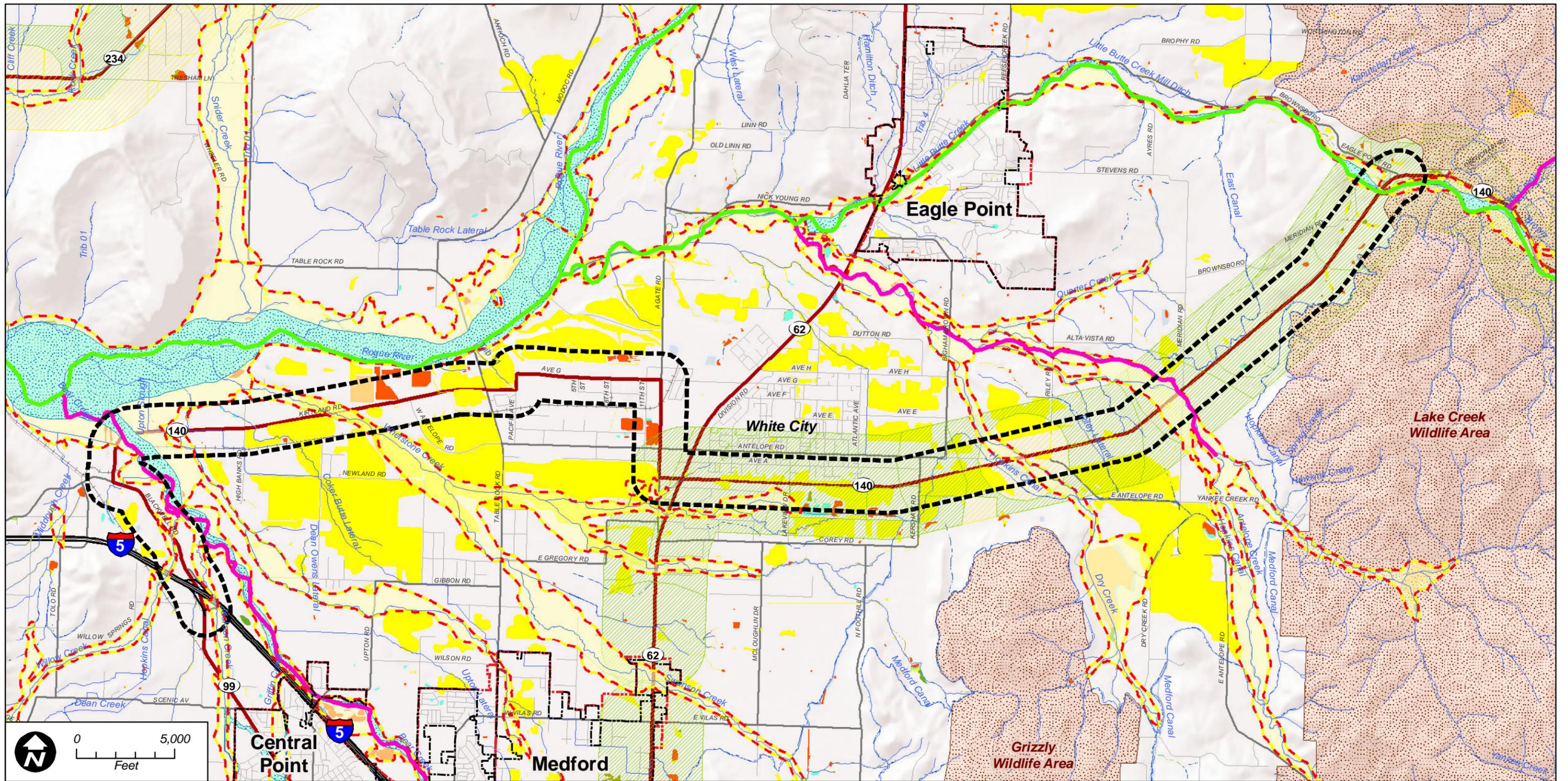


OR 140 Corridor Plan

- Legend**
- Interstate
  - Highways
  - Ramps
  - Major Roads
  - Minor Roads
  - Railroad
  - Study Area

Source Data: Jackson County, ESRI, Oregon GEO

**Figure 3-1**  
Study Area

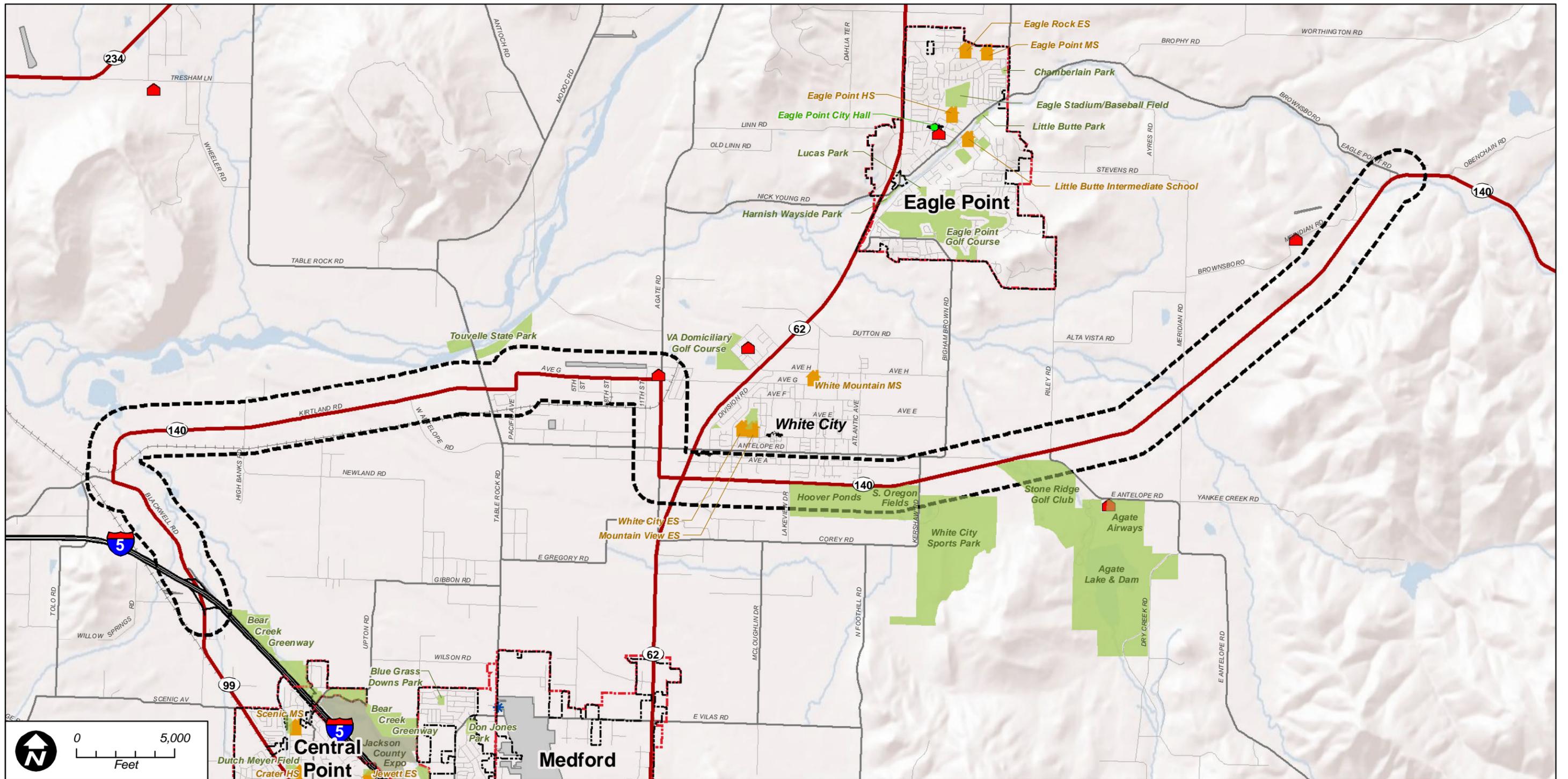


OR 140 Corridor Plan

Legend		ODFW Priority Rank		Wetland Classifications	
Interstate	Rivers, Streams, Canals	100-Year Floodplain	3-4	Lacustrine	Palustrine, Forested
Highways	City Limits	Floodways	5-6	Palustrine, Aquatic	Palustrine, Scrub-Shrub
Ramps	UGB	Coho Salmon (Existing Habitat)	7-8	Palustrine, Emergent	Palustrine, Other
Major Roads	Study Area	Chinook Salmon (Existing Habitat)		Riverine	
Minor Roads	Wildlife Areas				
Railroad					

Source Data: Jackson County, ESRI, Oregon GEO

Figure 3-2  
Natural Resources

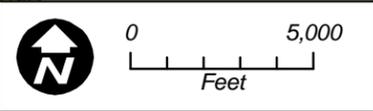
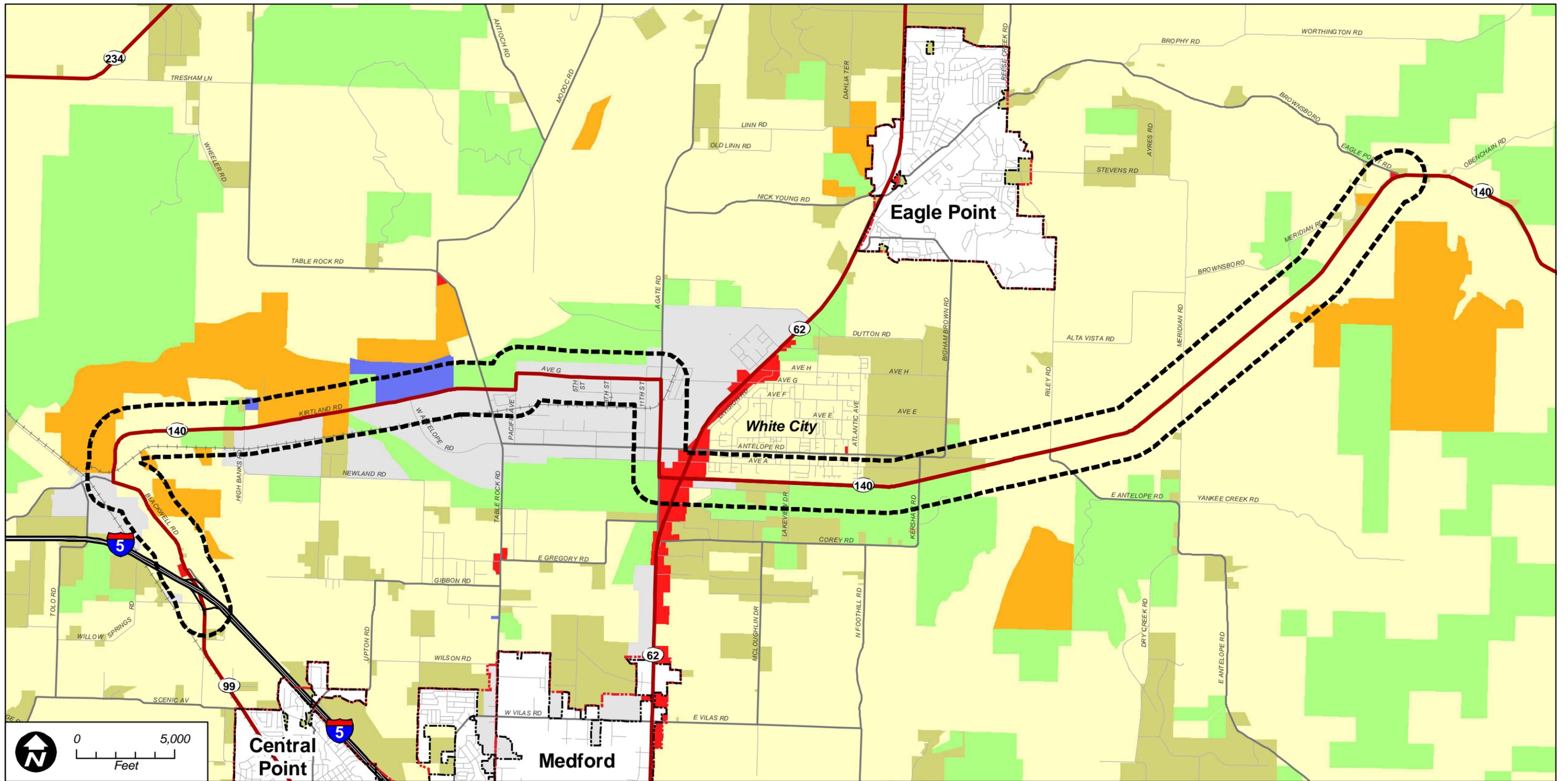


OR 140 Corridor Plan

Figure 3-3  
Community Features

- Legend**
- Interstate
  - Highways
  - Ramps
  - Major Roads
  - Minor Roads
  - Railroad
  - City Limits
  - UGB
  - Study Area
  - Airport / Heliport
  - Parks
  - Fairgrounds
  - City Hall
  - Fire Station
  - ⚪ Hospital
  - ⚔ Law Enforcement
  - ⚕ Medical Service
  - 🏠 School

Source Data: Jackson County, ESRI, Oregon GEO

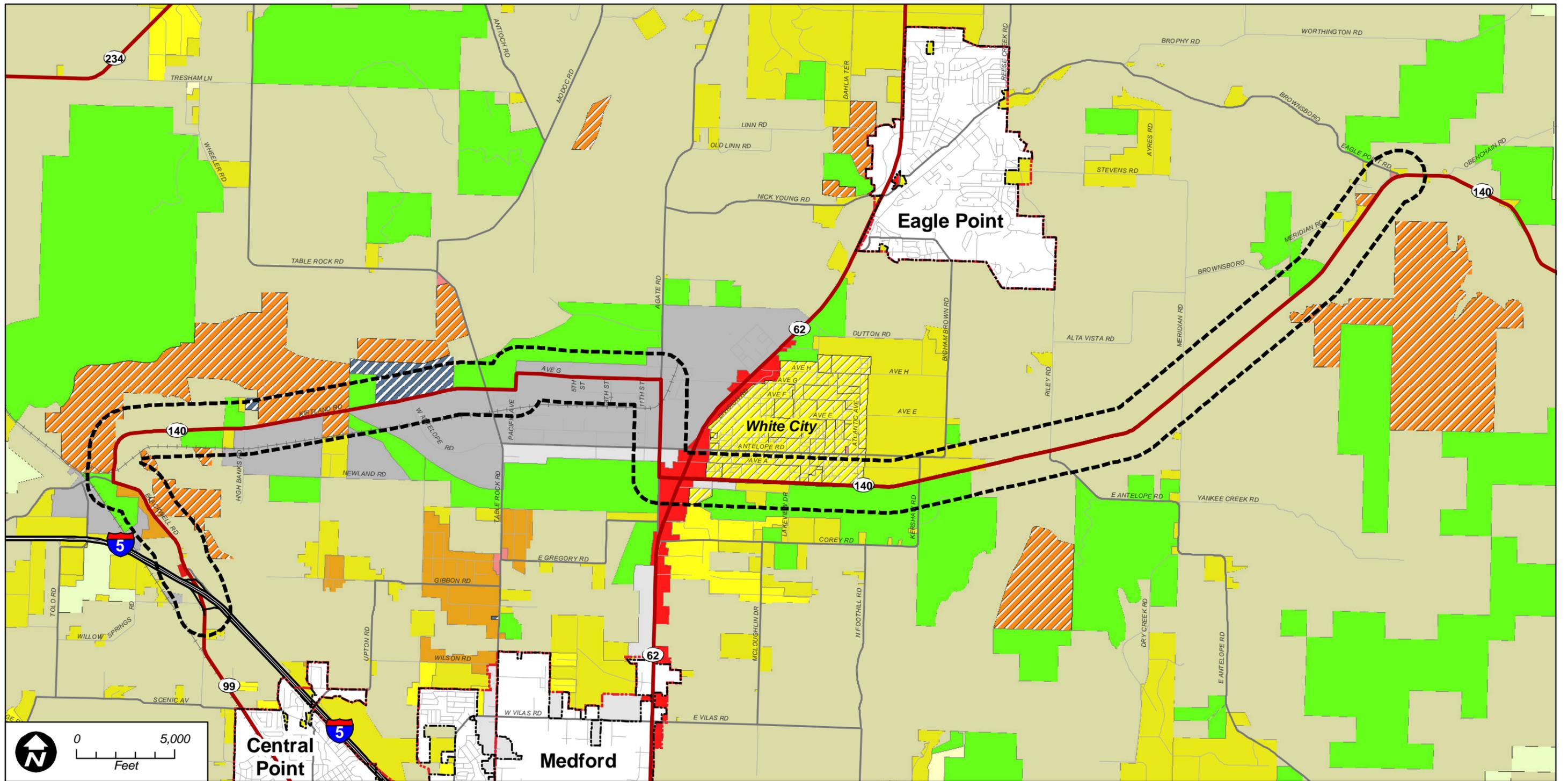


OR 140 Corridor Plan

- Legend**
- |               |               |  |                          |
|---------------|---------------|--|--------------------------|
| — Interstate  | ○ City Limits | <b>Comprehensive Plan Designations</b> | ■ Industrial Land        |
| — Highways    | ○ UGB         | ■ Aggregate Removal Land               | ■ Limited Use Land       |
| — Ramps       | ○ Study Area  | ■ Agricultural Land                    | ■ Rural Residential Land |
| — Major Roads |               | ■ Commercial Land                      | ■ Urban Residential Land |
| — Minor Roads |               | ■ Forestry / Open Space Land           |                          |
| — Railroad    |               |  |                          |

**Figure 3-4**  
Comprehensive Plan Designations

Source Data: Jackson County, ESRI, Oregon GEO

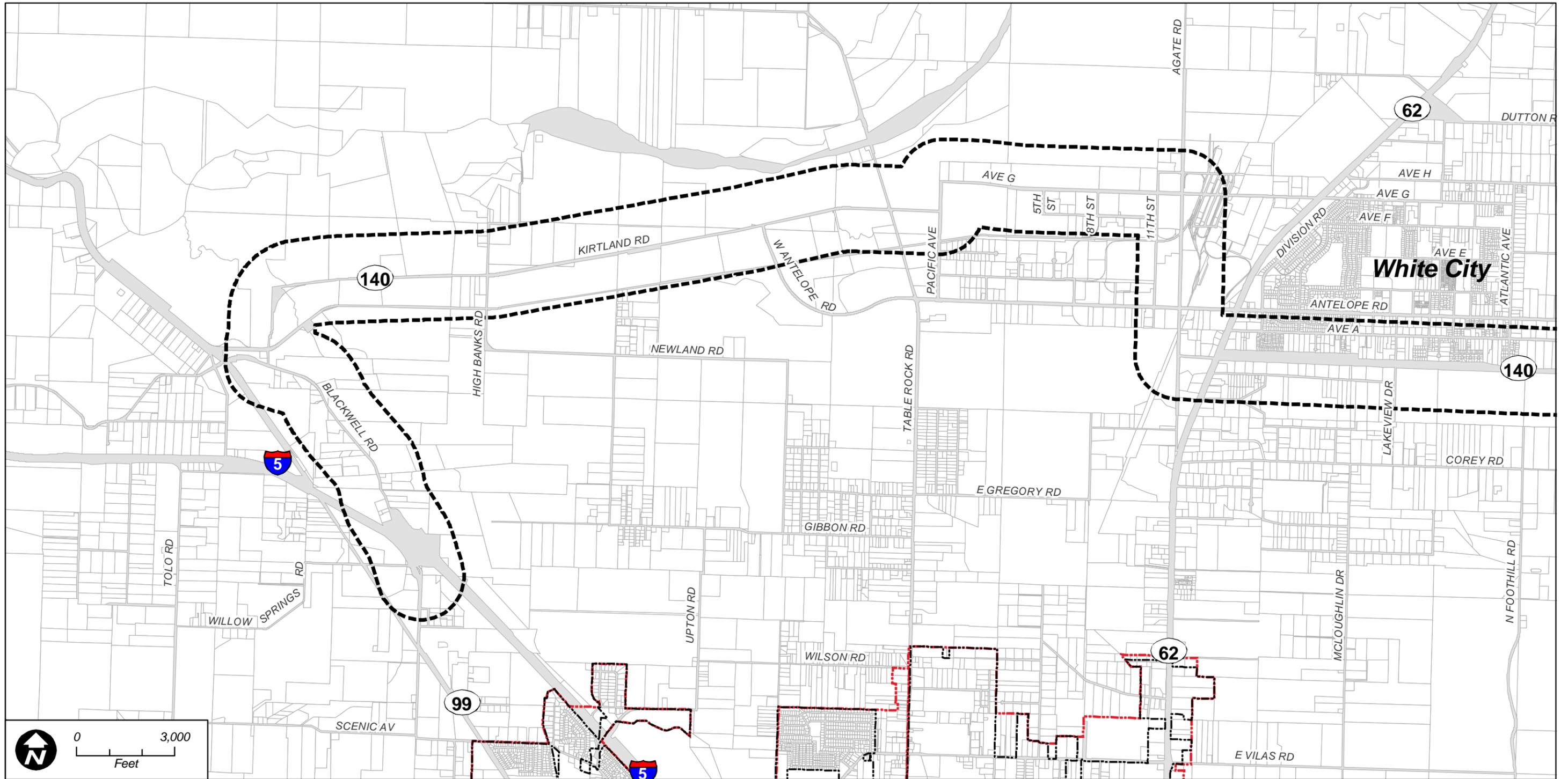


OR 140 Corridor Plan

- |               |            |                          |                                |                                |                                  |
|---------------|------------|--------------------------|--------------------------------|--------------------------------|----------------------------------|
| <b>Legend</b> | Interstate | City Limits              | <b>Jackson County Zoning</b>   | Interchange Commercial (IC)    | Rural Residential - 2.5 (RR-2.5) |
| Highways      | UGB        | Aggregate Removal (AR)   | Light Industrial (LI)          | Rural Residential - 5 (RR-5)   | Rural Service Commercial (RS)    |
| Ramps         | Study Area | Exclusive Farm Use (EFU) | Limited Use (LU)               | Urban Residential (UR-1)       | White City Urban Residential     |
| Major Roads   |            | Forest Resource (FR)     | Neighborhood Commercial (NC)   | Rural Residential - 00 (RR-00) | Woodland Resource (WR)           |
| Minor Roads   |            | General Commercial (GC)  | Open Space Reserve (OSR)       |                                |                                  |
| Railroad      |            | General Industrial (GI)  | Rural Residential - 00 (RR-00) |                                |                                  |

**Figure 3-5**  
Zoning Map Designations

Source Data: Jackson County, ESRI, Oregon GEO



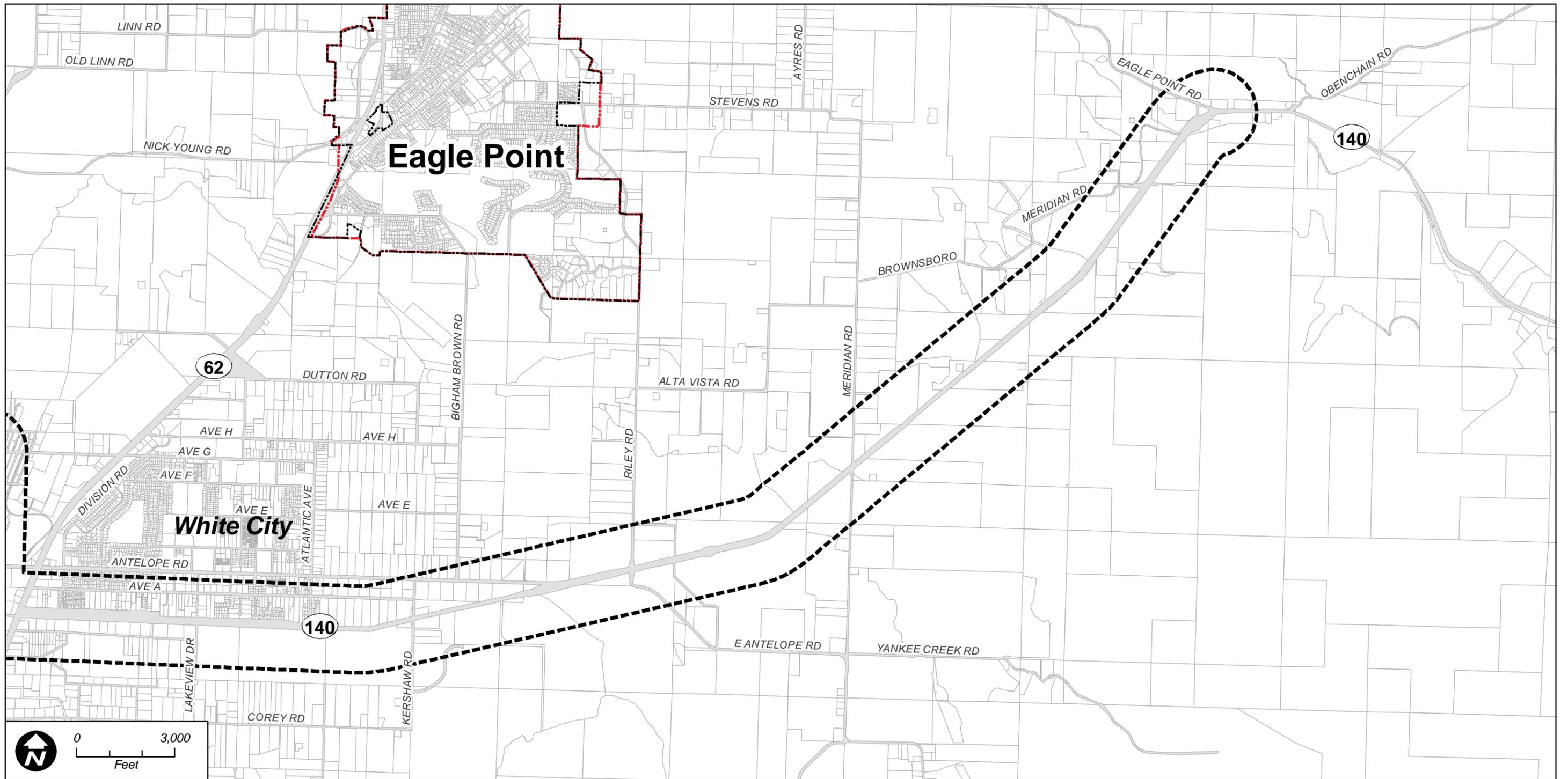
OR 140 Corridor Plan

Figure 3-6, Sheet 1  
Tax Lots

- Legend**
- City Limits
  - UGB
  - Study Area
  - Tax Lot

Source Data: Jackson County, ESRI, Oregon GEO

Path: P:\10\ODOT\00000717\0600\INFO\GIS\arcmap\TM3\Fig\_3-6\_Taxlots.mxd  
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- Legend**
- City Limits
  - UGB
  - Study Area
  - Tax Lot

**Figure 3-6, Sheet 2**  
Tax Lots