

## **DECISION RECORD**

### **Spencer Creek Hook-up Road Culvert Replacement EA #OR-014-03-05**

#### **DECISION**

Based on site-specific analysis, the supporting project record, public comments on the proposed action, and management direction contained in the Klamath Falls Resource Area RMP/EIS, I have decided to implement the Spencer Creek Hook-up Road Culvert Replacement project as described in the Proposed Action– *“Replace existing round culvert with an open-bottom arched culvert”*.

#### **DESCRIPTION OF THE SELECTED ALTERNATIVE**

The existing nine foot diameter round culvert would be replaced with a new, 20-25 foot diameter open bottom arch style culvert with a natural stream gravel and cobble substrate designed to meet fish and aquatic species passage criteria. Haul weight and length capacity of the crossing would be comparable to the existing crossing. Geotechnical testing with a power auger would be required to finalize engineering design prior to construction.

#### **DECISION RATIONALE**

The selected alternative addresses the identified purpose and need for action in that it would provide unimpeded fish passage for migratory species, including redband trout and other native aquatic species. Additionally, the adverse risk to downstream aquatic and riparian resources due to potential culvert failure will be substantially reduced. The selected alternative is consistent with applicable land use plans, policies, and programs (see page 1, *Purpose and Need*, in the Environmental Assessment). Through the interdisciplinary team process, it was determined that the selected alternative will meet the objectives of the project with minimal impacts to other resource concerns.

Alternative 1- *“Replace existing culvert with a full spanning bridge”*, was not selected because it did not substantially decrease adverse risk to aquatic resources due to bridge failure or increase fish passage capability over the proposed action and was substantially more expensive to implement than the proposed action. (Estimated bridge cost was \$440,000 versus \$220,000 for the open arch culvert.)

Alternative 2, the *“no action”* alternative was not selected because it does not address the purpose and need for action to reduce risks to aquatic resources and provide unimpeded fish passage. The no action alternative would have resulted in persistence of below potential utilization of the upper portion of Spencer Creek for aquatic species and continued adverse risk of culvert failure to downstream aquatic habitat.

Alternative 3 – *“Decommission the road crossing by removing the culvert and block transportation access at the crest of the Spencer Creek inner gorge”*, was not selected because it had significant potential for adverse impacts to the existing transportation network and existing road right-of-way agreements.

## **PUBLIC COMMENT**

Three written comments were received by the BLM. Two comment letters supported implementing the proposed action. Stated reasons for support of the proposed action included meeting the purpose and need for the action without compromising existing road uses and an effective benefit-to-cost ratio. The Oregon Department of Fish and Wildlife (ODFW), Klamath District Office supported any alternative that meets ODFW fish passage guidelines. The proposed action, the bridge construction alternative (Alt. 1), and the culvert decommissioning alternative (Alt. 3) all meet ODFW fish passage guidelines.

## **ADMINISTRATIVE REMEDIES**

Any party adversely affected by this decision may appeal within 30 days after receipt of the decision in accordance with the provisions of 43 CFR Parts 4.4. The notice of appeal must include a statement of reasons or file a separate statement of reasons within 30 days of filing the notice of appeal. The notice of appeal must state if a stay of the decision is being requested and must be filed with the:

Field Manager, Klamath Falls Resources Area  
Bureau of Land Management  
2795 Anderson Ave., Building 25  
Klamath Falls, OR 97603.

A copy of the notice of appeal, statement of reasons, and other documents should be sent to the:

Regional Solicitor, Pacific Northwest Region  
U.S. Department of the Interior  
Lloyd 500 Building, Suite 607  
500 N.E. Multnomah Street  
Portland, OR 97232.

If the statement of reasons is filed separately it must be sent to the:

Board of Land Appeals, Office of Hearings and Appeals  
4015 Wilson Boulevard  
Arlington, VA 22203.

It is suggested that any notice of appeal be sent certified mail, return receipt requested.

Before deciding to file a protest, I encourage you to contact me to determine if your concerns might be met in some way other than via a protest, or to assist you in the protest process if it is appropriate. Thank you for your continued interest in the multiple use management of your public lands. This notice constitutes the decision notification for purpose of protests under 43 CFR subpart 5003 B Administrative Remedies.

  
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Field Manager

7/20/04  
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Date