



IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
3040 Biddle Road
Medford, Oregon 97504
email address: or110mb@or.blm.gov

DECISION RECORD/RATIONALE/FONSI *Brice Campman Road Right-of-Way Application* (EA # OR110-02-04)

I. DECISION: Implement the Alternative 2 as described in the Environmental Assessment (EA#OR 110-01-50) addressing Mr. Campman's right-of-way application. Selecting this alternative means that Mr. Campman's application / request will be denied. However, Mr. Campman will be offered a ROW for the continued use of the existing road that access his property and residence. It will allow him to locate an additional underground telephone line within that road. All of the pertinent project design features will be incorporated into the right-of-way grant to use the existing road across BLM land.

II. RATIONALE:

Alternative 3, the No action alternative, is rejected as it would preclude Mr. Campman from obtaining legal access and a right-of-way grant accessing his property and residence. This would be contrary to the BLM's goal of being a good neighbor and of providing access / rights-of-way when consistent with land health standards

Alternative 1, the requested right-of-way and proposed action, is rejected for the following reason:

- The Medford District RMP (p. 82) specifies that, with the exception of buried lines in existing roads, locating new rights-of-way should be avoided within recreational river boundaries and VRM class I areas. The requested ROW is located within both of these avoidance areas. The RMP does permit rights-of-way to be granted in avoidance areas when no feasible alternative route or designated right-of-way is available (p. 83). Alternative access is available via the existing road / driveway that served the owner of the property for many years.

Alternative 2 is accepted for the following reasons:

- It will permit a right-of-way grant that will provide Mr. Campman with legal access to his property and residence. It will allow him to install the new phone line that he desires.
- It will locate the ROW grant on an existing road consistent with RMP direction.
- It will avoid the sensitive areas.
- It will preclude environmental impacts that the new construction would result in.

Mr. Campman stated one reason for desiring the new road / access location was that it would reduce disturbance to his neighbor whose house is adjacent to the existing driveway. While any

such disturbance will continue under Alternative 2, there is no evidence that this disturbance is, in fact, onerous or that would, in any way, outweigh the environmental impacts (e.g., recreational value of the open space that now exists, impact to wildlife habitat) that would result from moving the road as requested by Mr. Campman.

A public review and comment for the proposal and EA was held in the fall of 2001. Only one letter was received. It voiced opposition to the requested route because it would be contrary to the management goals and purpose of the Rogue Wild and Scenic River.

This decision is consistent with the Medford District Resource Management Plan and the Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl and, the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001). This decision is also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations.

This decision is consistent with the BLM's Strategic Planning Goal 1.2.4 which is to provide right-of ways when consistent with land health standards.

This decision will not have any adverse impacts to energy development, production, supply and/or distribution (per Executive Order 13212).

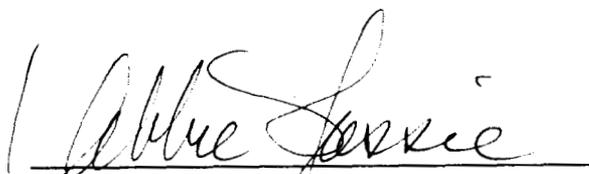
III. FINDING OF NO SIGNIFICANT IMPACT: On the basis of the information contained in the environmental assessment for the subject project, it is my determination that the decision stated above does not constitute significant effects to the quality of the human environment. In addition this project does not exceed the range of effects discussed in the EIS documents to which the project EA is tiered. Therefore, an Environmental Impact Statement is not necessary and will not be prepared.

IV. ADMINISTRATIVE REMEDIES

The effective date of this decision will be the date of publication of the Notice of Decision in The Grants Pass Daily Courier. Concurrent with this notice, a right-of-way grant will be offered to Mr. Campman pursuant to subpart 2800 of Title 43 of the Code of Federal Regulations.

Any party adversely affected by this decision has the right to appeal to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, Board of Land Appeals (IBLA). Any appeal must be made in strict accordance with the regulations contained in 43 CFR part 4. This includes, among other requirements, the requirement that a notice of appeal must be filed in this office within thirty (30) days of the effective date of this decision. The regulations also provide for petitioning for a stay of the decision, if desired. The decision to issue the right-of-way will be in full force and effect upon acceptance of the offered grant by the grantee and

execution of the grant document by the BLM.



Abbie Jossie
Field Manager
Grants Pass Resource Area

1-23-02

Date