

**COW CREEK BACK COUNTRY BYWAY KIOSK
ENVIRONMENTAL ASSESSMENT
EA# OR 105-96-18
Decision Documentation**

Bureau of Land Management-Roseburg District
South River Resource Area
Date Prepared: May 16, 1997

Decision:

It is my decision to authorize construction of two Kiosk interpretive sites for the Cow Creek Back Country Byway located in T30S, R6W, Section 28 and T32S R6W Sections 32 & 33. The tentative implementation date is July 1997.

Both the North and South sites will require excavation of some surface soils, and importation of fill. This fill will be compacted to form a solid surface for parking lot and walkway construction. Disturbed areas will be limited to those areas required for construction only. Disturbed areas not utilized as roadways, parking or sidewalks will be landscaped or seeded with native plant species.

Rationale for Decision:

The Record of Decision and Resource Management Plan (ROD/RMP, pp. 56 & 87) states that the Cow Creek corridor will be managed as a Special Recreation Management Area (SMRA) with the Byway as a component. The Recreation 2000 Initiative Update, directs the BLM to assist other agencies and organizations in management for recreation. Presidential Executive Order 12862 requires greater customer service and requires BLM to respond with quality recreation opportunities whenever feasible. The BLM manual handbook H-8357-1 on Byways states that BLM will "enhance visitor experiences and communicate multiple use management through interpretation". To do this properly, BLM needs to provide a safe and informative environment for visitors.

This decision is based on the above directives and Byways objective, and the fact that the two parcels of newly acquired land are prime interpretive site locations and environmental impacts will be minimal. The project is in compliance with the ROD/RMP.

The interpretive site locations have had previous ground disturbance, thus impacts from the project are not on a natural system. There have been no special status plant species found to date. The project will not be implemented until final surveys are complete and any necessary mitigation is determined. The fisheries resource would not be directly impacted, and no Threatened and Endangered wildlife species will be impacted by the action. A pine log will be retained on site for wildlife use and "no shooting" signs will be installed to protect non-game species. Soils impacts would be minimized by constructing the sites during the dry season and seeding or landscaping bare soil areas. These mitigation listed on page 2-3 of the Environmental Assessment (EA) will be implemented and/or formulated into contract stip. Best Management Practices (ROD/RMP, Appendix D) will be implemented. Impacts are not expected to exceed those discussed in the RMP (Vol. I, pp. 4-7 thru 4-99).

No issues were identified by other agencies or Native American Governments during the scoping process. No comments were received from the public during the public comment period. There was one request to receive a copy of the EA/FONSI and decision. The State Historic Preservation Office (SHPO) has concurred with the proposed project. The Biological Opinions applicable to the action, were received from the National Marine Fisheries Service (NMFS-9/26/96), and the United States Fish and Wildlife Service (USFWS-3/25/96). No effect determinations were made. No additional Terms and Conditions are necessary.

Monitoring:

Monitoring would be conducted as per the guidance given in the ROD/RMP (Appendix I).

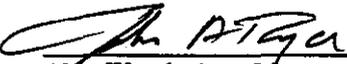
Appeal Procedures:

The decision is available for review at the Roseburg District Office, 777 NW Garden Valley Blvd., Roseburg. This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Alan Wood, Area Manager
South River Resource Area

5-16-97

Date