

Rock Creek Access Road Stabilization Project

Decision Record

An Interdisciplinary (ID) Team of the Swiftwater Field Office, Roseburg District, Bureau of Land Management has analyzed the proposed **Rock Creek Access Road Stabilization** project. This analysis and the "Finding of No Significant Impact" (FONSI) was documented in Environmental Assessment (EA) No. OR-104-02-04. The thirty day public review and comment period was completed on May 2nd, 2002. One letter with comments was received as a result of public review.

This proposal is in conformance with the *"Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement (PRMP/EIS)* dated October 1994 and its associated *Roseburg District Record of Decision and Resources Management Plan (RMP)* dated June 2, 1995.

The EA analyzes the implementation of the "Proposed Action Alternative". The proposed action involves the realignment, repair and stabilization of a quarter mile portion of the Rock Creek Access Road starting at M.P. 12.1 that has been failing due to earth slumping (settlement) of the roadway. This project is located in the Rock Creek fifth-field watershed in Section 25, T24S R2W; W.M.

Decision

It is my decision to authorize the implementation of the Proposed Action Alternative as outlined in the EA (Section II, pg. 3).

The project design features for this alternative are listed on pages 4-5 of the EA. These features have been developed into contract stipulations and will be implemented as part of the construction contract.

The following specifics should be noted as the result of project design:

- 1). A total of 1800 ft. (0.3 mi.) of road will be reconstructed.
- 2). Scotch broom, a noxious weed in the construction site and Kelly Creek waste disposal site, will be treated by Field Office personnel.

Decision Rationale

The Proposed Action Alternative meets the objectives for lands in the Matrix and Riparian Reserve Land Use Allocations and follows the management actions/directions set forth in the *"Roseburg District Record of Decision and Resources Management Plan"* (RMP), and the Standards and Guidelines for the *"Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl"* (Feb. 1994) and the Record of Decision (ROD) for that plan dated April 13, 1994.

Section II of the EA describes two alternatives: a "No Action" alternative and a "Proposed Action" alternative. The EA did not identify any impacts of the Proposed Action that would be beyond those identified in the EIS. The No Action alternative was not selected because (1) it would not provide safe road access to the upper Northeast Fork of Rock Creek; (2) it would not increase the stability of naturally occurring slides thereby minimizing potential of a major failure; and (3) it would not reduce recurrent maintenance costs.

BLM has completed its Section 106 responsibilities for cultural resources under the 1997 National Programmatic Agreement and the 1998 Oregon Protocol, therefore no consultation was required

Consultation with U.S. Fish and Wildlife Service for this project has been completed. The Biological Opinion (May 1, 2002) concluded that the action “. . . may affect, but is not likely to destroy or adversely modify designated critical habitat for the spotted owl”.

This action is in compliance with and covered under the National Marine Fisheries Service Programmatic Biological Opinion of August 8, 2001 which concluded that the actions such as this (pg. 6) is “. . . not likely to jeopardize the continued existence of OC coho salmon.” No consultation was required.

This decision is based on the fact that the Proposed Action Alternative implements the Standards and Guidelines (S&Gs) as stated in the NFP and the Management Actions / Directions of the RMP. The project design features as stated in the EA would protect the Riparian Reserves, minimize soil compaction, limit erosion, protect slope stability, wildlife, air, water quality, and fish habitat, as well as protect other identified resource values. This decision recognizes that impacts will occur to these resources, however, the impacts to resource values would not exceed those identified in the *Final Supplemental Environmental Impact Statement (FSEIS)* and the *Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement (PRMP/EIS)*.

Comments were solicited from affected tribal governments, adjacent landowners and affected State and local government agencies. No comments were received from these sources. During the thirty day public review period comments were received from an individual representing an environmental organization. None of the comments provided new information, showed flawed analysis our assumptions, or an error in data that would alter the conclusions of our analysis thereby requiring new analysis or reconsideration of the proposed action. Several comments warrant clarification:

! Appendix B, “Project Map” contained no map. NEPA documents for this project are inadequate without at least a simple map of the location.

The Appendix B map is an engineering drawing that was not complete at the time that this EA was made available for public review. The EA gave the legal description, road number and mileage that would have enabled any interested parties to find the project. The project was also staked and ribboned at the site location. A final map has been posted to the web and provided to each party that requested an EA copy.

! Several times the EA mentioned a large tree (36") in the Rock Creek Riparian Reserve that would be cut down. The EA failed to mention what BLM planned to do with this tree, or any other commercial sized trees that need to be felled for this project.

The only commercial sized tree that could be affected is the single 30-36" tree described in the EA. The EA was written based on preliminary information that assumed that this tree would need to be felled. As the result of final design it has been determined that this tree will be avoided and not need to be felled. This particular tree is a wildlife tree that was reserved in a previous clearcut. All other trees that will be felled are young (less than 12 years old) as described in the EA (pg. 8).

! The EA failed to evaluate the impacts to the "disposal site". The decision document should make clear what environmental evaluations have been made at Kelly Creek.

The Kelly waste site was surveyed for noxious weeds along with the construction site itself. Both sites have light infestations of scotch broom which will be treated by BLM personnel. No trees need to be removed in the waste site and it is adequate to accommodate the waste material generated by this project.

! Four times the EA referred us to appendix F for EA information. Unfortunately, though other appendices were attached to the EA, appendix F was not included, even though it was the most referred-to appendix.

Appendix F is the Analysis File that contains supporting documentation to the EA. This file, due to its length, is not sent out with the EA or posted on the District web. This information is available in our office and may be reviewed by the public upon request.

Compliance and Monitoring

Monitoring will be conducted as per the guidance given in the RMP (Appendix I).

Protest Procedures

As outlined in 43 CFR § 5003 Administrative Remedies, protests may be filed with the authorized officer within 15 days of the publication date of the Notice of Decision in the News Review. Protests shall be filed with the authorized officer (Jay K. Carlson) and shall contain a written statement of reasons for protesting the decision. Protests received more than 15 days after the publication of the notice of decision are not timely filed and shall not be considered. Upon timely filing of a protest, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of his review, serve his decision in writing to the protesting party. Upon denial of a protest the authorized officer may proceed with the implementation of the decision.

For further information, contact Jay K. Carlson, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97470, 541 440-4931.

Jay K. Carlson, Field Manager
Swiftwater Field Office

Date