

OPTIONAL ENVIRONMENTAL ASSESSMENT, FINDING OF NO SIGNIFICANT
IMPACT, and DECISION RECORD FORM¹

ENVIRONMENTAL ASSESSMENT

EA Number: OR-080-03-12

BLM Office: Cascades Resource Area
1717 Fabry Road SE
Salem, OR 97306

Proposed Action Title: Big Creek/Sinker Creek Road Drainage Repairs

Type of Project: Replace/add culverts, reshape road for drainage, and remove rotting log fills to reduce erosion and sedimentation.

Location of Proposed Action: Township 8 South, Range 3 East, Sections 33 and 34, Willamette Meridian located within the Little North Santiam River watershed. See attached maps.

Conformance with Applicable Land Use Plan: The proposed action is in conformance with the following documents: *RMP (Salem District Record of Decision and Resource Management Plan)*, dated May 1995; *Little North Santiam River Watershed Analysis*, dated December 1997; the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*, dated April 1994; and the *Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines*, dated January, 2001.

¹ Pursuant to BLM Handbook 1790-1, Rel. 1-1547, 10/25/88, page IV-11, it is appropriate to use this optional form when all the following conditions are met: 1/ Only a few elements of the human environment are affected by the proposed action; 2/ Only a few simple and straightforward mitigation measures, if any, are needed to avoid or reduce impacts; 3/ There are no program-specific documentation requirements associated with the action under consideration; 4/ The proposed action does not involve unresolved conflicts concerning alternative uses of available resources and, therefore, alternatives do not need to be considered; 5/ The environmental assessment is not likely to generate wide public interest and is not being distributed for public review and comment; and 6/ The proposed action is located in an area covered by an existing land use plan and conforms with that plan.

Purpose of and Need for Action: The purpose of this project is to renovate and repair the roads and drainage systems to reduce sedimentation and stabilize erosion processes. This would also bring them up to current standards so that they can support commercial forest management activities. These roads were built many years ago and materials used then for culverts/drainage devices have long ago exceeded their expected service life. Log culverts are inadequately sized and some have rotted and collapsed, sending sediments into the streams. Steel culverts now in place do not meet current BLM standards for 100 year storm events. The numbers of cross-drain culverts or drain dips do not meet current water quality standards or Best Management Practices. Additionally, in the SW¹/₄ SW¹/₄ of Section 33, there are two failing log bridges/culverts on a short piece of road that is no longer needed for future BLM land management purposes and should be removed. The logs are rotting away and the soil on road surface and the stream bank is eroding into the streams. If left alone, they will continue to rot and affect water quality. All these road and culvert deficiencies do not meet current Best Management Practices (BMP) and prevent BLM from reducing erosion and sedimentation in this area.

The desired condition is one in which the roads are stabilized, sediment from these roads is reduced and the roads meet the BLM Transportation Management Objectives.

Description of the Proposed Action: The BLM proposes to re-shape and grade approximately 2½ miles of road, repair or replace existing drainage systems that are no longer adequate, add new cross-drain culverts where needed, upgrade stream crossings to 100 year storm event standards, add rock surfacing in spots as needed, re-establish ditches and/or drain dips to make the road usable for forest management activities and reduce sedimentation. The project also includes the storm proofing of approximately 1400 feet of existing road in the SW¹/₄ SW¹/₄ of Section 33 by removing the failing wooden drainage structures, water-barring, and barricading the road.

As proposed, specific design features in addition to those specified in the BMPs listed below would help meet the management objectives contained within the RMP and are in compliance with the standards and guidelines contained within the Northwest Forest Plan. These design features are as follows:

1. Conduct in-stream work between June 1 and September 30, the time period with the least impact to fisheries downstream. These dates meet ODFW *Oregon Guidelines for Timing of In-Water Work to Protect Fish and Wildlife Resources* (June, 2000).
2. All exposed soils would be stabilized and seeded or planted with native species upon completion of activities.
3. All machinery would be fueled outside of the riparian areas on hardened surfaces (roads and pullouts).
4. All earth moving equipment is to be cleaned and free of soil, brush, weeds, and any part thereof before entering BLM lands to prevent the spread of noxious weed species.

BEST MANAGEMENT PRACTICES:

The best management practices described in this document are intended to maintain or improve water quality and soil productivity, and prevent or mitigate adverse impacts while meeting other resource objectives. The best management practices are designed to provide compliance with the Clean Water Act of 1972, as amended in 1977 and 1987.

For proposed management actions, best management practices designed and implemented in accordance with a state approved process will normally constitute compliance with the Clean Water Act. The set of procedures prescribed by Oregon Forest Practices Act is the standard by which all forestry best management practices in Oregon are measured. The best management practices employed by BLM often are different in detail from the Oregon Forest Practices Act but are designed to be equal or more protective of resources in terms of end results.

Revisions to the Appendix C of the *Salem District Record of Decision and Resource Management Plan*, Best Management Practices, based on monitoring, are adopted as RMP clarification and are added items in bold font as presented in the 1998 *Annual Program Summary*.

Best Management Practices involving roads that may be applicable to this project are as follows:

1. Locate stable waste disposal areas suitable for depositing excess excavated material.
2. Locate drainage dips where water might accumulate, or where there is an outside berm that prevents drainage from the roadway.
3. Design placement of all cross drains to avoid discharge onto erodible (unprotected) slopes or directly into stream channels. Provide a buffer or sediment basin between the cross drain outlet and the stream channel.
4. Provide energy dissipaters or armoring at cross drain outlets or drain dips where water is discharged onto loose material, erodible soil, or steep slopes.
5. Cut all cannon culverts to the proper length, down spout, and provide for energy dissipation if needed.
6. Use the theoretical 100-year flood as design criteria for pipe arches or culverts. **Design width to include active channel. On crossings with historical debris and bedload movement consider design for a hardened inlet, outlet and road surface to allow material to pass and protect road.**
7. Do not sidecast where it will adversely affect water quality or weaken stable slopes.
8. For larger streams, divert streams around culvert installation work areas to minimize sedimentation during construction.
9. Place riprap on fill material next to culvert inlets and outlets where possible.
10. Limit activities of mechanized equipment in the stream channel to the area that is necessary for installation and removal operations.
11. Replace undersized culverts and repair damaged culverts and downspouts. **Dented and damaged inlets should be repaired to allow free flow of original diameter. Use channel width as a determinate of pipe size on stream culverts. Keep inlet channels as narrow as possible.**
12. Add additional culverts, downspouts and energy dissipaters as needed to protect road fill.
13. Surface inadequately surfaced roads that are to be left open to traffic during wet weather.

14. Provide the basic custodial maintenance required to protect the road investment and to ensure that erosion damage to adjacent land and resources is held to a minimum. Give high priority to identifying and correcting road drainage problems that contribute to degrading riparian resources.
15. Perform blading and shaping to conserve existing surface material and retain the original crowned, or outsloped self-drainage cross section. Prevent or remove rutting berms (except those designed for slope protection) and other irregularities that retard normal surface runoff. Avoid dumping loose ditch or surface material over the shoulder where it would cause stream sedimentation or weaken landslide prone areas. Avoid undercutting of road cuts.
16. Keep road inlet and outlet ditches, catch basins and culverts free of obstruction, particularly before and during prolonged winter rainfall. Minimize routine machine cleaning of ditches during wet weather.
17. **Retention of vegetation on cut and fill slopes is a priority for soil stabilization.** Retain vegetation on cut slopes unless it poses a safety hazard or restricts maintenance activities. Accomplish roadside brushing by cutting vegetation rather than pulling it out and disturbing the soil.
18. Reclaim/revegetate all roads not needed for future management activities.
19. Revegetate bare cut and fill slopes.
20. Barricade or block road surface using gates, guard rails, earth/log barricades, boulders, logging debris or a combination of these methods. Avoid blocking roads that would need future maintenance (i.e., culverts, potential landslides, etc.) with unremovable barricades. Use guard rails, gates or other barricades capable of being opened for roads needing future maintenance.
21. Install water bars, cross sloping or drainage dips if not already on road to ensure drainage.

Consultation and Public Involvement: Endangered Species Act Section 7 consultation with NOAA Fisheries was completed for programmatic actions, including road maintenance and storm proofing, and concludes that the proposed actions are not likely to jeopardize the continued existence of listed Oregon Coast coho Salmon; Lower Columbia River, Upper Willamette River, and Middle Columbia River steelhead; or Columbia River chum salmon; or Oregon Coast steelhead and Lower Columbia/Southwest Washington coho salmon which are candidates for listing. A Biological Opinion was issued on February 25, 2003 outlining terms and conditions to be implemented as project design criteria. Appendix D of the Biological Assessment of the programmatic actions for replacement stream crossing design does not apply to this project since these streams do not have anadromous salmonids at these locations.

In March 2002, an Interagency Level 1 Team prepared a *Programmatic Biological Assessment of Fiscal Years 2002-2003 Projects in the Willamette Province Which Might Disturb Northern Spotted Owls and/or Bald Eagles*. In that Biological Assessment it was determined that road maintenance activities may affect spotted owls due to disturbance. In bald eagle and northern spotted owl habitat, road maintenance will be scheduled to stay within these anticipated disturbance levels. A Biological Opinion covering these activities was received May 20, 2002, Ref. No. 1-7-02-F-630. Applicable mitigation measures have been incorporated into this project.

If BLM determines that the anticipated level of incidental take will be exceeded, the interagency team will be informed and formal consultation will be reinitiated. Since the activity occurs along an existing road, there is no habitat modifying actions and therefore no consultation required for habitat modification.

In compliance with the National Environmental Policy Act, the proposed action was listed in the March 2003 edition of the quarterly *Salem District Project Update*, which was mailed to over 1,200 addresses. No public comments were received in response to this scoping.

Affected Environment: The project area is located approximately 9 miles northeast of Mehama, Oregon, in Marion County on forested land managed by the Cascades Resource Area of the Salem District, Bureau of Land Management (BLM).

The project area is within the following land allocations, habitats, or designations:

- Matrix/General Forest Management Area and Riparian Reserve land use allocations as identified in the *Salem District Record of Decision and Resource Management Plan* (RMP) dated May 1995.
- Visual Resource Management Class 3
- Key Watershed

The area is not located within designated critical habitat for the northern spotted owl. The project area has no anadromous salmonids present.

Environmental Impacts: For a full discussion of the physical, biological, and social resources of the Salem District refer to the Salem District FEIS. For a site-specific discussion of the environmental impacts of the proposed action which supplements the discussion in the FEIS, refer to Appendix 1 of this EA.

EA Prepared By: Dan Revin

Date: 4/29/03

EA Reviewed By: Carolyn Sando
NEPA / Plans

Date: 5/2/03

Interdisciplinary Team:

Resource	Name	Initial	Date
Cultural Resources	Fran Philipek	FUP	4/29/03
Soils/Hydrology/ Water Quality	Patrick Hawe	PH	5/1/03
Botany TES and Special Attention (including Survey and Manage) Plant Species	Terry Fennell	TGF	4/30/03
Wildlife TES Species	Jim England	JSE	4/30/03
Special Attention (including Survey and Manage) Animal Species	Jim Irving	JIV	4/29/03
Fisheries	Dave Roberts	DAR	4/29/03
Wild and Scenic Rivers/ Wilderness/Recreation Sites/ Visual Resources Management / Rural Interface	Laura Graves	LJG	4/29/03

**FINDING OF NO SIGNIFICANT IMPACT
AND DECISION RECORD**

Based upon my review of this EA (Environmental Assessment Number OR-080-03-12), I have determined that the proposed action is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, an environmental impact statement is not needed. I have also determined that the proposed action is in conformance with the approved land use plan. It is my decision to implement the proposed action, as described in the EA.

Right to Appeal: This decision may be appealed to the Interior Board of Land Appeals (Board), Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and the enclosed 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 Board and to 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.

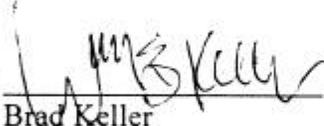
Standards for Obtaining a Stay: Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

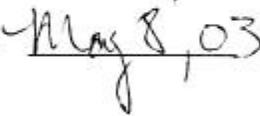
- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Implementation Date: Implementation of this decision may begin 30 calendar days after the public notice of the Decision Record appears in the *Stayton Mail* newspaper on May 14, 2003.

Contact Person: For additional information concerning this decision or the BLM appeal process, contact Carolyn Sands at (503) 315-5973, Cascades Resource Area, Salem District, 1717 Fabry Road, Salem, Oregon 97306.

Authorized Official:


Brad Keller
acting Cascades Resource Area Field Manager

Date: 

APPENDIX 1 - ENVIRONMENTAL ELEMENTS

In accordance with law, regulation, executive order and policy, the Big Creek/Sinker Creek Road Drainage Repair interdisciplinary team reviewed the elements of the environment to determine if they would be affected by the proposed action described in Environmental Assessment Number OR-080-03-12. The following three tables summarize the results of that review.

Table 1. Critical Elements of the Environment. This table lists the critical elements of the environment, which are subject to requirements specified in statute, regulation, or executive order and the interdisciplinary team's predicted environmental impact per element if the proposed action was implemented.		
CRITICAL ELEMENTS OF THE ENVIRONMENT	ENVIRONMENTAL EFFECT	INTERDISCIPLINARY TEAM'S COMMENTS
Air Quality	Minimal	Dust created from culvert installation & road repair activities will be minor, localized and of short duration. This will have no adverse impact on air quality and complies with the provisions of the Clean Air Act.
ACEC (Area of Critical Environmental Concern)	None	There area no ACECs located within the project area.
Cultural, Historic, and Paleontological	None	There are no known cultural resource sites located within the project area. If cultural resources are found during the implementation of the proposed action, the project may be redesigned to protect the cultural resource values present, or evaluation and mitigation procedures would be implemented based on recommendations from the District Archaeologist.
Native American Religious Concerns	None	No concerns were identified.
Threatened or Endangered Plant Species or Habitat	None	There are no known or suspected special status or Survey and Manage species or habitat within the project area.
Threatened or Endangered Wildlife Species or Habitat	None.	No seasonal restriction required. No habitat modification would result in a no effect to T&E species or their habitat.

Table 1. Critical Elements of the Environment. This table lists the critical elements of the environment, which are subject to requirements specified in statute, regulation, or executive order and the interdisciplinary team's predicted environmental impact per element if the proposed action was implemented.

CRITICAL ELEMENTS OF THE ENVIRONMENT	ENVIRONMENTAL EFFECT	INTERDISCIPLINARY TEAM'S COMMENTS
Threatened or Endangered Fish Species or Habitat	May affect, not likely to adversely affect Upper Willamette River steelhead and chinook found approximately 2 miles down stream.	ESA Section 7 Consultation covered under Northwest Oregon Programmatic B.O.
Prime or Unique Farm Lands	None	There are no prime or unique farm lands located within the project area.
Flood Plains	None	There are no flood plains located within the project area.
Hazardous or Solid Wastes	None	No comments.
Water Quality (Surface and Ground)	Minimal short term effect on surface water.	Since operations under this proposed action are planned for periods of dry weather during the summer of 2003, degradation of water quality via sediment delivery to a stream channel is not anticipated.
Wetlands/Riparian Zones (Executive Order 11990, Protection of Wetlands, 5/24/77)	Minimal	Since operations in riparian reserves would be limited to only those trees or portions of trees located within 25 feet of existing roads, impacts should be minimal.
Wild and Scenic Rivers	None	There are no wild and scenic rivers located within the project area.
Wilderness	None	There is no wilderness located within the project area.
Invasive, Nonnative Species (includes Executive Order 13112, Invasive Species, 2/3/99)	None	The proposed action is not predicted to result in an increase in noxious weeds and/or invasive, nonnative species.

Table 1. Critical Elements of the Environment. This table lists the critical elements of the environment, which are subject to requirements specified in statute, regulation, or executive order and the interdisciplinary team’s predicted environmental impact per element if the proposed action was implemented.

CRITICAL ELEMENTS OF THE ENVIRONMENT	ENVIRONMENTAL EFFECT	INTERDISCIPLINARY TEAM’S COMMENTS
Environmental Justice (Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-income Populations, 2/11/94)	None	The proposed action is not anticipated to have adverse human health or environmental effects on minority populations and low-income populations.

Table 2. Other Elements of the Environment. This table lists other elements of the environment, which are subject to requirements specified in law, regulation, policy, or management direction and the predicted environmental impact per element if the proposed action was implemented.

ELEMENTS OF THE ENVIRONMENT	ENVIRONMENTAL EFFECT	INTERDISCIPLINARY TEAM’S COMMENTS
Land Uses (including mining claims, mineral leases, etc.)	None	There are no known mining claims or mineral leases located within the project area.
Minerals	None	No comments.
Recreation	None	Recreation is limited in this area due to locked gates on privately controlled access roads.
Soils	Minimal	Disturbance is limited to previously compacted surfaces along an existing roadway.
Visual Resources	None	The proposed action would comply with VRM Class 3 guidelines. Minimal disturbance observable during repair period but should not dominate view of the casual observer.

Table 2. Other Elements of the Environment. This table lists other elements of the environment, which are subject to requirements specified in law, regulation, policy, or management direction and the predicted environmental impact per element if the proposed action was implemented.

ELEMENTS OF THE ENVIRONMENT	ENVIRONMENTAL EFFECT	INTERDISCIPLINARY TEAM'S COMMENTS
Water Resources (including Aquatic Conservation Strategy Objectives, beneficial uses, etc.)	None to minimal	The proposed action would not retard or prevent the attainment of the Aquatic Conservation Strategy objectives (see Table 3). The proposed action would have no effect on the following beneficial uses: Public Water Supply, Private Domestic Water Supply, Irrigation, Maintenance of Aesthetic Quality, and Recreation. Additionally, the proposed action would have no effect on the following elements: DEQ (Oregon Department of Environmental Quality) 303d listed streams, DEQ 319 assessment, water temperature and water quantity, and would have minimal effect on sedimentation (see Table 1, Water Quality for more detail).
Coarse Woody Debris	None	No comments.
Bureau Sensitive and Special Attention Plant Species/Habitat (including Survey and Manage species)	None	There are no known Bureau sensitive and special attention plant species/habitat located within the project area. Since the proposed action occurs on a previously disturbed roadway, there is no requirement to perform pre-project surveys.
Bureau Sensitive and Special Attention Wildlife Species/Habitat (including mammal Survey and Manage and mollusks)	None	There are no known Bureau sensitive and special attention wildlife species/habitat located within the project area.
Fish Species with Bureau Status and Essential Fish Habitat	None	No Bureau special status species present. Consultation with NOAA Fisheries for Essential Fish Habitat designated by the Magnuson-Stevens Fishery Conservation and Management Act is covered under The Northwest Oregon Programmatic Biological Opinion dated 2/25/03.
Rural Interface Areas	None	Action is not within a Rural Interface Area.

Table 3. Aquatic Conservation Strategy Objective Review Summary. This table documents the predicted effects on the nine ACS (Aquatic Conservation Strategy) Objectives identified on pages 5-6 of the Salem District Resource Management Plan, dated May 1995, if the proposed action was implemented.

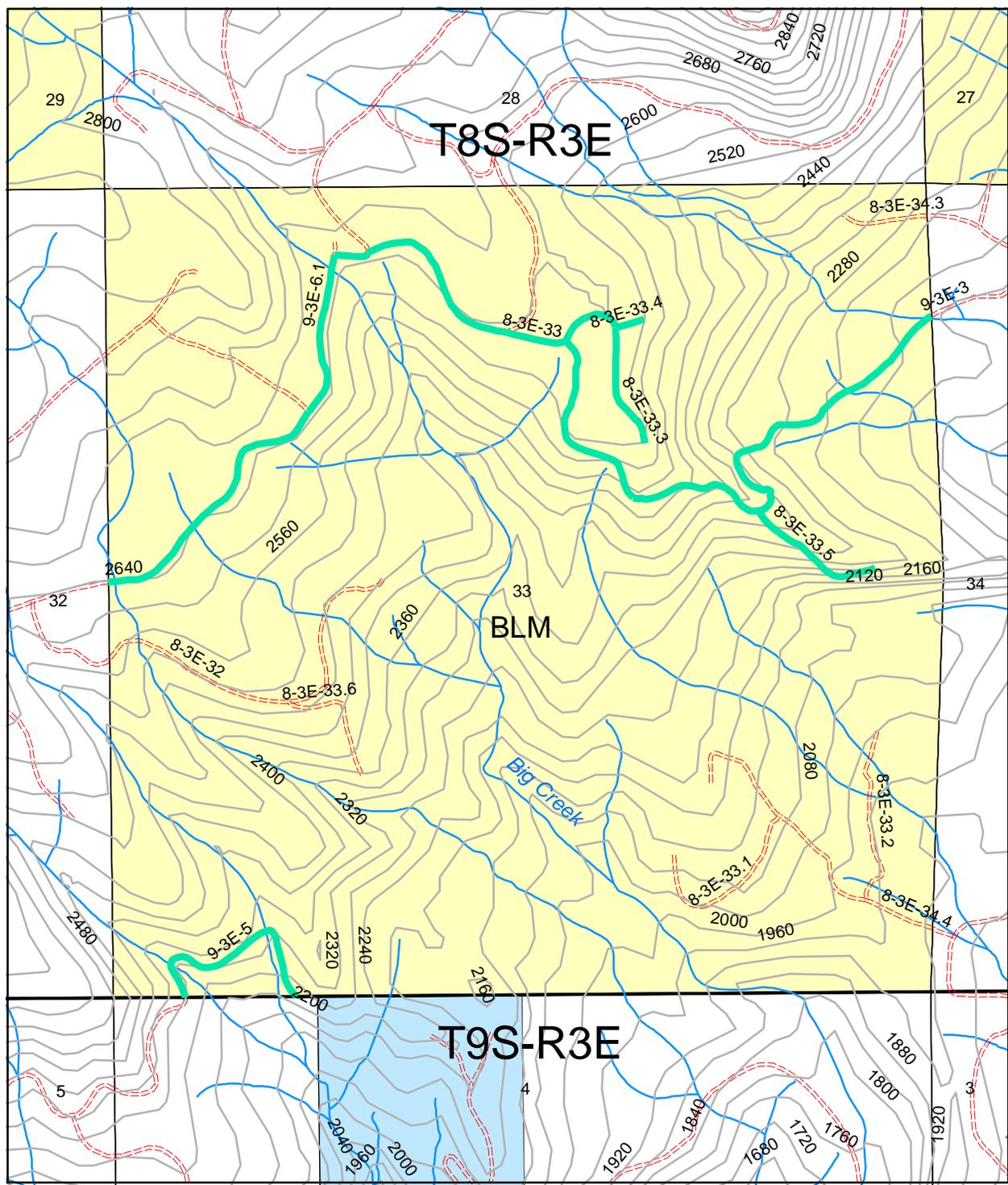
Aquatic Conservation Strategy Objectives	Does the project retard or prevent attainment of this ACS objective?	Remarks / References If yes, how? If no, why not?
1) Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of aquatic systems to which species, populations and communities are uniquely adapted.	Yes ___ No <u>X</u> N/A	Scope of project is small and should not have affects over the watershed or landscape-scale features.
2) Maintain and restore spatial and temporal connectivity within and between watersheds.	Yes ___ No ___ N/A <u>X</u>	The action would have no effect on the spatial and temporal connectivity within and between watersheds.
3) Maintain and restore physical integrity of the aquatic system including shorelines, banks and bottom configurations.	Yes ___ No <u>X</u>	Maintains current condition.
4) Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.	Yes ___ No <u>X</u> N/A	Since operations under this proposed action are planned for periods of dry weather during the summer of 2003, degradation of water quality via sediment delivery to a stream channel is not anticipated.
5) Maintain and restore the sediment regime under which aquatic ecosystems evolved.	Yes ___ No <u>X</u> N/A	The action reduces risk of increased fine sediment delivery to streams by repairing road structures that are currently failing.
6) Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.	Yes ___ No <u>X</u> N/A	Maintains current condition.
7) Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.	Yes ___ No <u>X</u> N/A	Maintains current condition.

Table 3. Aquatic Conservation Strategy Objective Review Summary. This table documents the predicted effects on the nine ACS (Aquatic Conservation Strategy) Objectives identified on pages 5-6 of the Salem District Resource Management Plan, dated May 1995, if the proposed action was implemented.

Aquatic Conservation Strategy Objectives	Does the project retard or prevent attainment of this ACS objective?	Remarks / References If yes, how? If no, why not?
<p>8) Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands to provide adequate summer and winter thermal regulation, nutrient filtering, and appropriate rates of surface erosion, bank erosion, and channel migration, and to supply amounts and distributions of coarse woody debris sufficient to sustain physical complexity and stability.</p>	<p>Yes ___ No <u>X</u> N/A ___</p>	<p>Minor disturbances to plants within the riparian reserve is expected during operations, however, the scope of the project is small and should not affect overall plant communities.</p>
<p>9) Maintain and restore habitat to support well-distributed populations of native plant, invertebrate, and vertebrate riparian dependent species.</p>	<p>Yes ___ No <u>X</u> N/A</p>	<p>Minor disturbances to habitats within the riparian reserve is expected during culvert work, however, the scope of the project is small and should not affect overall populations in the riparian reserves.</p>

Big Creek/Sinker Creek Road Drainage Repairs

Project Roads Map



1:12,000

Legend

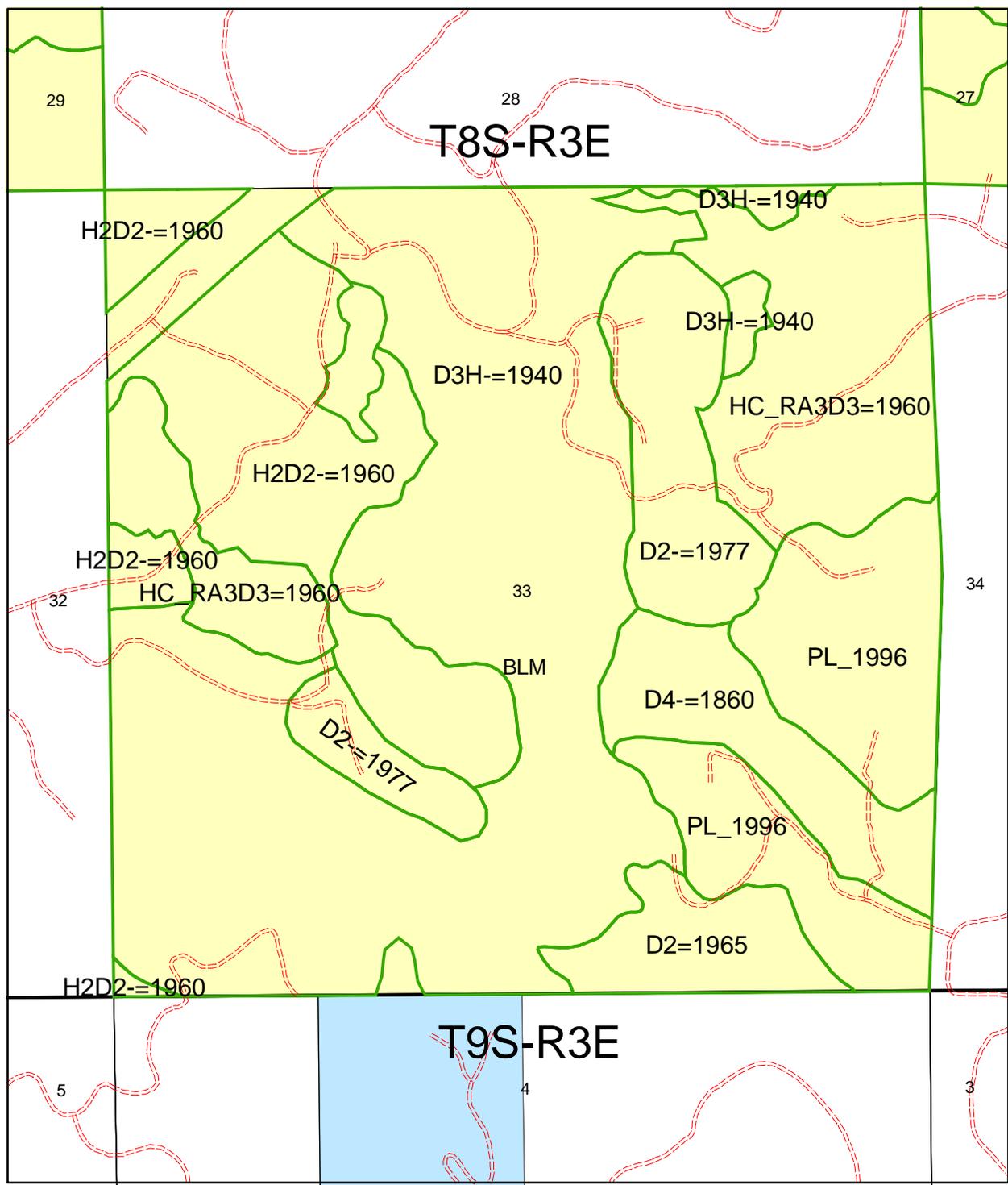
- Roads
- Streams
- Project Roads

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of this data for individual use or aggregate use with other data.



Big Creek/Sinker Creek Road Drainage Repairs

Vegetation Type & Age Map



1:12,000

Legend

-  Vegetation
-  Roads

No Warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of this data for individual use or aggregate use with other data.



INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

- DO NOT APPEAL UNLESS
1. This decision is adverse to you.
- AND**
2. You believe it is incorrect.

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED:

1. **NOTICE OF APPEAL** Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Sections 4.411 and 4.413). You may state your reasons for appealing, if you desire.

**2. WHERE TO FILE
NOTICE OF APPEAL-**

Responsible Official
Bureau of Land Management
1717 Fabry Road S.E.
Salem, OR 97306

**SOLICITOR
ALSO COPY TO-**

Regional Solicitor
Pacific Northwest Region
500 N.E Multnomah St., Suite 607
Portland, OR 97232

3. **STATEMENT OF REASONS** . Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the **Interior Board of Land Appeal, Office of Hearings and Appeals, U. S. Department of the Interior, 801 North Quincy St. Suite 300, Arlington, VA 22203.** (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary.

**SOLICITOR
ALSO COPY TO-**

SAME AS 2B

4. **ADVERSE PARTIES** Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).

5. **PROOF OF SERVICE** Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, VA. 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Section 4.401(c)(2)). Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a)).

SUBPART 1821.2 - - OFFICE HOURS; TIME AND PLACE FOR FILING

Sec. 1821.2-1 *Office hours of State Offices*. State Offices and the Washington Office of the Bureau of Land Management are open to the public for the filing of documents and inspection of records during the hours specified in this paragraph on Monday through Friday of each week, with the exception of those days where the office may be closed because of a national holiday or Presidential or other administrative order. The hours during which the State Offices and the Washington Office are open to the public for filing of documents and inspection of records are for 10 am to 4 pm, standard time or daylight saving time, whichever is in effect at the city in which each office is located.

Sec. 1821.2-2(d). Any document required or permitted to be filed under the regulations of this chapter, which is received in the Winnemucca Field Office, either in the mail or by personal delivery, when the office is not open to the public shall be deemed to be filed as of the day and hour the office next opens to the public.

Sec. 1821.2-2(e). Any document required by law, regulation, or decision to be filed within a stated period, the last day of which falls on a day the Winnemucca Field Office is officially closed, shall be deemed to be timely filed if it is received in the appropriate office on the next day the office is open to the public.