



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
ASHLAND RESOURCE AREA
3040 Biddle Road
Medford, Oregon 97504



FOREST CREEK BRIDGE EA NO. OR116-07-01

DECISION RECORD

and

FINDING OF NO ADDITIONAL SIGNIFICANT IMPACT (FONASI)

INTRODUCTION

This Decision Record documents my decision and rationale for the selection of a course of action to be implemented for the Forest Creek Bridge construction. The Environmental Assessment (EA) for the Forest Creek Bridge documents the environmental analysis conducted to estimate the site-specific effects on the human environment that may result from the implementation of the project. The Forest Creek Bridge EA was issued for public review on October 26, 2006; the public review period ended on November 9, 2006.

The Environmental Assessment (EA) summarizes the analysis of a project proposal submitted by the Applegate River Watershed Council (ARWC) to improve water quality and fish habitat on Forest Creek. This project was proposed for and received approval for funding under Title II of the *Secure Rural Schools and Community Self Determination Act of 2000*.

THE DECISION & RATIONALE

It is my decision to authorize the implementation of the proposed action as described in the Forest Creek Bridge EA because I believe it best meets the purpose and need as identified in the Applegate River Watershed Council's project proposal with acceptable physical and biological environmental consequences on the human environment.

My decision authorizes:

The (ARWC) to build a crossing bridge at the feedlot along Forest Creek to improve water quality and fish habitat. The project is located on private land in 38S-3W-27 near BLM-administered lands within the Applegate River Watershed. This Action involves the construction of a bridge to cost effectively allow movement of cattle from one side of Forest Creek to the other while keeping cattle out of the stream channel. This structure would also allow free migration of fish during migration periods.

PLAN COMPLIANCE

The above project has been reviewed and found to be in conformance with and tiered to the 1995 *Medford District Record of Decision and Resource Management Plan*, as amended by the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (USDI, USDA 2001) and by the *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and*

Resource Management Plans for Nineteen National Forests within the Range of the Northern Spotted Owl to Clarify Provisions Relating to the Aquatic Conservation Strategy. The Medford District Resource Management Plan incorporated the *Record of Decision 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.* (NWFP) (USDA and USDI 1994). These documents are available at the Medford BLM office and the Medford BLM.

The Ashland Resource Area wildlife biologist and botanist visited the site to determine if suitable habitat for listed or proposed Endangered Species Act (ESA) species existed in the project area. No suitable habitat for terrestrial wildlife or botany species exists within the project area, therefore no surveys are required.

A review of this project was made by the Medford BLM fish biologist to determine if there were adverse effects from this action to any listed or proposed ESA fish. A determination was made that no habitat modification or effects will occur to listed or proposed fish.

FINDING OF NO ADDITIONAL SIGNIFICANT IMPACT (FONASI)

I have considered both context and intensity of the impacts anticipated from the Forest Creek Bridge Project relative to each of the ten significance criteria suggested by the CEQ. I have determined that my decision to implement the proposed alternative as described in this Decision will not have any significant adverse effects. Additionally, the effects described within the Forest Creek Bridge EA are within the range of effects described in broader analyses which includes the Environmental Impact Statements for the Medford District Resource Management Plan, the Northwest Forest Plan, and subsequent Supplemental EISs to the Northwest Forest Plan, or the effects have been determined to be insignificant.

ADMINISTRATIVE REMEDIES

Any party to a case who believes they may be adversely affected by a decision of an officer of the Bureau of Land Management 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 (Board), in accordance with the regulations contained in 43 CFR part 4. If an appeal is taken, a notice of appeal must be filed in this office within thirty (30) days of the Notice of Decision for transmittal to the Board. If your notice of appeal does not include a statement of reasons, such statement must be filed with the Board within 30 days after the notice of appeal was filed. A copy of your notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 500 N.E. Multnomah Street, Suite607, Portland, Oregon 97232. In taking an appeal, there must be strict compliance with the regulations.

According to 43 CFR Part 4, you have the right to petition the Office of Hearings and Appeals to stay the implementation of the decision; however, you must show standing and present reasons for requesting a stay of the decision. A petition for 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 appellants 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.

Should you choose to file, your stay request must accompany your notice of appeal. A notice of appeal with petition for stay must be served upon the Board, Regional Solicitor, and adverse party at the same time such documents are served on the deciding official at this office.



John Gerritsma
Field Manager, Ashland Resource Area
Medford District, Bureau of Land Management

1/25/07
Date

References

- U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 2004. *Record of Decision Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests within the Range of the Northern Spotted Owl to Clarify Provisions Relating to the Aquatic Conservation Strategy*. Portland, OR.
- U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 2004. *Final SEIS Clarification of Language in the 1994 Record of Decision for the Northwest Forest Plan National Forests and Bureau of Land Management Districts within the Range of the Northern Spotted Owl*.
- U.S. Department of Agriculture, Forest Service and U. S. Department of the Interior, Bureau of Land Management. 2001. *Record of Decision and Standards and Guidelines for Amendment to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*. Portland, OR.
- U.S. Department of Agriculture, Forest Service and U. S. Department of the Interior, Bureau of Land Management. 2001. *Final Supplemental Environmental Impact Statement For Amendment to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*. Portland, OR.
- U.S. Department of the Interior, Bureau of Land Management, Medford District Office. 1995. *Medford District Record of Decision and Resource Management Plan*. Medford, OR.
- U.S. Department of the Interior, Bureau of Land Management, Medford District Office. 1994. *Medford District Proposed Resource Management Plan/Environmental Impact Statement*. Medford, OR.
- U.S. Department of Agriculture, Forest Service and U.S. Department of the Interior, Bureau of Land Management. 1994. *Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*. Portland, OR.
- USDA Forest Service and USDI Bureau of Land Management. 1994. *Final SEIS On Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan)*. Regional Ecosystem Office, Portland, OR.