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Hellgate Viewpoints Renovation Project

Dear Interested Citizen:

In August 2007, the Grants Pass Resource Area completed the Hellgate Viewpoints Renovation Environmental Assessment (EA). The BLM proposed safety improvements to two designated day-use sites within the Dunn Reach (Hog Creek to Grave Creek) of the Rogue National Wild and Scenic River Hellgate Recreation Section.

We received comments from the public about the project and have reviewed them closely. Based on comments, the EA, project records, our resource management plan, the *Hellgate Recreation Area Management Plan* (RAMP 2004), and the *Rogue National Wild and Scenic River, Oregon: Notice of Revised Development and Management Plan* of 1972, I have made a decision to implement the renovation of the two designated day-use sites: the Hellgate Canyon Viewpoint and the Hellgate Bridge Viewpoint.

This decision improves public safety and interpretive and educational signing, and also enhances the day users' recreation experience, while protecting the environment and the outstandingly remarkable values (ORVs) of the Rogue National Wild and Scenic River: natural scenic qualities, fisheries resources and recreational opportunities. Visitors use the two day-use sites to view the Rogue's Hellgate Canyon and surrounding landscape. Renovation of these sites will also meet ADA accessibility requirements. BLM's renovation of the Hellgate Canyon (T35S R7W, Section 10) and Hellgate Bridge (T35S R7W, NE ¼ of Section 9) Viewpoints will proceed as budget and staff constraints allow. The project is expected to begin in 2008 and may extend over a period of a few years.

Administrative remedies may be available to persons who believe that they will be adversely affected by this decision. Persons wishing to seek administrative recourse must do so in accordance with BLM regulations and the procedures and requirements of 43 CFR, Subtitle A, Part 4, Department Hearings and Appeals Procedures, and Subparts A, B and E. The effective date of this decision will be the date of publication of this Notice of Decision in The Grants Pass Daily Courier. Publication of this notice establishes the date initiating the appeal period provided for in accordance with 43 CFR Part 4. Any contest of this decision should state specifically which portion or element of this decision is being protested and cite the applicable CFR regulations.

This decision is documented in the Decision Record/Finding of No Significant Impact (FONSI), which along with the EA, is available at our Grants Pass Interagency Office (2164 NE Spalding Ave., Grants Pass, OR 97526). If you have questions about the project, please contact Cori Cooper (project lead) at (541) 471-6556 or Tony Kerwin (Environmental Planner) at (541) 471-6564.

We appreciate your interest and involvement in this project and thank you for your continuing interest in the resource management activities of the BLM and the Grants Pass Resource Area.

Sincerely,
Abbie Jossie
Field Manager
Grants Pass Resource Area



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
GRANTS PASS INTERAGENCY OFFICE
2164 NE SPALDING AVENUE
GRANTS PASS, OREGON 97526

Hellgate Viewpoints Renovation Project Rogue National Wild and Scenic River

EA# OR117-07-03

DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT

I. Introduction

The BLM's interdisciplinary planning team has designed the Hellgate Viewpoints Renovation Project based on current resource conditions in the project area and to meet the objectives and direction of the *Rogue National Wild and Scenic River: Hellgate Recreation Area Management Plan (RAMP)* of July 2004, and the *Rogue National Wild and Scenic River, Oregon: Notice of Revised Development and Management Plan* of 1972, the Medford District Resource Management Plan (RMP), and the Northwest Forest Plan (NFP).

The Environmental Assessment (EA) analyzed the renovation of two designated day-use areas located within the Hellgate Recreation Section of the Rogue National Wild and Scenic River corridor: the Hellgate Canyon Viewpoint and the Hellgate Bridge Viewpoint. The project sites lie within the Dunn Reach (between Hog Creek and Grave Creek) in the Congressionally-designated Rogue National Wild and Scenic River corridor.

The Hellgate Recreation Area, 27 miles of the Rogue National Wild and Scenic River, is classified as a recreational river area. A recreational river is defined by Congress as a river that is readily accessible by road or railroad, may have some development on its shoreline, and may have been impounded or diverted in the past. Management of this area gives primary emphasis to protecting the values that make it outstandingly remarkable, while providing a diversity of river-related recreational opportunities in a developed setting. The outstandingly remarkable values (ORVs) for the Rogue River, as identified by Congress are: natural scenic qualities, fisheries resources, and recreational opportunities. This project is intended to enhance the recreational experience of visitors, and improve visitor safety at the two designated day-use sites.

II. Background

Planning for this project began in June 2007. Letters describing BLM's proposal to renovate two designated day-use sites within the Rogue National Wild and Scenic River Hellgate Recreation Section were sent to 195 interested individuals, local and state governments, organizations, river-related businesses/outfitters and neighboring landowners. Four scoping letters were received in response to the proposal to renovate the Hellgate Canyon and the Hellgate Bridge Viewpoints; two were from individuals, one from an organization, and one from a Confederate Tribe of Indians. There were no comments opposing the project. Other comments were submitted in support of the project, but expressed concerns regarding visuals and safety. Commenters requested that the changes (design and materials) not be intrusive, and that safety be addressed during project implementation.

In response to issues and concerns raised during internal and external scoping, the EA was prepared and released for a 30-day comment period. During this period, four letters were received in support of the proposal.

Two alternatives were analyzed in the EA (August 2007): 1) the No Action Alternative, which would not implement any aspect of the proposed action; and 2) the Action Alternative, which proposed to repair the Hellgate Canyon Viewpoint parking area and rebuild the existing rock wall that surrounds the parking area. In addition, this alternative proposed to surface the Hellgate Bridge Viewpoint and construct a rock wall around the site.

III. Decision

Based on recommendations from the planning team, public comments, and careful consideration of the objectives of the laws, regulations, and planning documents and NEPA analysis governing these lands, it is my decision to implement the Action Alternative and renovate the Hellgate viewpoints as described in the EA.

Under the Action Alternative, renovation of the Hellgate Canyon (T35S R7W, Section 10) and Hellgate Bridge (T35S R7W, NE ¼ of Section 9) Viewpoints will proceed as budget and staff constraints allow. The project is expected to begin in 2008 and may extend over a period of a few years. The sites and activities are as follows:

Site A – Hellgate Canyon Viewpoint – (T35S R7W, Section 10)

The existing curb will be replaced with a three foot height rock wall with a concrete cap using native materials and colors that blend with the surrounding landscape. The concrete cap and three foot height will allow recreationists to safely enjoy the view. The rock wall will also prevent vehicles from stopping too close to the edge, as well as screen the view of the vehicles from the river corridor. To allow a space between the rock wall and vehicles, natural material (timber or rounded split logs anchored with rebar), or a low curb will be used as vehicle stops to define vehicle parking spaces. The existing parking area will be regraded and paved to be compliant with ADA accessibility requirements. The new rock wall will provide an integrated connection between the rock wall and existing guard rail along the road.

New interpretive signs and the existing bronze plaque will be arranged together as part of the new rock wall. One of the interpretive signs will describe the values of the Rogue National Wild and Scenic

River as well as describe the array of recreational activities to be enjoyed throughout the area. Another interpretive sign will describe the cultural or natural history of the Rogue River corridor through the interpretation of special landmark features, historic sites, wildlife, or botanical species and unique vegetation zones found along the river.

Site B - Hellgate Bridge Viewpoint – (T35S R7W, NE ¼ of Section 9)

A rock wall similar to the one designed for the Hellgate Canyon Viewpoint will be built. It will also consider safety, function, and aesthetic issues with its three foot height, concrete cap, and use of native materials that blend with the surrounding landscape. The rock wall will be set back 10-20 feet from the edge to minimize the visibility of the wall as viewed from the river. The wall will have an opening to provide access to several informal trails that lead down to the river. A design element (such as large, semi-buried stones within a curbed landscape planter, or a rock wall echoing the wall overlooking the river) will define a two-way exit and entry into the viewpoint parking area. The existing parking area will be paved to be compliant with ADA accessibility requirements and the existing interpretive signs and kiosk would remain, or be improved.

IV. Rationale

Alternative 1, the No Action Alternative, is rejected because public safety is a primary issue and with No Action, visitor safety will not be improved. The safety of visitors to the Rogue River corridor is essential to the BLM. Additionally, without renovation of the two viewpoints, the visitor experience will not be enhanced and no additional resource interpretive information will be provided.

The Action Alternative is selected to improve public safety, improve interpretive and educational signing, and enhance the day users' recreation experience, while protecting the environment and the outstandingly remarkable values (ORVs) of the Rogue National Wild and Scenic River: natural scenic qualities, fisheries resources and recreational opportunities. The project provides for diversified recreational opportunities (RAMP p. 2), and addresses the need to improve and enhance visitor safety at two developed day-use sites, the Hellgate Canyon and the Hellgate Bridge Viewpoints (RAMP p. 5).

The Hellgate Canyon and Bridge Viewpoints are located along the well-traveled Galice-Hellgate National Back Country Byway and the Rogue National Wild and Scenic River. Local residents, recreationists, and in- and out-of-state tourists use the road to access the Rogue National Wild and Scenic River corridor area for recreational opportunities (e.g., whitewater rafting, boat and bank angling, cycling, camping, hiking, sight-seeing, and driving-for-pleasure). Visitors use the two day-use sites to view the Rogue's Hellgate Canyon and surrounding landscape.

The renovation of these two designated day-use sites will improve safety at these viewpoints. It will provide necessary safe viewpoints to the sightseers and recreationists who stop to view the river and the surrounding landscape, as well as enjoy the recreational opportunities the two areas have to offer. It also meets ADA accessibility requirements.

This alternative addresses the issues and concerns identified in the EA (EA pp. 4-5) and it mitigates (EA pp. 6-7, PDFs) impacts to human and natural resources, decreasing impacts to the Wild and Scenic Rogue River's Outstandingly Remarkable Values (ORV).

The renovation of the two designated day-use sites will not affect the river corridor's aesthetic features,

such as its geology, topography, and the relatively undeveloped visual appearance. Therefore, there will be no impact to the natural scenic quality ORV because materials and colors will blend with the surrounding landscape. The recreational opportunities ORV will not be negatively impacted, but will be enhanced by improving the sites to provide a safe area in which to enjoy the corridor. The fisheries resources ORV will not be negatively impacted; project design features will protect this ORV and there will be no alteration of the biological processes.

Overall, the project design features will minimize the overall change in the character within the landscape area and the project is consistent with and would meet the VRM Class I objective as identified in the RMP (USDI 1995) and BLM H-8410-1, Visual Resource Inventory Handbook (USDI 1986).

V. Public Involvement

In June 2007, 195 letters describing BLM's proposal to renovate two designated day-use sites within the Rogue National Wild and Scenic River Hellgate Recreation Section were sent to interested individuals, local and state governments, organizations, river-related businesses / outfitters and neighboring landowners. Four scoping letters were received in response to the proposal to renovate the Hellgate Canyon and the Hellgate Bridge Viewpoints; two were from individuals, one from an organization, and one from a Confederate Tribe of Indians. Two commenters responded that they wanted to be kept informed about the project, but had no comments to offer. There were no comments opposing the project. Other comments were submitted in support of the project, but expressed concerns regarding visuals and safety. Commenters requested that the changes (design and materials) not be intrusive, and that safety be addressed during project implementation.

In response to issues and concerns raised during internal and external scoping, the EA was prepared and released in August 2007 for review and available for a formal 30-day public comment period by an announcement in the Grants Pass Daily Courier. During this period, four comment response letters to the EA were received in support of the Hellgate Viewpoints Renovation Project.

VI. Consultation and Coordination

The project will not adversely impact any sites of cultural or historical significance. As the project will not affect any sites, consultation with the State Historic Preservation Office (SHPO) is not required.

The Confederated Tribes of the Siletz and the Grande Ronde were notified of this project during scoping and the EA's public comment period. Also notified were: local/state governments, such as Josephine County Commissioners, Josephine County Forestry Department, Oregon Division of State Lands, Oregon State Marine Board, Oregon Parks and Recreation, Oregon Department of Forestry, Oregon Department of Transportation, Grants Pass Chamber of Commerce; and various interested individuals, organizations, river-related businesses/outfitters and neighboring landowners.

As no Threatened or Endangered plant or animal species are anticipated to be affected by project activities, consultation with the U. S. Fish and Wildlife Service is not required.

VII. Conclusion and Finding of No Significant Impact (FONSI)

A. Plan Consistency

Based on the information in the Hellgate Viewpoints Renovation Project EA, in the record, and from the letters and comments received from the public about the project, I conclude that this decision is consistent with:

- Final EIS and ROD for the *Medford District Resource Management Plan (RMP)* (1995);
- *Rogue National Wild and Scenic River, Oregon: Notice of Revised Development and Management Plan* of 1972 (Federal Register Vol. 37, No. 131, 13408-13416);
- *Rogue National Wild and Scenic River: Hellgate Recreation Area Management Plan* FEIS (2003), and Plan (RAMP) and ROD (2004);
- *Final Supplemental EIS and ROD for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl* (NWFP FSEIS 1994) and ROD (1994);
- *Final Supplemental EIS: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS 2004 and ROD 2004);
- *Final Supplemental EIS and ROD and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (FSEIS 2000 and ROD 2001) and amendments or modifications as of March 21, 2004; and
- *Medford District Integrated Weed Management Plan EA* (1998) and tiered to the *Northwest Area Noxious Weed Control Program* (EIS 1985).

This decision is consistent with the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

B. Finding of No Significant Impact

Based on information in the EA and comments received from the public, it is my determination that this decision will not result in significant impacts to the quality of the human environment. Anticipated impacts are within the range of effects addressed by the Medford District Resource Management Plan (RMP), the Northwest Forest Plan (NFP), and the Recreation Area Management Plan (RAMP).

This conclusion is based on my consideration of the CEQ's criteria for significance (40 CFR §1508.27), regarding context and intensity of the impacts described in the EA and on my understanding of the project. I have considered the intensity of the impacts anticipated from the Action Alternative relative to each of the ten areas suggested by the CEQ, including:

1) Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects. The project identified both beneficial and potential adverse impacts. However, none of the individual or cumulative effects have been identified as being significant (see EA). Impacts are either minimal or immeasurable, or within the scope of the EISs to which the EA is tiered.

a) *Botany*. Special Status Botanical Species: There will be no effect on federally listed plants because they are not present in the project area. There will be no impact to Bureau Special Status botanical species or Survey and Manage botanical species or habitat because they are not present in the project area. Noxious Weeds: There will not be any introduction or spread of noxious weeds in the project area at a level above what is caused by the road (EA, PDFs, p. 7); PDFs have been designed to minimize the introduction and spread of noxious weeds that may occur with implementation of this project.

b) *Fisheries ORV*. Improvements to the existing walls and parking areas at Hellgate Canyon and Hellgate Bridge Viewpoints would not affect shade, temperature, or LWD of the river. PDFs for wall construction would prevent sediment delivery or toxic substances from reaching the Rogue River. Resurfacing the existing parking area at the Canyon viewpoint and surfacing the Hellgate viewpoint is not expected to create sediment delivery mechanisms to the Rogue River (EA, PDFs, p.6) and will improve drainage and decrease erosion in the long term. No negative effects are expected to the fisheries ORV or aquatic resources.

c) *Wildlife*. No effects are anticipated to T&E, federal candidate, S&M, or Bureau special status wildlife species since there are no known locations within or adjacent to the project area, and no habitat will be removed or disturbed as a result of this project. Ground disturbance will only occur in areas that have already been disturbed. Since there are no Bald Eagle, Osprey, or Great Blue Heron nests located in the vicinity of project area, no seasonal restrictions are necessary. However, if new nests are discovered prior to implementation, the appropriate seasonal restrictions will be applied (EA, PDFS, p. 6) The project will not affect long term population viability of any species known to be in the area or lead to the need to list sensitive wildlife species because no habitat modification would occur and seasonal restrictions during the critical nesting season would preclude disturbance.

d) *Recreational Opportunities ORV*. Recreational opportunities will be enhanced and visitors' safety will be improved. Visitors' safety at these viewpoints will provide the necessary safe viewpoints to the visitors who stop at these two designated day-use sites, ensuring visitors have a safe environment to view the river and surrounding landscape. Updating interpretive information will enhance resource education, informing visitors about the Rogue National Wild and Scenic River. No negative effects are expected to the Recreational Opportunities ORV.

e) *Soil & Water*. Since neither of these facilities will be built on native soil and no soil will be imported to the facilities, there will be no effect to soil or its productivity. Improvements to the existing Hellgate Canyon and Hellgate Bridge Viewpoints will not affect existing shade, and therefore will not affect the temperature of the river.

Project design features (EA, PDFs, p. 6) will keep sediment and toxic substances from reaching the Rogue River. Resurfacing the existing parking area at the Hellgate Canyon and surfacing the Hellgate Bridge Viewpoints are not expected to create sediment delivery mechanisms to the Rogue River (EA, PDFs, p. 6). The resulting project will improve drainage and reduce existing sediment levels off the parking area at the Hellgate Canyon and the Hellgate Bridge Viewpoints.

f) *Cultural Resources*. There are no known cultural resources, other than the CCC era wall segments, that could be impacted. The wall segments will be retained intact and protected from damage during project activities. No impacts are expected on cultural resources. However, if cultural resources are discovered, they will be protected (EA, PDFs, p. 7).

g. Natural Scenic Qualities ORV. The Hellgate Canyon Viewpoint will not be noticeable to the casual observer on the river since its rock-walled design and colors will blend in with the existing environment (EA, PDFs, p. 7); however, the observer could be drawn to the canyon viewing area if sightseers or vehicles are at this designated day-use site. As viewed from the Galice-Hellgate National Back Country Byway (aka the Merlin-Galice Road), this site will blend in with the existing area and will not be an immediate visual attraction to the casual observer traveling the byway because the colors and materials will blend in with the geological landscaped character of the cliffs at the overlook area.

The casual observer (river user) will probably detect portions of the wall at the Hellgate Bridge Viewpoint; however, it will be set back far enough from the flat's edge to minimize the contrast of the edge effect the wall may have. Paving this site will not be noticeable from the river, although it will be from the Merlin-Galice Road. As viewed from the Merlin-Galice Road, the addition of a rock wall will be noticeable; however, the colors and materials will blend with the general area to minimize visual contrasts and keep vehicles from the flat's edge. No negative effects are expected to the Natural Scenic Quality ORV.

2) The degree of the impact on public health or safety. No aspects of the project have been identified as having the potential to significantly and adversely impact public health and safety. The renovation of the Hellgate Canyon and Hellgate Bridge Viewpoints improves public health and safety on public lands, and meets ADA accessibility requirements.

3) Unique characteristics of the geographic area. Project activities will not affect the river corridor's aesthetic features, such as its geology, topography, and the relatively undeveloped visual appearance. There will be little impact to the Natural Scenic Quality Outstandingly Remarkable Value (ORV).

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial effects. No effects are expected to be controversial. Impacts from this type of activity as proposed are acknowledged in the EA. While there may be some concern with the proposed action in a VRM Class I setting, none of the effects are expected to be highly controversial. Colors and materials will blend in with the geological landscaped character of the general area.

5) The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks. The analysis does not show that this action will involve any unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The action and the decision will not set any precedents for future actions with significant effects because the project is site specific with no application to future actions; it does not set precedent for future action. Any future projects will be evaluated through the National Environmental Policy Act process and will stand on their own as to environmental effects.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Analyses were performed for each resource and included current conditions, proposed actions, and foreseeable actions. No significant cumulative impacts have been identified. Any future projects in the area will be analyzed for cumulative effects in light of this project as appropriate for each resource.

8) *The degree to which the action may adversely affect National Historic Register listed or eligible to be listed sites or may cause loss or destruction of significant scientific, cultural or historical resources.* Two CCC era wall segments will be left in place and intact during project renovation to maintain cultural resources from this historic era. Cultural resource sites within the project area will be protected according to the project design features outlined (EA, PDFs, p. 7).

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* There is no anticipated effect to ESA listed species or critical habitat. The project does not occur within critical habitat for any species and no ESA listed species are in the small, localized project area.

10) *Whether the action threatens a violation of environmental protection law or requirements.* There is no indication that this decision will result in actions that will threaten a violation of any environmental laws.

VIII. Administrative Remedies

Administrative remedies may be available to persons who believe that they will be adversely affected by this decision. Persons wishing to seek administrative recourse must do so in accordance with BLM regulations, and the procedures and requirements of 43 CFR, Subtitle A, Part 4, Department Hearings and Appeals Procedures, and Subparts A, B and E.

Appeals may be made to the Office of Hearings and Appeals, Office of Secretary, U.S. Department of the Interior, Board of Land Appeals (Board), in accordance with the regulations contained in 43 CFR Part 4. Notice of appeals must be filed in this office within 30 days after the publication date of this decision. If your notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal is 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 Interior, 500 NE Multnomah Street, Suite 600, Portland, Oregon 97232, and Carson Helicopter Inc., 828 Brookside Blvd., Grants Pass, OR 97526. In taking an appeal, there must be strict compliance with the regulations.

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 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.

If your notice of appeal does not include a statement of reasons, one must be filed with the Board within thirty (30) days after the notice of appeal is filed. Should you choose to file one, your stay request should accompany your notice of appeal. Any contest of this decision should state specifically which portion or element of this decision is being protested and cite the applicable CFR regulations.

Publication of this notice in The Grants Pass Daily Courier establishes the date initiating the appeal period provided for in accordance with 43 CFR Part 4. The effective date of this decision will be 30 days following the date of publication of the Notice of Decision. Any person whose interest is adversely affected by this decision may appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Abbie Jossie
Field Manager, Grants Pass Resource Area
Medford District, Bureau of Land Management

Date