



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
3040 BIDDLE ROAD  
MEDFORD, OREGON 97504

## DECISION RECORD/RATIONALE/FONSI Rand Recreation Site Vault Toilet Installation (EA # OR117-05-05)

### I. DECISION

The decision is to implement the proposed action for the Rand Recreation Site Vault Toilet Installation as described in its environmental assessment (EA). Implementation of this decision will include all project design features as described in the EA.

### II. RATIONALE

This project will replace a pit toilet with a universally accessible vault toilet, which will eliminate contamination of the site and ground water that might occur as a result of the existing pit toilet. The new vault toilet will meet public health and accessibility standards and is vandal resistant. The design is visually compatible with the site and in keeping with the architectural design theme in other recreation sites along the Recreation Section of the Rogue River.

The No Action alternative is rejected because it will not meet the purpose and need identified in the EA. The existing pit toilet does not meet accessibility standards and the pit allows sewage to leach into the ground water.

Public notification and involvement for this proposal began in February 2002 and included mailings to 40 interested individuals, groups and agencies, which resulted in one comment questioning the need for new pit toilets. A 15-day public comment period following completion of the EA occurred in March 2005: no comments were received. This project has been discussed with and reviewed by the Oregon Department of Environmental Quality and has been coordinated with Josephine County Planning and Parks Departments.

This project is consistent with and promotes the goals of the RMP to “manage scenic, natural, and cultural resources to enhance visitor recreation experience expectations and satisfy public land users.” (RMP p.63). The project also promotes Goal 1.1 of the BLM’s Strategic Plan for FY2000 to FY2005 which is to provide recreational opportunities while minimizing risks to public health and safety and maintaining the health and diversity of the land. The goal also includes having physical recreation facilities in good or fair condition.

This decision is consistent with the *Medford District Resource Management Plan* (1995), the *Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Rand Toilet Project – DR & FONSI*

*Owl* (1994), the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001), 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: Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy* (2004); the *Record of Decision to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Document within the Range of the Northern Spotted Owl*. (2004), and the *Record of Decision (ROD) and Resource Management Plan Amendment for Management of Port-Orford-Cedar in Southwest Oregon, Coos Bay, Medford, and Roseburg Districts* (May 2004). This decision is also 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.

This project is also consistent with and promotes the goals of the National Fire Plan by reducing fire hazard on public lands and within the rural interface area. The project also advances the Bureau of Land Management's Strategic Plan for FY2000-2005, specifically mission goals 1.4 (reduce threats to public health, safety and property) and 2.2 (restore at-risk resources and maintain functioning systems). This project implements BLM's Operating Plan 2004-2008, mission areas 1.1.10-12 and 4.1.10/11 by reducing fuels and improving condition class in high priority areas in the wildland-urban interface.

### III. FINDING OF NO SIGNIFICANT IMPACT

Based on information contained in the EA, the project's record, and on comments received to date, it is my determination that the proposed action will not result in significant impacts to the quality of the human environment. During scoping and the public comment period, no new impacts were brought to light that would indicate a need for further analysis. This project does not constitute a major federal action having a significant effect on the human environment. An environmental impact statement (EIS) is not necessary and will not be prepared.

This conclusion is also based on a consideration of both the context and intensity of the impacts of the selected action(s) (40 CFR § 1508.27). **Context** refers to analysis of environmental consequences at various social or geographic scales. For this project, impacts were assessed at both the site-specific and 5<sup>th</sup> field watershed scales. **Intensity** refers to the severity of impacts. Conclusions regarding intensity are supported by the following findings:

*1) Impacts can be both beneficial and adverse and a significant effect may exist regardless of the perceived balance of effects.* Beneficial impacts will result from the project. Potential adverse impacts are minimal and of short duration. Visual impacts due to vegetation removal are short term because vegetation will recover in one growing season (EA p.5). Potential disturbance to nesting neotropical birds during project implementation is also of short duration and will not affect long term population viability (EA p.4).

2) *The degree of the impact on public health or safety.* Public health and safety will be enhanced. Replacement of the existing pit toilet with a universally accessible vault facility will eliminate potential soil and ground water contamination. The new vault toilet will meet public health and accessibility considerations and is vandal resistant.

3) *Unique characteristics of the geographic area.* The project is in the Hellgate Recreation Section of the Rogue National Wild and Scenic River Corridor. The project will meet VRM Class I objectives and will not affect the natural scenic quality or fisheries Outstandingly Remarkable Values (ORV). The recreation opportunities ORV will be enhanced by providing a modern, fully accessible toilet.

4) *The degree to which the effects on the quality of the human environment are likely to be highly controversial.* None have been identified.

5) *The degree to which the possible effects on the human environment are likely to be highly uncertain or involve unique or unknown risks.* This type of activity (toilet replacement) is a typical activity, the effects of which are well known.

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 is not precedent setting. Facilities maintenance and improvement is a common activity.

7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* Past activities in the Hellgate Recreation Section of the Rogue River include toilet replacements at BLM and county sites. The scope and magnitude of these projects' effects on other resources were such that cumulatively they are not significant even when combined with the current project.

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.* The project area is close to a recorded cultural site. However, no artifacts were located within the Area of Potential Effect (APE). An archaeologist or cultural resource specialist will be on site during sub-surface digging and excavation (EA p.6).

9) *The degree to which the action may adversely affect ESA listed species or critical habitat.* No effects are anticipated to threatened and endangered (T&E) species since there are no known T&E species in or adjacent to the project area. The site is within a designated spotted owl critical habitat area, but the project will not alter spotted owl habitat conditions (EA p.4).

10) *Whether the action threatens a violation of environmental protection law or requirements.* There are no indications that the action will violate any environmental protection law or requirement.

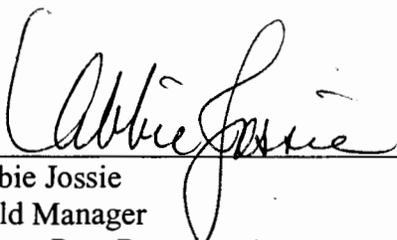
#### **IV. ADMINISTRATIVE REMEDIES**

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 § 5003 - Administrative Remedies and 43 CFR Subtitle A, Part 4, Subpart E, both as modified by the Federal Register Notice on June 5, 2003 (Vol. 68, No. 108).

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. In taking an appeal, there must be strict compliance with the regulations.

The effective date of this decision will be the date of publication of the 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.



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Medford District, Bureau of Land Management

4-8-05  
Date