

**USDI, Bureau of Land Management
Andrews Resource Area, Burns District**

DECISION RECORD

**Moon Reservoir Launch Ramp Facility Improvements
Environmental Assessment
OR-08-025-028**

BACKGROUND

Three Rivers Resource Area, Burns District, prepared an Environmental Assessment (EA) to analyze improvements to the existing facilities at Moon Reservoir. Partners for the project include Harney County, U.S. Fish and Wildlife Service (USFWS), Oregon State Marine Board, Oregon Department of Fish and Wildlife (ODFW), and private landowners. The location of Moon Reservoir is approximately 26 miles southwest of Burns, Oregon (T. 25 S., R. 28 E., Section 18). Facility improvements will include an upgraded boat launch ramp, vault toilet, parking facility, cattleguard and fencing, along with improvements to access roads including Silver Creek Road (7227-0-100), Moon Reservoir Road (7227-0-1A0), and an unnamed spur road off Silver Creek Road. Updated facilities will accommodate current and future public use and provide for public safety and resource protection.

COMPLIANCE

The Proposed Action is in conformance with the Three Rivers Resource Management Plan (RMP), September 1992, because it is specifically provided for in the following Land Use Plan (LUP) decision: Page 2-116, Provide and maintain minimal facilities (rest rooms, boat ramp, parking area, and periodic maintenance of the access road) to enhance the fishing opportunities during the high spring and summer use season at Moon Reservoir.

The attached Moon Reservoir Launch Ramp Facility Improvements EA OR-08-025-028, is tiered to the 1991 Three Rivers Proposed RMP and Final Environmental Impact Statement (PRMP/FEIS). The Proposed Action was designed to conform to the following documents, which direct and provide the framework for management of Bureau of Land Management (BLM) lands within Burns District:

- a. NEPA, 42 U.S.C. 4321-4347 (1970)
- b. Federal Land Policy and Management Act
- c. Noxious Weed Management Program EA, 1998
- d. Recreation 2000: A Strategic Plan
- e. U.S. Army Corps of Engineers and Department of State Lands. Joint Permit Application.
- f. Oregon State Department of Environmental Quality. Onsite Wastewater Treatment System permits.
- g. State, local, and Tribal LUPs and regulations

DECISION

Having considered the Proposed Action, the No Action Alternative, Alternative 1, and associated impacts and based on analysis in EA OR-08-025-028, it is my decision to implement the Proposed Action. Additionally, a Finding of No Significant Impact (FONSI) found the Proposed Action analyzed in OR-08-025-028 did not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an EIS was unnecessary and will not be prepared.

Proposed Action: The existing 24-foot by 60-foot gravel boat ramp will be replaced with a 20-foot by 135-foot concrete boat ramp located approximately 400 feet west of the spillway. This will allow improvements to the ramp length, width, elevation, have more alignment with the prevailing wind, and have additional separation from the spillway.

The concrete boat ramp will consist of cast-in-place concrete and pre-cast concrete planks. All cast-in-place concrete (poured via concrete truck onsite) work will be completed above the waterline and no uncured concrete will be allowed to enter the water. There will be approximately 50 cubic yards (cy) of cast-in-place concrete. Pre-cast concrete planks totaling approximately 42 cy of concrete will be placed below the waterline. Approximately 200 cy of sub base rock (3-inch minus with a 6-inch top course of crushed aggregate) will be placed as a base for the concrete boat ramp and to maintain the correct slope needed. Around the toe of the boat ramp and adjacent to the ramp below the ordinary high water mark 110 cy of riprap will be placed to provide erosion control around the ramp. The lifting and setting of the pre-cast concrete planks on the prepared sub grade will be accomplished using a trackhoe, crane, or similar equipment. The work area will be surrounded by a floating silt curtain to isolate the work area from fish and contain turbidity. Excavation will be accomplished using an excavator, dozer or other heavy excavating equipment. Dump trucks and/or belly dump trucks will deliver the imported rock.

Directly above the boat ramp will be the maneuver area, disabled parking area with aisle, and a double stall CXT-type concrete toilet. Construction for these facilities will require some excavation using heavy equipment such as a dozer, backhoe, and grader. The CXT-type concrete toilet will have a 1,000-gallon vault under each stall. The toilet is built offsite and delivered via semi flatbed truck and placed using a boom on the semi. The area immediately above the concrete boat ramp including the maneuver area, disabled parking area, and the area around the CXT-type toilet will be cast-in-place concrete. However, depending on funds available the surface grade of these areas might start out as compacted gravel. Sub-base rock could be imported to the site and used as needed but it is anticipated the excavated materials onsite will be adequate. In the future as funding permits two to four campsites will be developed within the site at an appropriate location consisting of one picnic table, one fire ring, and a parking area for each site. The existing vault toilet will be pumped; and the plastic vault removed from the ground along with the toilet building and concrete apron. The materials will be hauled offsite and properly disposed.

The parking area will be constructed using heavy equipment such as a dozer and the materials excavated will be used for fill as needed. The parking area will be large enough to park approximately 19 boat trailers and 7 single vehicles. The surface will be asphalt but will start out as compacted aggregate until funds are available to pave the area. One 24-inch culvert will be placed for drainage across the parking area. Wheel stops will be used to delineate parking areas. Sub-base rock could be imported to the site and used as needed but it is anticipated the excavated materials onsite would be adequate. Compaction of the aggregate will be accomplished with a heavy road roller.

Moon Reservoir Road (7227-0-1A0) which is .5-mile long spurs off Silver Creek Road and continues to the Moon Reservoir Boat Ramp Facility site. Improvements to the first 300 yards of this road as it leaves the boat ramp site will include construction of two pullouts approximately 4 feet wide and 30 feet long both located on the north side of the road; improvement to the existing drainage ditches; installation of one 24-foot culvert; and placing gravel on the road surface as needed. The remainder of the road maintenance will include blading, graveling, and cleaning drainage ditches.

Silver Creek Road (7227-0-100) starts at the OO Ranch Road (County 133) and continues 3 miles to the junction with Moon Reservoir Road then continues west 3.6 miles paralleling the reservoir approximately one-half mile to the north. The first 3 miles of road has a good sub-base and has been graveled but is in need of maintenance.

Maintenance will include clearing brush from existing pullouts, blading the road surface, and regravelling. The first 1.6 miles of Silver Creek Road west after the junction with Moon Reservoir Road will be bladed and surfaced with rock in accordance to BLM road standards and guidelines. Improving these 1.6 miles of the Silver Creek Road will allow safe travel to the junction of an existing spur road that gives access to the middle area of the reservoir. This spur road is approximately .7-mile in length and road maintenance to this spur road will include blading and road surface improvements such as gravel and drainage ditches. A new sign will be installed at the junction where the spur road meets Silver Creek Road advising travelers that public lands end west on Silver Creek Road in another 2 miles and it is not a through road. Road improvements will be accomplished by using equipment typically associated with road construction projects, such as dump trucks, loaders, dozers, graders, and compaction rollers.

There is an existing fence which is located approximately 300 yards east of the boat ramp facility that will be repaired and extended northwest approximately 150 feet to tie into natural rimrock. A 16-foot cattleguard will be installed where the fenceline crosses the road. To the north and west of the boat ramp facility spot fencing between natural barriers will be built to prevent livestock from entering the facility. A permanent fence built to the low watermark to block livestock from entering the facility during low water conditions was considered, but because of safety risks to boaters (fence would be under water when the lake is full), it was eliminated from consideration. However, if during low water conditions livestock find a path around the fence and into the facility, a temporary fence will be constructed and removed before the reservoir starts filling in the winter months or a permanent floating type barrier will be constructed. The BLM Burns District Operations Crew will be responsible for maintenance of the new cattleguard and any new fence constructed around the Project Area.

Design Features of the Proposed Action

- Construction will occur in early fall when the reservoir water level is at its lowest for the year.
- Soil disturbed will be seeded with a mixture of native and nonnative perennial grass species.
- Vehicles and equipment will be cleaned prior to entering the site for project work to alleviate spread of noxious weeds.
- All materials brought into the project from active gravel, fill, sand stockpile, and/or quarry sites will be inspected for noxious weeds prior to transport and use at the project site by District weed specialists.
- If any new populations of noxious weeds are found during the site-specific clearances for the project, they will be treated using the best available methods prior to instigating the project in conformance with the Burns District Weed Program Management EA/Decision Record OR-020-98-05.
- The risk of noxious weed introduction will be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) used for construction is cleaned prior to entry to the site, minimizing disturbance activities, and completing follow-up monitoring, for at least 3 years, to ensure no new noxious weed establishment.
- Prior to final inspection, all construction trash and excess debris will be removed from the public lands and disposed of at a site approved by the BLM Contracting Officer.
- Fences will be constructed to BLM specifications for a 4-strand, barbed-wire fence, including 22-foot post spacing.
- If cultural resources were discovered during project implementation then the project would be stopped and the District archaeologist would be contacted.
- Industrial Fire Precautions as prescribed by the Burns Interagency Fire Zone may need to be followed depending on timing and the current fire situation. Equipment operation, blasting, and power tool use may be regulated to hours of use, or require a waiver be granted by the Resource Advisor.

COMMENTS RECEIVED

The EA and unsigned FONSI were mailed to 13 people on April 30, 2010. In addition, a notice was posted in the *Burns Times-Herald* newspaper on May 2, 2010. The Burns District BLM received no comments.

RATIONALE

A No Action Alternative was considered. Under the No Action Alternative, BLM would not pursue construction of a replacement boat ramp and improvements to the parking area, toilet or access roads. The BLM would continue to maintain the facility and allow public use of the facility for launching recreational boats only as long as the ramp does not constitute an immediate threat to public safety. In recent years there have been reports of difficulties launching and retrieving boats using the existing boat ramp. The steepness of the ramp and lack of traction from loose gravel when the water level is low has caused concerns for public safety. Closure of the facility from safety concerns would eliminate the only boat ramp on Moon Reservoir and would not conform to the Three Rivers RMP.

Alternative 1 was also considered. The difference between the Proposed Action and Alternative 1 is less road improvements on the Moon Reservoir Access Road and no improvements on the Silver Creek Road, and leaving the parking area, maneuver area, and area around the new toilet compacted aggregate instead of concrete or asphalt. Road improvements are needed to ensure safe driving for vehicles and vehicles towing trailers and to reduce road damage during wet conditions. Not using concrete around the new toilet and handicap parking area and using compacted aggregate will over time create conditions where the facility would no longer be Americans with Disability Act (ADA) accessible or require additional maintenance.

In addition I have selected the Proposed Action based on the following Decision Factors:

- a. Would the alternative balance the proposed project's purpose and need with the BLM's other responsibilities to manage lands it administers? Implementation of the Proposed Action will provide facilities at Moon Reservoir to accommodate current and future public use, improve safety and resource protection, and comply with ADA requirements. Facility improvements will enhance fishing opportunities and provide a safer environment for launching and retrieving boats while reducing erosion and subsequent sedimentation.
- b. Would the alternative promote cost effectiveness? The Proposed Action was developed in cooperation with the Oregon State Marine Board, Harney County, USFWS, ODFW, and the BLM. The Oregon State Marine Board provided their expertise in designing the boat ramp facility and provided funding; USFWS provided funding; Harney County and ODFW also shared their expertise; and Harney County will provide labor, equipment, and materials for road improvements. A competitive contract will be awarded for the majority of facility improvements with BLM and county crews completing noncontracted work to facilitate the project's completion and cost effectiveness.
- c. Would the alternative reduce erosion and subsequent sedimentation? The existing boat ramp has a surface of natural soil and gravel which creates poor traction when launching and retrieving boats. This causes tires to spin and sediment to enter the reservoir. The access road and parking areas have no engineered drainage so during wet conditions water runoff causes erosion and subsequent sedimentation flowing into the reservoir.

With a new properly engineered access road, concrete boat ramp, and parking area human-caused erosion and sedimentation will be reduced.

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be filed with the Three Rivers Resource Area Field Manager, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days following receipt of the final decision. The appellant has the burden of showing the decision appealed is in error. A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for the appeal, it must be sent to the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

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

/signature on file/

Richard Roy

Three Rivers Resource Area Field Manager

June 16, 2010

Date