



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Coos Bay District Office

1300 Airport Lane, North Bend, OR 97459

Web Address: <http://www.blm.gov/or/districts/coosbay>

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IN REPLY REFER TO

1792/9112 (ORC030)

DOI-BLM-OR-C030-2012-0008-DNA

Little Paradise Creek Road Bridge FY 2013

EA-OR125-02-12

Coos Bay District Culvert and Stream Crossing Environmental Assessment

***June 11, 2012***

Dear Concerned Citizen:

We have signed the Decision Record for Little Paradise Creek Road Bridge FY 2013 Documentation of NEPA Adequacy (DOI-BLM-OR-C030-2012-0008-DNA). The Proposed Action of this DNA is to replace a single-span bridge with a reinforced concrete bridge at mile post 0.2 of the Little Paradise Creek Road. The Bureau of Land Management (BLM) has posted these documents on the District Internet site: <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

The decision to implement this forest management project may be protested under 43 CFR 5003-Administrative Remedies. As outlined in 43 CFR 5003 (a) and (b), the protests of a forest management decision may be made within 15 days of the publication date of the decision notice and shall contain a written statement of reasons for protesting the decision. In accordance with the regulations, this notice constitutes the decision document for the purpose of protests which must be filed by close of business (4:30 p.m.) on July 5, 2012 with the Umpqua Field Manager, *A. Dennis Turowski*, at the Coos Bay District Office, 1300 Airport Lane, North Bend OR., 97459. As interpreted by BLM, the regulations do not authorize acceptance by the BLM of protests in any form other than a signed, paper document that is delivered to the physical address of the BLM office within the 15-day period. Therefore, e-mail, verbal, or facsimile protests will not be accepted.

For further information, contact Jennifer Feola, Team Lead, at 1300 Airport Lane, North Bend, OR 97459 or (541) 756-0100, or e-mail at [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov), Attn: Jennifer Feola.

Sincerely,

*/s/ A. Dennis Turowski*

A. Dennis Turowski

Umpqua Field Manager



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1792/9112 (ORC030)

DOI-BLM-OR-C030-2012-0008-DNA

Little Paradise Creek Road Bridge FY 2013

EA-OR125-02-12

Coos Bay District Culvert and Stream Crossing Environmental Assessment

## **Decision Record for Little Paradise Bridge Replacement FY 2013 DOI-BLM-OR-C030-2012-0008-DNA**

### **Background**

The Bureau of Land Management (BLM) previously prepared an Environmental Assessment (Coos Bay District Culvert and Stream Crossing Environmental Assessment, OR125-02-12) and a Finding of No Significant Impact (FONSI) which evaluated the effects of replacing culverts and bridges at various locations across the Coos Bay District. The action as described in DOI-BLM-OR-C030-2012-0008-DNA proposes to replace a bridge located in Douglas County, at milepost 0.2 on the Little Paradise Creek Road (22-08-10.0), 1.5 miles east of State Highway 38. This proposed project is of like action and similar design to that analyzed in OR125-02-12.

### **Decision**

It is my decision to implement the *Little Paradise Creek Road Bridge FY 2013* project. The design features and actions of this project and the anticipated environmental consequences are essentially the same as those analyzed in the existing NEPA document.

### **Conformance and Compliance**

This DNA is in conformance with the *Coos Bay District Resource Management Plan/Final Environmental Impact Statement* (USDI 1994) and its *Record of Decision (ROD/RMP)*, as supplemented and amended. The Coos Bay ROD/RMP is supported by and consistent with the *Final Supplemental Environmental Impact Statement (EIS) on Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994a) and its *Record of Decision* (USDA and USDI 1994b).

This project is exempt from the requirements of Survey & Manage program, as modified by the 2011 Settlement Agreement, as it occurs on private lands.

The culvert replacements are covered for Endangered Species Act consultation for listed fish species by the Aquatic Restoration Biological Opinion, Fiscal Year 2008-2012 Programmatic Biological Opinion (National Marine Fisheries Service, April 28, 2007 P/NWR/2006/06532).

The *Little Paradise Creek Road Bridge FY 2013* project complies with the Clean Water Act, the National Historic Preservation Act, and the Clean Air Act. This project area does not contain any designated Wilderness, Wild & Scenic Rivers, Areas of Critical Environmental Concern, or prime or unique farmlands. There were no concerns identified regarding Cultural Resource Values, Native American Religious Concerns, or Environmental Justice issues.

The Coos Bay District Culvert and Stream Crossing EA (EA OR 125-02-12) resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

### **Public Involvement**

The public was informed of the EA and FONSI through a direct notification and via a published Legal Notice in *The World* newspaper. The EA had a 30 day comment period, providing opportunity for the public or other agencies to comment on the Proposed Actions. The one comment dealt with O&C plowback funds and decommissioning of roads.

### **Decision Rationale**

Field Office staff has reviewed the Proposed Action. Based on the Documentation of NEPA Adequacy, I have determined that the Proposed Action involves no significant impact to the human environment and no further analysis is required. The supporting analysis and NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

I am choosing to implement the *Little Paradise Creek Road Bridge FY 2013* project for the following reasons:

- Implementation of the Proposed Alternative best meets the Purpose and Need described in the Coos Bay District Culvert and Stream Crossing Environmental Assessment.
- It is consistent with the 1995 Record of Decision and Resource Management Plan for the Coos Bay District Bureau of Land Management.
- It works towards the recovery of fish species currently listed under the ESA.
- It complies with other major applicable laws, regulations, and Bureau policies.

### **Administrative Remedies**

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer *A. Dennis Turowski* within 15 days of the publication date of the notice of decision advertisement in *The World*, Coos Bay, OR.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and would contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Coos Bay District Office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be

implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party (ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay District Office will issue a protest decision.

For further information, contact Jennifer Feola, Team Lead, at 1300 Airport Lane, North Bend OR. 97459 or (541) 756-0100, or e-mail at [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov), Attn: Jennifer Feola.

**Decision issued by:**

*/s/ A. Dennis Turowski*

*June 11, 2012*

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A. Dennis Turowski  
Umpqua Field Manager

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Date