Decision Record
for the
Mountain of the Rogue Trail System
EA #DOI-BLM-OR-M050-2013-0009-EA

Introduction
The Medford District Bureau of Land Management, Butte Falls Resource Area (BLM) conducted analysis in the Mountain of the Rogue Trail System Environmental Assessment (DOI-BLM-OR-M050-2013-0009-EA) (EA) for constructing a phased mountain bike trail. The project was in response to a formal proposal from the public to build a mountain bike trail system near the city of Rogue River. The project was designed to meet the objectives and direction of the 1995 Medford District Resource Management Plan (RMP). The BLM analyzed one alternative for meeting the project’s identified Purpose and Need (EA, p. 1–6) and a no action alternative.

The Project Area is located on BLM-administered lands north of the Rogue River, between the communities of Rogue River and Gold Hill, in

- Township 35 South, Range 4 West, sections 34–36;
- Township 36 South, Range 4 West, sections 1–3, 10–13, 15, 22–24, 26, and 27;
- Township 35 South, Range 3 West, section 31; and
- Township 36 South, Range 3 West, sections 5–7, 17, 18; Willamette Meridian; Jackson County, Oregon.

Public Involvement
The Butte Falls Resource Area began outreach for this project in spring 2013 by mailing a scoping flyer on May 24, 2013 to 210 individuals, businesses, organizations, tribes, and government agencies. The flyer was also posted on the project’s Web site and legal notices were published in the Medford Mail Tribune, Grants Pass Daily Courier, and Rogue River Press newspapers. The BLM received a total of 113 comment letters, emails, and phone calls in response.

Based on those comment letters and input from the project interdisciplinary team of resource specialists, three issues were identified for analysis in the EA: Recreation Development, Socioeconomics and Rural Interface, and Gentner’s Fritillary (EA, p. 6–7). Issues raised during scoping that were not analyzed in detail in the EA were addressed in Appendix A, Issues Considered but Not Analyzed in Detail (EA, p. 36–37).

The BLM hosted a public open house/field tour on July 24, 2013 to present the Mountain of the Rogue Trail System project proposal. The evening open house and field tour was attended by approximately 50 individuals.

A 30-day public comment period for the EA was held from March 10, 2014 to April 9, 2014. The BLM notified the public through emails and letters mailed March 10, 2014 to 202 individuals, organizations, tribes, and government entities, and a legal notice of EA availability
published in the *Medford Mail Tribune* newspaper on March 10, 2014, the *Grants Pass Daily Courier* on March 11, 2014, and the *Rogue River Press* on March 12, 2014. The EA was also posted on the Medford District NEPA analysis Web site and the Mountain of the Rogue project Web site. The BLM received 12 letters and emails containing comments on the EA.

Written comments received in response to the EA were reviewed by the interdisciplinary team and responsible official. The review concluded the EA comments would not lead to changes in the EA document or decision and no new information or issues were presented that had not been analyzed or addressed in the EA. The BLM responded to those comments in Attachment 1 of this Decision Record.

EA comments generally fell into nine topic areas: (1) support of the trail project, (2) noxious weeds, (3) Gentner’s fritillary habitat, (4) management and patrol of the trail system and impacts to adjacent lands, (5) erosion and impacts to water quality, (6) cumulative impacts beyond phase one, (7) potential future development on Sardine Creek Road, (8) width of shared trails, and (9) impacts on nesting hawks.

**Plan Consistency**

Projects proposed and analyzed in the EA conform to the following:

- Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (Northwest Forest Plan FSEIS, 1994 and ROD, 1994)
- Final SEIS for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2000), and the ROD and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (2001)
- Medford District Integrated Weed Management Plan Environmental Assessment (1998) and tiered to the Northwest Area Noxious Weed Control Program (EIS, 1985)

**Consultation and Coordination**

The BLM consulted with the US Fish and Wildlife Service on the effects of this project on Gentner’s fritillary pursuant to Section 7(a)(2) of the Endangered Species Act (ESA). The Medford District BLM prepared a biological assessment for the proposed trail system project and submitted it to the US Fish and Wildlife Service on March 25, 2014. The BLM received a Biological Opinion from US Fish and Wildlife Service on July 17, 2014 (FWS Reference Number 01EOFW00-2014-F-0131). Their Opinion concluded that implementation of the proposed action is not likely to jeopardize the continued existence of Gentner’s fritillary.

The federally threatened northern spotted owl is the only T&E wildlife species in the Project Area and its presence is considered vagrant. The project wildlife biologist determined the Phase
1 projects would have no effect on the northern spotted owl. Spotted owls may use the area for dispersal, but suitable nesting habitat is lacking along the entire route (EA, p. 49).

The Mountain of the Rogue Project Area contains one T&E fish species, the federally threatened Southern Oregon/Northern California coho salmon and coho critical habitat (CCH). The Phase 1 trail would have no effect to CCH. The area does not include any fish-bearing streams; all project elements would drain to a ditch; and any displaced sediment resulting from trail construction, use, or maintenance would either settle out in natural depositional areas in the small intermittent channels or the road side ditch, or would be conveyed as a brief pulse of turbidity to downstream habitats. This conveyance would only occur during a precipitation event of significant magnitude to encourage surface flow in the intermittent streams. During such circumstance, turbidity increases resulting from this project would be undetectable beyond background levels, and would impart no meaningful impact to fish and aquatic habitat (EA, p. 61).

The BLM mailed scoping letters to tribes with a connection to lands in southern Oregon. Letters were mailed to the Cow Creek Band of Umpqua Tribe of Indians, Confederated Tribes of Siletz, and The Confederated Tribes of Grand Ronde. These tribes also received the Mountain of the Rogue Trail System EA availability notification letter.

**Decision**

My decision is to implement the Phase 1 actions proposed and analyzed under Alternative 2 and to defer decisions on future trail and parking area construction until a later date to be determined. My decision will implement actions in locations described below and will include all required project design features as described in the EA (p. 12–14). PDFs were developed using the Best Management Practices identified in the Medford District Record of Decision and Resource Management Plan (ROD/RMP, p. 151–175). This Decision Record is the first decision to implement trail activities analyzed in the Mountain of the Rogue Trail System EA. One or more subsequent decisions could occur and will include public notification.

My decision is based on site-specific analysis; supporting project record; management direction in the Northwest Forest Plan and Medford District RMP; and public comments. A Finding of No Significant Impact was completed for this project and I determined this project does not constitute a major Federal action that will have a significant impact on the human environment.

The following project design features were added to the project to protect Gentner’s fritillary. These project design features are intended to minimize potential adverse effects to Gentner’s fritillary:

- Conduct fritillary surveys each season until the project is completed.
- During construction, watch for unearthed *Fritillaria* species bulbs and collect them for later storage or replanting.
- Treat existing weed populations prior to trail construction where ground disturbance will occur.
- Design interpretive signs concerning fritillary protection with review by the US Fish and Wildlife Service.
My decision is to authorize the following actions for Phase 1:

- Construction of 10 miles of trail in Township 36 South, Range 4 West, sections 22, 23, 26, 27
- Construction of a trailhead parking area on North River Road in Township 36 South, Range 4 West, section 27
- Installation of informational, directional, and interpretive signs
- Installation of fencing as needed
- Monitoring and maintenance of trailhead, trails, signs, and related facilities

**Decision Rationale**

My decision to authorize the proposed action is in compliance with the Medford District Record of Decision and Resource Management Plan, dated April 1995, and the Northwest Forest Plan, dated April 1994 (EA, p. 7). The proposed action complies with applicable laws, rules, regulations, standards, and guidelines (EA, p. 7). All required Threatened and Endangered species, Special Status Species, Survey and Manage species, and cultural surveys were completed and mitigations were applied, where appropriate.

My decision to implement Alternative 2 is based on consideration and evaluation of how well the purpose and need is met and the associated environmental consequences of implementing or not implementing the Mountain of the Rogue Trail System, as analyzed in the EA and documented in the FONSI. I have read the comment letters sent in response to the EA public review period and considered them fully in my decision. I have determined that my decision outlined above best meets the purpose and need for this project, as identified in Chapter 1 of Mountain of the Rogue Trail System EA.

The Mountain of the Rogue Trail System EA analyzed two alternatives for the management of the BLM-administered lands in the project area: Alternative 1 (No Action), and Alternative 2 (Selected Alternative). Because the action alternative was designed to meet the purpose and need for the project, the degree to which the no action and action alternative best meets the purpose and need provides the basis for my decision.

Alternative 1 (No Action) would not meet the purpose and need for this project because no actions would be taken at this time. Trail and trailhead construction would not occur. No economic benefits to local communities from increased recreational activity would occur. Trailhead parking facilities would not be needed and would not be constructed. Maintenance and patrol would not be needed, so the area would continue to receive little attention. Gentner’s fritillary would not be impacted by trail construction activities.

Alternative 2, the selected alternative, provides a set of actions that best meet the various purposes and needs identified for this project. Developing the trail system contributes to meeting the area’s projected demand for mountain biking, and provides economic benefits to local communities.
It meets the top two statewide nonmotorized trail concerns: the need for more trails in close proximity to where people live, and the need for additional nonmotorized trails. Although this alternative is likely to adversely affect a population of Gentner’s fritillary, the project is not likely to jeopardize the continued existence of the species or destroy or adversely modify critical habitat. For the reasons listed above, I have decided Alternative 2 will best meet the purpose and need for this project.

In preparing the EA, the BLM interdisciplinary team analyzed the effects of the proposed action for the following issues: recreation, socioeconomics and rural interface, and Gentner’s fritillary. I have determined the effects will be within those analyzed in the Medford District Proposed Resource Management Plan and Environmental Impact Statement (1994 PRMP/EIS) or were otherwise insignificant. This action takes into consideration cumulative effects of past, present, and future management activities in the Project Area on nearby private and Federal lands. Discussion of those effects can be found in the EA (p. 17-32).

In making my decision, I considered the Decision Factors identified in the EA (p. 7) to

- provide recreation opportunities that contribute to meeting projected recreation demand within the project area;
- provide recreation opportunities that would benefit local community economic strategies consistent with BLM land use objectives;
- consider adjacent landowners; and
- minimize impacts to Gentner’s fritillary populations.

I have chosen Alternative 2 because it most completely meets the identified purpose of and need for the project and addresses the Decision Factors by

- increasing single-track trail opportunities in the region through construction of 10 miles of properly designed and sustainable trails for mountain biking and hiking;
- providing parking and trailhead facilities to accommodate safe access to the trail system;
- providing a trail system that would attract visitors from around the Rogue Valley and the Pacific Northwest, to the benefit of local businesses;
- providing signing and fencing to address private property concerns; and
- reducing impacts to Gentner’s fritillary by implementing a management and monitoring plan, installing fencing or barriers where needed, developing interpretive signs to educate trail users, and controlling nonnative plants.

I have considered how the alternatives analyzed in the EA meet the purpose and need, the associated environmental effects, and public input. Based on these considerations, I have decided Alternative 2, as analyzed in the Mountain of the Rogue Trail System EA, best meets the purpose and need described for this project, while minimizing the potential for adverse effects on the environment. The required implementation of project design features will provide for the protection of resources consistent with existing laws and policy and the direction of the 1995 RMP.
Administrative Remedies

The decision described in this document is a general Public Land decision and is subject to appeal by the public. In accordance with Department of the Interior regulations at 43 CFR Part 4—Department Hearings and Appeals Procedures, and the attached form 1842-1, this decision may be appealed to the Interior Board of Land Appeals (IBLA). A Notice of Appeal must be filed in writing to the office that issued this decision—Butte Falls Field Manager, Bureau of Land Management, 3040 Biddle Road, Medford, OR 97504. A copy of the Notice of Appeal must also be sent to the BLM Regional Solicitor (see Form 1842-1). The appellant has the burden of showing the decision being appealed is in error.

The appellant may submit a statement of reasons with the Notice of Appeal. If no statement of reasons is filed with the Notice of Appeal, the appellant must file a statement of reasons with the IBLA within 30 days of filing the Notice of Appeal.

Implementation of this decision may begin 30 calendar days after the public notice of this Decision Record appears in the Medford Mail Tribune newspaper.

For more information, contact Trish Lindaman, Butte Falls Resource Area Outdoor Recreation Planner at 541-618-2266.

Attachments:
1. Response to Comments
2. Form 1842-1
BLM Response to Public Comments

The comment letters the BLM received varied in their support of the Mountain of the Rogue Trail System Project. Letters were received from Oregon Wild, Native Plant Society, Travel Oregon, Oregon Department of Transportation, Applegate Trails Association, and seven private citizens. Eight of the comments expressed strong support for the project. These included individual cyclists excited about the addition of mountain bike-specific trails in the Rogue Valley; a local trail organization supporting new nonmotorized trail opportunities in the area; and the Oregon Tourism Commission acknowledging the trail system adding to the economic diversification and economic development of southern Oregon. BLM’s responses to the comment letters follow.

Noxious Weeds

Comment: Trail construction and use would move weeds from infested to uninfested areas. Remediation would be subject to budget constraints. Weeds are a slow motion explosion that should be considered significant (Oregon Wild).

There will be a spread of star thistle as occurred during the fighting of the Evans Creek Fire (Private Citizen).

BLM Response: The BLM has appropriately addressed the potential to spread noxious or invasive weeds by the proposed project. BLM policy is to prevent, control, and contain the spread of noxious and invasive weeds on BLM land.

As described in the EA (p. 13, 28–29, and 55), known weeds in the project area are currently being treated, weed dispersal would be minimized by cleaning construction equipment and tools prior to entering the area, and disturbed sites would be seeded to provide competition for nonnatives. After consultation with US Fish and Wildlife Service, an additional project design feature will be included in this project: Treat existing weed populations prior to trail construction where ground disturbance will occur.

Additionally, weed identification training for volunteers and trail crews will be included as part of trail monitoring and maintenance. As stated in the EA (p. 55), added to past, present, and reasonably foreseeable future actions in the project area, the proposed trail development project would not add cumulative effects to noxious weeds in the area if treatments and monitoring are funded. Funding for monitoring and further treatment of weeds along the trail will, therefore, be included in funding requests for trail construction and maintenance.

Gentner’s Fritillary

Comment: We oppose this project as currently conceived because it is likely to adversely affect a significant population of Gentner’s fritillary (Native Plant Society).

BLM Response: The BLM initiated formal consultation with the US Fish and Wildlife Service on March 25, 2014 for the Mountain of the Rogue Trail Project. On July 16, 2014, the Fish and Wildlife Service transmitted their Biological Opinion (BO) (#01EOFW00-2014-F-0131) in
which they concurred with BLM’s likely to adversely affect finding for this project (BO, p. 16), but determined that the project is not likely to jeopardize the continued existence of Gentner’s fritillary (BO, p. 19) because of the implementation of project design features and other conservation measures. In addition to the project design features (EA, p. 12–13) and management actions (EA, p. 25–29) listed in the EA, the BLM will implement the following additional project design features to minimize impacts to Gentner’s fritillary as directed in the Fish and Wildlife Service BO (p. 8–10):

- conduct surveys in the proposed trail and parking area each season until the project is completed in order to detect flowering Fritillary plants and thereby avoid them during construction,
- where feasible, collect fritillary bulbs during trail construction for later storage and replanting to reduce the loss of plant bulbs incidentally exposed during construction efforts,
- review contents of the interpretive panels placed at the trailhead with the Fish and Wildlife Service to reduce chances of trails being damaged by riders and hikers and to provide information about protecting fritillary,
- control access from adjacent private lands with appropriate signage conducting users to the main BLM trail system, and
- establish a signed Conservation Agreement between the Medford District BLM and the Fish and Wildlife Service on management direction of the Fritillary Management Area.

Comment: The current design calls for eliminating plant habitat from more than 13% of the proposed Gentner’s fritillary management area with nearly 1 of the 7 acres to be dedicated to parking and trail tread. Additional habitat within the plant’s current range would be impacted by cut banks and trailside activities (Native Plant Society).

BLM Response: There would be a loss of habitat from establishment and use of the trails and parking area. This loss of habitat would be mitigated by implementing projects to improve nondisturbed habitat within the Gentner’s fritillary management area. Habitat improvement would include treating noxious weeds, removing competing trees and brush, burning to remove competing vegetation and rejuvenate native grasses and forbs, and seeding native grass and forb species after burning to replace nonnative species (EA, p. 26). It is anticipated these habitat improvement projects would compensate for the loss of habitat in the Gentner’s fritillary management area (EA, p. 29). The Fish and Wildlife Service determined that “While the loss of fritillary habitat at the project area is anticipated to adversely affect the fritillary, the action is not expected to significantly decrease the long-term viability of the species or result in the loss of the local population because a minor extent of the population will be impacted” (BO, p. 19).

Comment: Conservation also requires provision of a buffer area around each population for protection from neighboring activities and allowance for population shifts and expansion. The trail as proposed would eliminate an additional 1.6 to 2.4 acres of otherwise suitable habitat from the buffer zone (Native Plant Society).

BLM Response: The Recovery Plan for Fritillaria gentneri (Gentner’s fritillary) established a buffer zone of 538.2 square feet for each flowering plant (EA, p. 26). This is roughly a 23-foot
by 23-foot area. The proposed trail is located 60–100 feet away from all but one of the 120 flowering plants discovered in 2013. The Fritillary Management Area will be centered on the fritillary plants, which are located in the southern part of the project area. No flowering plants have been detected in the additional 1.6 to 2.4 acres of suitable habitat in the rest of the Project Area that would be removed during trail construction. It is anticipated that the buffers around the known flowering plants and the remaining undisturbed habitat in the project area will provide sufficient habitat for population shifts and expansion and to ensure the persistence of the population (EA, p. 29).

**Comment:** Invasive nonnative weeds, identified as a major threat to Gentner’s fritillary, will be spread through the endangered population by trail construction and use. Being subject to available personnel and funding, long term management of these weeds may or may not happen in the years to come (Native Plant Society).

**BLM Response:** The Gentner’s fritillary population at the North River Road site was discovered during preconstruction surveys for the bike trail. The proposed project has elevated the need for management of this Fritillary site because of potential impacts during construction and subsequent trail use. Weed treatments are a priority due to existing weed populations, expected ground disturbance during construction, and the possibility of the introduction of weed seed during use of the site. The BLM hand pulled or sprayed noxious weeds along the proposed trail route and in the parking area and adjacent areas in 2013 and 2014. Noxious weeds were hand pulled at the Fritillary sites in 2014. The Fish and Wildlife Service issued the BLM a BO authorizing this project with a finding of likely to adversely affect Gentner’s fritillary but a determination of no jeopardy. The BO includes PDFs to mitigate the effects of the project, including treatment of existing noxious weeds and ongoing monitoring to detect new weeds in the project area. Controlling nonnative invasive plants is one of the objectives outlined for the Fritillary Management Area by the Fish and Wildlife Service (BO, p. 10). The project design features in the BO obligate the BLM to commit resources to fulfill these requirements. If the weed program funding is not adequate, the BLM will seek additional funding to support this work from various sources such as the Fish and Wildlife Service, Secure Rural Schools and Community Self-Determination Act Title II funds, and the BLM recreation program.

**Comment:** Gentner’s fritillary was listed as endangered due, in part, to impacts and threats from loss and degradation of habitat, competition from invasive nonnative plants, and trail maintenance activities, each of which are expected to increase under this proposal.

**BLM Response:** The BLM acknowledges the proposed project would result in a loss and degradation of habitat where the trail and parking area are constructed and plants could be impacted during trail use if they are located adjacent to the trail (EA, p. 27). The BLM proposes to mitigate these effects by improving habitat within the Gentner’s fritillary management area, particularly around known sites (EA, p. 29). The BLM would establish regular monitoring of the populations to ensure there are no impacts to plants from visitors or trail maintenance activities (EA, p. 27). Monitoring would provide the added benefits of discovering additional flowering plants that could be protected and managed.

The BLM also acknowledges the possibility of an increase in noxious weeds from construction and subsequent use of the area (EA, p. 28). Highlighting the area for the development of the bike trail has focused attention on the presence of noxious weeds and created an opportunity to treat
them and to detect new invaders during site monitoring. The BLM anticipates the impacts to Gentner’s fritillary from the project would be reduced to the greatest possible extent through the application of these mitigation measures (EA, p. 29). The Fish and Wildlife Service determined in their BO (p. 19) that the project would not jeopardize the continued existence of Gentner’s fritillary.

**Comment:** With more than 4,000 acres of BLM land in the project area, we would encourage alternatives be developed which avoid disturbing the sensitive 7-acre Gentner’s fritillary population and its surrounding habitat (Native Plant Society).

**BLM Response:** The parking area location was chosen because it is the only site where BLM property intersects public access from North River Road. It provides enough room for trailhead parking and is the only access point from a public road to the BLM parcels. The Gentner’s fritillary plants are scattered along the slope between this access point and the slopes where the bike trails are proposed. Therefore, the only route for the trail to access the upper slopes was through the population. The terrain on the hills is steep and the trail was designed to zigzag across the slope to prevent average grades greater than 10% (EA, p. 12). The proposed routes were surveyed for Gentner’s fritillary in spring 2011, 2013, and 2014. These routes will be surveyed again during the blooming season until the trails are constructed to reduce the likelihood of impacting plants. The proposed trail location was rerouted in 2012 and 2013 to avoid known flowering plants. The BLM developed additional project design features and management actions to minimize impacts to the population during construction and in the future (EA, p. 12-13, 25).

**Trail Management and Trespass**

**Comment:** Are there resources available to police users and ensure that unauthorized trails will not be built? (Oregon Wild).

The proposed trail will markedly increase access by not only hikers and bikers but motorcycles and 4 wheelers. This will increase trespass and hunting and poaching (Private Citizen).

According to your document, Sandy [Ridge Trail] has 40,000 to 50,000 visits per year. Even 10% of this would very negatively impact risk of fire and trespass (Private Citizen).

**BLM Response:** As stated in the EA (p. 18–19), the area currently receives low amounts of recreational use, as well as little law enforcement presence. Developing a trail system will invite visitors into the area, which results in less opportunity for unlawful users to hide from view. During the scoping for this project, a neighbor next to the Cathedral Hills trail system in Grants Pass commented that development of a trailhead actually decreased the amount of suspicious activity that previously took place there. Developed facilities also receive more regular maintenance and law enforcement patrols than undeveloped land. The initial trailhead is located only 1.2 miles from the town of Rogue River, along a well-traveled county road visible from I-5, and near several rural residences. This location makes it highly visible and more likely to receive frequent patrols. Additionally, the group proposing this trail system has voiced their commitment to self-policing the area and finding the funding necessary for construction and maintenance activities. As stated in the EA (p. 22), the BLM would install signs to address potential trespassing issues on adjacent landowner’s property. If signing is not adequate, fencing or other natural barriers would be installed to delineate property lines and deter trespassing.
The BLM is committed to seeking partnerships with local mountain bike enthusiasts, clubs, volunteers, and user groups to help monitor and maintain the trail for unauthorized uses and to ensure trail users are staying on the trail and not creating shortcuts (EA, p. 11). In addition the trail would be corralled with rocks, logs, or constructed materials to prevent users from cutting corners (EA, p. 9).

As stated in the EA, Appendix D (p. 46–47), a review of fire histories from similar trail systems does not show an increase in fire occurrences. Evidence suggests that increased public use leads to increased awareness, prevention, and detection. The presence of trail systems can also assist in fire suppression efforts by increasing access/egress and containment opportunities for firefighters. Although this trail system will be closed to vehicles, emergency and fire vehicles would be allowed administrative access into the area.

**Soil Erosion and Water Quality**

**Comment:** We remain concerned about unnatural chronic erosion and water quality impacts, especially at stream crossings. The EA has only a very general discussion of conditions at the 7 stream crossings. Site specific analysis would help ensure that the general statements apply to each of the crossing sites. The project area has some areas with shallow soil and exposed bedrock. What little soil is there needs to stay for waterholding and for wildflowers to grow (Oregon Wild).

Our slope as your document includes in our area [Sardine Creek] is 40–60% slopes. This slope in our area soil type is fragile to erosion (Private Citizen).

**BLM Response:** A trail’s location, alignment, grade, drainage, and soil texture are the most critical factors affecting erosion. Soil maps and information included in the EA (p. 38–43) depict little to no trail construction in the project area would occur on decomposed granitics or fragile soils. The Phase 1 trail area does not contain fragile soils.

The proposed trail system would be designed with outsloped tread, to allow water to shed off the trail, and rolling dips, to prevent water from eroding the trail (EA, p. 9). Soil particles displaced from the trail prism would be intercepted by vegetation, organic material on the soil surface, or other surface roughness. Additionally, a project design feature requires the trail will not exceed an average trail grade of 10% with a maximum grade of 15%. Trail slopes greater than 12% are typically associated with higher potential for degradation. Since the majority of trail grade would not exceed an average of 10%, it is expected that the potential for degradation is minimal. Additional guidelines for construction on Fragile Gradient Restricted and Fragile Surface Erosion Restricted soils would apply in the larger project outside of Phase 1, where trail locations should seek areas of high stability and avoid side-casting material in headwalls and slide-prone areas or on very steep side slopes. The soil loss resulting from this project is expected to be so minimal that cumulative soil loss is also expected to be minimal (EA, p. 43).

The seven proposed mountain bike trail stream crossings in Phase 1 would cross short-duration intermittent streams that only flow during winter storm events (EA, p. 45). Beyond Phase 1, 1 perennial and 30 intermittent stream crossings are tentatively proposed. Construction of any stream crossings would follow guidance for wetlands and water crossings, as described in *Trail Solutions: IMBA’s Guide to Building Sweet Singletrack* (p. 176–186). This guidance includes
such things as designing water crossings so that the trail descends into and climbs out of the drainage, which prevents stream water from flowing down the trail; armoring trails at stream crossings with rock, geotextiles, or gravel to prevent erosion; using open rock culverts or properly sized buried culverts; installing boardwalks or bridges; and constructing grade reversals, outslowed treads, and drainage features that prevent large volumes of water and sediment from flowing down the trail.

The majority of the soil types where trail construction is proposed are the moderately deep (20–40 inches) Vannoy silt loam, Vannoy-Voorhies, and Caris-Offenbacher gravelly loam soils (EA, p. 39–40). Shallow soils were taken into consideration when designing the trail routes. Where shallow soils were encountered, the trail was routed to use rock outcroppings to minimize soil disturbance in these areas. Also, soils that are disturbed during trail construction will be cast below the trail surface and remain on site so there should be almost no cumulative loss of soil.

Cumulative Impacts

Comment: The EA is inconsistent on cumulative impacts. Some sections address phases 1 and 2, others such as Appendix I: Fish and Aquatic Resources, only address phase 1. Please disclose how stream resources might be impacted by phase 2 (Oregon Wild).

BLM Response: The BLM acknowledges that future stream crossings beyond Phase lare not fully developed in this EA, precluding meaningful analysis of them at this time. However, as stated in the EA (p. 61), stream crossings would be designed to meet Aquatic Conservation Strategy Objectives as described in the ROD/RMP. This could include a bridge or hardened crossing over Ward Creek, the only perennial stream in the Project Area. Other design features would include rolling dips or grade reversals, temporary closures during extreme precipitation events, and periodic inspection and trail maintenance to ensure ruts do not develop. As stated above, stream crossings would follow guidance found in Trail Solutions: IMBA’s Guide to Building Sweet Singletrack.

In addition, any future trail development would depend on additional environmental analysis (EA, p. 1) and further public involvement.

Future Development

Comment: I note where the trail “zig zags” down the east face of the mountain to reach Sardine Creek road. The road area is “sheer bluff.” Is there a safe way to reach Sardine Creek road? Would this call for a parking area on Sardine Creek road? (Private Citizen).

Sardine Creek road is a narrow curvy road. There is not enough room for a bike lane. Because of only one exit/enter to Sardine Creek road—in case of fire—the firefighters and fire equipment have the right to not enter Sardine Creek road if conditions are such that they might be trapped (Private Citizen).

BLM Response: The BLM acknowledges the narrow nature of Sardine Creek Road and potential limitations in accommodating future trailhead access and bike traffic. The Sardine Creek access point, as well as others shown on Map 1 (p. 2–3), is meant to illustrate the potential for access opportunities in future phases of the trail system. Development of future phases will
entail further environmental analysis and outreach to the public for more site-specific involvement and input.

**Trail User Safety**

**Comment**: Would the trail need to be made wider where it is shared by bikers and hikers? Because a biker could ride swiftly and not make much noise, could they possibly have an accident when riding up on a hiker on a shared trail? (Private Citizen).

**BLM Response**: A wider trail makes it easier for users to pass each other easily and safely. However, a wider trail may also facilitate higher speeds by mountain bikers. Keeping trails narrow reduces the total area of tread disturbance, slows trail users, and minimizes vegetation and soil impacts. As stated in the EA (p. 19), the trail system would be designed to minimize potential conflicts between different uses by incorporating loops to accommodate the different uses, strategically locating natural and constructed obstacles to reduce downhill and cornering speed, installing signs that explain suggested use and direction of travel, and providing good lines of sight so users can see each other before meeting.

**Nesting Hawks**

**Comment**: The increase [in use] will undoubtedly negatively impact the red-tail and red shouldered hawks nesting area (Private Citizen).

**BLM Response**: While neither of these bird species is listed as special status species, the following project design feature to protect raptor species (p. 13) would be applied: Protect raptor species, if any are located. Apply the appropriate buffers and seasonal restrictions based on species, proposed treatment, site-specific environmental conditions, and protection recommendations. As stated in the EA, Appendix E (p. 48), the construction of the proposed trail would be the only potential impact on terrestrial wildlife; the use of the trail by hikers and bicyclists would have a negligible impact on wildlife.
INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS
1. This decision is adverse to you,
   AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL
   A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the Notice of Appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a Notice of Appeal in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE
   U.S. Department of the Interior
   Bureau of Land Management
   Medford District Office
   3040 Biddle Road
   Medford, OR 97504
   WITH COPY TO
   U.S. Department of the Interior
   Office of the Regional Solicitor
   805 SW Broadway, Suite 600
   Portland, OR 97205

3. STATEMENT OF REASONS
   Within 30 days after filing the Notice of Appeal, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).
   WITH COPY TO
   U.S. Department of the Interior
   Office of the Regional Solicitor
   805 SW Broadway, Suite 600
   Portland, OR 97205

4. ADVERSE PARTIES
   Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE
   Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY
   Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a Notice of Appeal (43 CFR 4.21). If you wish to file a petition for a stay of the effective date of this decision during the time that your appeal is pending, you must accompany your Notice of Appeal (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10) with a Petition for a Stay. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the Notice of Appeal and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

   Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of the 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.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

(Continued on page 2)
Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

**STATE OFFICES AND AREAS OF JURISDICTION:**

<table>
<thead>
<tr>
<th>State</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska State Office</td>
<td>Alaska</td>
</tr>
<tr>
<td>Arizona State Office</td>
<td>Arizona</td>
</tr>
<tr>
<td>California State Office</td>
<td>California</td>
</tr>
<tr>
<td>Colorado State Office</td>
<td>Colorado</td>
</tr>
<tr>
<td>Eastern States Office</td>
<td>Arkansas, Iowa, Louisiana, Minnesota, Missouri and, all States east of the Mississippi River</td>
</tr>
<tr>
<td>Idaho State Office</td>
<td>Idaho</td>
</tr>
<tr>
<td>Montana State Office</td>
<td>Montana, North Dakota and South Dakota</td>
</tr>
<tr>
<td>Nevada State Office</td>
<td>Nevada</td>
</tr>
<tr>
<td>New Mexico State Office</td>
<td>New Mexico, Kansas, Oklahoma and Texas</td>
</tr>
<tr>
<td>Oregon State Office</td>
<td>Oregon and Washington</td>
</tr>
<tr>
<td>Utah State Office</td>
<td>Utah</td>
</tr>
<tr>
<td>Wyoming State Office</td>
<td>Wyoming and Nebraska</td>
</tr>
</tbody>
</table>

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.