



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
GRANTS PASS INTERAGENCY OFFICE  
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## Rogue National Wild and Scenic River Trails Maintenance and Reconstruction Project NEPA # DOI-BLM-OR-M070-2010-0003-EA DECISION RECORD

### I. INTRODUCTION

The BLM's interdisciplinary planning team has designed the Rogue National Wild and Scenic River Trails Maintenance and Reconstruction Project based on current resource conditions in the project area and to meet the objectives and direction of the Medford District Resource Management Plan (RMP); the Rogue River Revised Development and Management Plan (1972); and the Wild and Scenic Rivers Act (WSRA). The proposal presented and evaluated in the Environmental Assessment (EA) reflects what the planning team believes to be the best balance of resource conditions and management direction from the above documents and to enforce the restrictions from the Prohibited Acts (1992).

Two alternatives were analyzed in the EA (July, 2010): 1) the No Action Alternative, which describes the present conditions and serves as a baseline for evaluating the action alternative; and 2) the Action Alternative, which proposed a series of activities focused primarily on trail maintenance, and is designed to protect and enhance the Outstandingly Remarkable Values ascribed to the Rogue National Wild and Scenic River. As a result of public outreach during the formation of the action alternatives, the team examined several concerns brought forth by the public. These were addressed in the EA (Section 1.6 and Appendix B).

The Rogue National Wild and Scenic River Trails Maintenance and Reconstruction Project will conduct maintenance on the Rogue River National Recreation Trail (mile 0-23) and the Rainie Falls Trail to provide safe access, and enhance and maintain the recreational value of these highly used trails. An area of the trail opposite Dulog Creek becomes impassable each year and will be rerouted to a more stable location. To address future trail maintenance needs, a suite of actions necessary to maintain and improve the trail system are proposed. These tasks would include stabilizing trails; structural repair/replacement of bridges and stream crossings; slide debris removal; windfall removal; and vegetation treatment along the trail prism. Additional trail reroutes would be completed if necessary. The EA addresses the environmental effects of these proposed actions.

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 maintain the trail system for the public's use and enjoyment, and to fulfill BLM's obligation to enhance and maintain recreation opportunities within the Wild and Scenic River Corridor.

## **II. BACKGROUND**

Planning and public involvement for the Rogue River Trails Maintenance and Reconstruction Project began in December of 2009 with a scoping letter sent to residents and landowners near or adjacent to BLM parcels within the planning area; to federal, state, and county agencies; and to tribal and private organizations and individuals that requested information concerning projects of this type. All public input was considered by the planning and interdisciplinary teams in developing the proposals and in preparation of the EA.

The primary objectives identified for this project include maintaining the trail system for use and enjoyment, and to fulfill BLM's obligation to enhance and maintain recreation opportunities within the Wild and Scenic River Corridor. The project also seeks to provide protection and enhancement of the Outstandingly Remarkable Values (ORV) for which the river was designated under the Wild and Scenic Rivers Act. Further, this plan would improve BLM's maintenance response to trail needs resulting from erosion or other environmental factors that inhibit recreation use.

BLM is mandated by federal law to manage the lands it administers in accordance with its RMP (1995). Objectives and management directions for managing lands within the Rogue National Wild and Scenic River found on page 63 under the Medford District's RMP are to:

- 1) Manage scenic, natural, and cultural resources to enhance visitor recreation experience expectations and satisfy public land users.
- 2) Provide a wide range of developed and dispersed recreation opportunities that contribute to meeting projected recreation demand within the planning area. Provision of recreation opportunities in or adjacent to water will be emphasized.
- 3) Enhance recreation opportunities provided by existing and proposed watchable wildlife and wildflower areas and national backcountry byways.

Based on recommendations from the planning team; public comments; the Finding of No Significant Impact (attached); and careful consideration of the objectives of the laws, regulations, planning documents; and supported through the NEPA analysis governing these lands, the following constitutes my decision.

## **III. DECISION AND RATIONALE**

Alternative 1, the No Action Alternative, is rejected because it does not meet the management direction as outlined under the 1972 Comprehensive Management Plan and Wild and Scenic River Act (1968). Alternative 1 would not address the need for annual trail maintenance, trail realignment, and bridge repair and replacement for the safe enjoyment of the Rogue National Wild and Scenic River Trails. Under the No Action alternative, much needed trail maintenance would not occur and would result in degradation of the scenic resources and impairment of the natural and aesthetic qualities of the river corridor.

It is my decision to implement the Action Alternative as described in the EA (pp. 10-11). Implementation of this decision will include all project design features as described in the EA (pp. 12-13, section 2.3) to minimize potential short and long term adverse effects of the actions.

BLM surveyed along the trail realignment for federally listed Threatened and Endangered (T&E) plant species, Bureau Special Status (BSS) plant species, Oregon State listed (STO), and Survey and Manage species during the 2009 field season and none were located. Surveys will be conducted prior to any future realignment of trails. The proposed action is outside the range of federally endangered plant species therefore, there will be no effects to these species or habitat.

This project is not expected to adversely affect any Federally Listed, Federal Candidate, Survey and Manage, or Bureau Sensitive wildlife species as no adverse impact to these species or their preferred habitats were identified and seasonal activity restrictions would protect these species during sensitive breeding season.

**Decision:** Alternative 2, the Proposed Action will utilize a range of actions designed to achieve the objectives, direction, and law contained in the Medford RMP, the 1972 Rogue River Revised Development and River Management Plan, the 1968 WSRA, and comply with the 1992 Prohibited Acts. All actions including trail maintenance, trail realignment, sign placement, and bridge repair and replacement will be used to achieve project objectives.

**Rationale:** Trail maintenance and realignment, and bridge repair and replacement will provide for a safer, more enjoyable experience for trail users, and enhance visitor experience and ORVs through:

- Improvement and renovation of trails will improve the visitors' recreational access and experience
- Improvement of trails will reduce erosion and sediment transport to the river, thereby enhancing the fisheries ORVs
- Installation of appropriate signage will help educate users of property boundaries and allowable activities in the Rogue National Wild and Scenic River corridor, and will help to identify and expand the public's knowledge of recreational and other appropriate uses within the corridor
- Noxious weed control utilizing the integrated pest management approach during implementation will further maintain and develop ecologically healthy plant communities (Medford District Integrated Weed Management Plan EA 1998)

All activities will be consistent with the protection and enhancement of the Outstanding Remarkable Values (ORV) for which the river was designated because:

#### **IV. CONSULTATION AND COORDINATION**

This decision is consistent with all of the mandatory terms and conditions identified in the Biological Opinion (Log # 1-15-03-F-511), which applies to listed Threatened and Endangered (T&E) species other than the spotted owl. Individual consultation with the USFWS is not necessary for this project because the BLM will implement all applicable project design criteria (PDC) in accordance with the mandatory terms and conditions. Due to implementation of PDCs, there will be "no effect" to listed T&E wildlife species. Projects with "no effect" determinations do not require consultation.

In accordance with section 7 of the ESA, the BLM analyzed project activities for their potential to affect the following plant species; the endangered Gentner's fritillary (*Fritillaria gentneri*) endangered Cook's lomatium (*Lomatium cookii*), endangered large-flowered woolly meadowfoam (*Limnanthes floccosa ssp. grandiflora*), and McDonald's rockcress (*Arabis macdonaldiana*). In September 2008, BLM prepared a BA to evaluate impacts to listed plant species. In September 2008 the USFWS gave BLM a letter of concurrence (LOC) (Tails # 13420-2008-I-0136). The BLM is implementing all applicable PDCs in accordance with the mandatory terms and conditions as specified in the LOC. The Service stated that the proposed action will not jeopardize the continued existence of ESA listed species. The project area does not contain any proposed critical habitat units for Cook's lomatium.

In accordance with section 7 of the ESA, the BLM analyzed project activities for their potential to affect Southern Oregon/Northern California (SONC) coho salmon or their designated critical habitat. The BLM also analyzed these activities for their potential to affect Essential Fish Habitat (EFH), in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

Noncommercial activities were included under the consultation previously completed for programmatic activities (NMFS, Northwest Region, August 8, 2001, as amended October 18, 2002 and May 21, 2003). All actions in this decision are No Affect for SONC, or for Essential Fish Habitat in accordance with the MSA.

During the design and preparation of the project plan and EA, the BLM consulted and coordinated with the Oregon Department of Fish and Wildlife, Oregon Department of State lands, Oregon Parks and Recreation, and Josephine County Parks Department.

Based on surveys and implementation of Project Design Features, the project will not adversely impact any sites of cultural or historical significance. The State Historic Preservation Office (SHPO) was informed of the BLM's finding in accordance with 36 CFR 800.5(b).

The Confederated Tribes of the Siletz and the Grande Ronde, and the Cow Creek Band of Umpqua Tribe of Indians were notified of this project during scoping and the EA's public comment period. Josephine County Commissioners and the Josephine County Forestry Department were also contacted.

## **V. PUBLIC INVOLVEMENT**

Public involvement began in December 2009 with the mailing of 178 scoping letters describing the proposal to interested individuals, local and state governments, organizations, and neighboring landowners. Six scoping comments were received from four individuals and two government agencies, the Oregon Department of Fish and Wildlife, and the State historic Preservation Office. All public input was considered by the planning team in developing the proposal and in preparation of the EA and this decision. This input will be further considered in prioritizing implementation. All comments received were in support of the project.

The Rogue River Trails Maintenance and Reconstruction Project EA was available for public review from July 10 through July 27, 2010. It incorporated analysis of the proposed actions and addressed issues raised in public scoping comments. Approximately 16 letters were sent to individuals, landowners, groups and agencies that requested that they be kept informed of the

project or owned land adjacent to the project. The letter and project maps provided a synopsis of the proposed actions, stated that the EA was available on-line or from the Grants Pass Interagency Office, and announced the 15-day public comment period. A legal ad (Notice of Availability) was published in the Grants Pass Daily Courier on July 10, 2010.

No comments were received during the 15 day EA review period.

## **VI. CONCLUSION**

### **A. Plan Conformance**

Based on the information in the Rogue River Corridor Restoration Project EA, FONSI, in the record, and from the letters and comments received from the public about the project, I conclude that this decision is consistent with the:

1. Final EIS and ROD for the 1995 Medford District Resource Management Plan (RMP) (1995)
2. Rogue National Wild and Scenic River: Hellgate Recreation Area Management Plan and EIS (2003) (RAMP) and ROD (2004)
3. Final Supplemental EIS on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl (1994)
4. ROD for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and its attachment A entitled the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (NWFP) (1994)
5. Medford District Noxious Weed Environmental Assessment (1998)
6. ROD for Management of Port-Orford Cedar in Southwest Oregon (2004)
7. Rogue National Wild and Scenic River, Oregon: Notice of Revised Development and Management Plan (1972) (Federal Register Vol. 37, No. 131, 13408-13416)

The ACS Consistency Review completed for this project found that the project is in compliance with the Aquatic Conservation Strategy as originally developed under the Northwest Forest Plan.

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 decision will not have any adverse impacts to energy development, production, supply and/or distribution (per Executive Order 13212).

This document complies with the Council on Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA; 40 CFR Parts 1500-1508) and the Department of the Interior's regulations on the National Environmental Policy Act of 1969 (43 CFR Part 46) as well as the BLM specific NEPA requirements in the Departmental Manual (516 DM 11) and Handbook H-1790-1.

## VII. 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, Part 4, Department Hearings and Appeals Procedures, Subpart E, section 4.450-2: Protests. Notice of the decision will be published in the Grants Pass Daily Courier. Only signed hard copies of protests will be accepted. Emailed or faxed protests will not be considered. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.

  
Abbie Jessie  
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Date