

Decision Record

NEPA Register Number: DOI-BLM-OR-P040-2010-0029-EA

Title of Action: McDonald Crossing Toilet

BLM Office: Central Oregon Resource Area, Prineville, Oregon

1. Compliance

This action is in compliance with the Endangered Species Act, National Historic Preservation Act, and the Clean Water Act. The Wild and Scenic River values will be protected, and the values of scenery and recreation will be enhanced. There are no effects on park lands, prime farm lands, wetlands, or ecologically critical areas. Any resource of concern identified to be at risk from the project activities will be protected from damage or disturbance.

This project is consistent with the 2001 Record of Decision for the John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments.

Project approval letters and/or permits were obtained from Oregon Department of Environmental Quality, Oregon Parks and Recreation Department, and Gilliam County Planning Department.

2. Proposed or Selected Alternative

Based on the analysis contained in the Environmental Assessment (EA) for the McDonald Crossing Toilet, it is my decision to install a permanent vault toilet, a 45 foot by 70 foot gravel parking area, one wooden bulletin board and two interpretive signs on BLM land near McDonald Crossing within the John Day Wild and Scenic River, as analyzed under Alternative 2 in the EA.

The following mitigations to reduce impacts of the project were incorporated in the design of the proposed action:

1. The toilet will be located outside of the floodplain.
2. The toilet will be installed in a location pre-approved by the Oregon Department of Parks and Recreation in compliance with State Scenic Waterway Rules, will not be visible from the river, and the exterior color will blend with the natural surroundings.
3. It is unlikely that any archaeological resources will be found at this location during excavation for the toilet vault. However, as required under standard operating procedures, if during construction archaeological resources are discovered, all activities will cease and the district archaeologist will be contacted immediately. No work will continue until the archaeologist has examined the find(s) and made a determination as to how to mitigate the situation.
4. Wildlife surveys of the area found no special-status species, however, surveys did find a pair of non special-status birds nesting in the project area. Although not required, I have decided to reduce impacts to wildlife, by initiating the project after May 15, 2010 to avoid disturbance to the nesting non-special status birds.

5. No threatened or endangered plants are known to be in the area.
6. To reduce the spread of noxious weeds, disturbed soil will be re-seeded with species that naturally occur on site, and monitored and treated for noxious weeds.

3. FONSI Reference

A Finding of No Significant Impact (FONSI) was issued for this action which indicates that the action has been analyzed in the McDonald Crossing Toilet EA and found to have no significant impacts, thus an EIS is not required.

4. Public Involvement

The EA was made available for a 30-day public comment period. The public comment period was announced through local newspapers, on the BLM Prineville District website, and letters were mailed to adjacent landowners, other agencies, and interested publics who expressed interest in actions proposed along the Lower John Day River Wild and Scenic River. No public comments were received during the 30-day public comment period.

5. Rationale for the Decision

I have decided to install a vault toilet at McDonald Crossing, as analyzed in the Proposed Action of the EA, as this action best meets the purpose and need to protect and enhance the scenic and recreation values of the Wild and Scenic River, protect water quality from human waste pollution and reduce risks to human health and safety. The action will provide sanitation facilities to support existing recreation use and reduce the problem of human waste deposition in the surrounding vegetation. The Proposed Action was selected over the No-Action Alternative, as it would provide a solution to the existing human waste problem at this location, rather than allowing the problem to continue.

6. Protest and Appeal Opportunities

This decision constitutes my final decision and may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (3050 N.E. Third Street, Prineville, OR 97754) within 30 days from receipt of this decision. Notice of appeal must be sent certified mail. The appellant has the burden of showing that the decision appealed from is in error. Any request for stay of this decision in accordance with 43 CFR 4.21 must be filed with your appeal.

/s/ H.F. "Chip" Faver

H. F. "Chip" Faver
Field Manager, Central Oregon Resource Area

05/13/10

Date