



DECISION MEMO
Frog Lake Creek Off-road Vehicle Bridge
U.S. Forest Service
Rogue River-Siskiyou National Forest Service
Gold Beach Ranger District
Curry County, Oregon

PROJECT DESCRIPTION

The project involves installing a motorized trail bridge across Frog Lake Creek on road 3313.100 located on the Gold Beach Ranger District. The bridge would be approximately 42 feet long and 68 inches wide; standard width for all-terrain-vehicle access as well as non-motorized users. The bridge will not be accessible to full-sized vehicles. The materials that could be used for the bridge are treated glulams or weathering (corten) stringers and treated dimensional lumber for the decking and railing. Rock-filled gabion baskets would be used for the abutments. The rock for the gabions could come from the Lobster Boat Ramp vicinity or from a commercial source. Small boulders would be placed on the road surface to narrow the road width approaching the bridge to 6 feet. Road is still a ML2, mixed use from either side, but the crossing will be only a trail. Currently being crossed by OHVs as a low water crossing.

DECISION

I have decided to authorize the construction of an off-road vehicle accessible bridge at Frog Creek. The section of existing or non-existing road right now that would become motorized trail is “Frog Lake Creek crossing plus approximately 100 feet on each side up to the existing berms”. Install a trail bridge across Frog Lake Creek on road 3313.100. The bridge would be approximately 42 feet long and 68 inches wide which would be wide enough for all-terrain-vehicles as well as non-motorized users but not full-sized vehicles. This action is excluded from further documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as 36 CFR 220.6(e) (1) Construction and reconstruction of trail. This category of action(s) is applicable because the proposed action is under 5 acres of contiguous use and provides access to privately owned land. I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

Table 1: Analysis of Potentially Extraordinary Circumstances

Extraordinary Circumstance Evaluation	Cause and Effect of Proposed Activities on this Resource
American Indians and Alaska Native religious or cultural sites	The proposed activity will have no effect to American Indian and Alaska Native religious or cultural sites. ¹

¹ A letter with the SOPA with general information were sent to Coquille Indian Tribe, Cow Creek Band of the Umpqua Indian, Confederated Tribes of the Grande Ronde, Confederated Tribes of Siletz Indians, Elk Valley Rancheria, the Klamath Tribes, Quartz Valley Indian Reservation and the Tolowa Dee-ni Nation on 25 April 2018 as part of the agreement between these Tribal groups and the Rogue River-Siskiyou NF. No comments were received in response.

Archaeological sites, or historic properties or areas	The undertaking will have no effect to Archaeological sites, or historic properties or areas if the permit stipulations are followed. The undertaking is excluded from SHPO case by case review under Appendix C 14 of the 2004 Programmatic Agreement between the USFS Pacific Northwest Region, Oregon SHPO, and Advisory Council on Historic Preservation. FS Report No. 2017-0610-17.
Congressionally designated areas such as wilderness, wilderness study areas or national recreation areas	There are no congressionally designated areas present within the project area.
Inventoried Roadless areas or potential wilderness areas	This action is not located within an inventoried roadless area or potential wilderness area.
Research Natural Areas	No Research Natural Areas exist within the project area.
Floodplains, wetlands, or municipal watersheds	The proposed activity will have no effect on any floodplains, wetlands, or municipal watersheds. Low degree of effect for soils - 3313-100, Frog Lake Creek; was damaged during Biscuit Fire and was removed; this would be to install an OHV in the existing road prism crossing. 68" width for OHV use only, not wide enough for highway vehicle use. Barriers established on each end as well.
Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species	Effects to Fish – No effect – Project is not located within or adjacent to SONCC Coho critical habitat. Nearest Coho CH is approximately 2 miles downstream in the mainstem of Quosatana Creek. No impact to all listed R6 sensitive aquatic biota species. Project would occur during ODFW in-water work period, July 15-Sept 30. Aquatic Organism Passage will not be impacted within the stream. Effect to Plants – There are no effect to threatened or endangered plant species that could be affected by this proposal. There are no impacts to region 6 sensitive or survey and manage plant or fungi species that could be affected by this proposal. The area has been heavily disturbed for a long period of time. Habitat is not suitable to the establishment or persistence of listed species. Effect to Wildlife – There are no effect to threatened or endangered species that could be affected by this proposal. There are no impacts to region 6 sensitive or survey and manage species that could be affected by this proposal. The area has been heavily disturbed for a long period of time.

PROJECT DESIGN CRITERIA AND MITIGATION MEASURES

Mitigations for OHV Bridge Construction: Standard erosion control measures, including wattles or silt fence around disturbed or stockpiled soils, mulching during construction before forecasted wet weather, and at completion of project. Seeding if approved and cleared by botanist.

Any ground disturbance would be conducted during dry weather conditions. There are some small alder trees (8 inches or less) and brush that will need to be cut to allow for construction of the bridge. The cut vegetation will be placed on the creek slopes for erosion control. All equipment would be washed prior to and after leaving the work site to prevent the spread of *Phytophthora lateralis* (Port-Orford-cedar root disease) and *Phytophthora ramorum* (Sudden Oak Death).

In order to prevent inadvertent motor vehicle use in a meadow adjacent to the project area, placement of large rocks is suggested in the area to prevent through-fare traffic in the meadow. The meadow is located just off road 3313.100 is on a closed road 3313102.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Rogue River-Siskiyou National Forest Schedule of Proposed Actions and updated periodically during the analysis. One comment was received from a private citizen (25 June 2018). Members of the interdisciplinary team reviewed and provided input on the project proposal.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Siskiyou National Forest Land Management Plan (LRMP), as amended by the Northwest Forest Plan. I find this action to be consistent with both the letter and intent of the Siskiyou Land Management Plan and the Northwest Forest Plan. I find this action to remain consistent with the *Final Record of Decision for the Motorized Vehicle Use on the Rogue River-Siskiyou National Forest* (June 2016); the bridge on the MVUM is shown as “bridge out”.

This action is consistent with federal, state, and local laws related to the protection of the environment. In addition, this action has been analyzed and designed under other laws, regulations and agreements applicable to the management of NFS lands and resources. I find this decision to be consistent with the procedural requirements of the NEPA.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is not subject to appeal or objection pursuant to 36 CFR 218. On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes “shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excluded ... under the National Environmental Policy Act [NEPA].” On February 7, 2014, the President signed into law the Agricultural Act of 2014 (Farm Bill) (Pub. L. No. 113-79). Section 8006 of the 2014 Farm Bill repealed the Appeals Reform Act (ARA) (Pub. L. No. 102-381). The ARA’s implementing regulation was 36 CFR 215. The 2014 Farm Bill also directs that the pre-decisional objection process established in the Consolidated Appropriation Act of 2012 shall not be applicable to categorically excluded projects or activities. Implementation may begin immediately.

CONTACT

For additional information concerning this decision, contact: Amy Hartell at (541) 247-3640 or at amy.hartell@usda.gov.

Wade A. McMaster
Gold Beach District Ranger

Date

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