



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Boise District Office
3948 Development Avenue
Boise, Idaho 83705



DECISION RECORD

Project Name: Jump Creek Recreation Site Road Improvement

BLM Office: Owyhee Field Office, Idaho

NEPA Register No.: DOI-BLM-ID-B030-2012-0015-EA

Contact: Ryan Homan – Recreation Planner

Project Location: Owyhee County

Boise Meridian, Owyhee County, State of Idaho

T2N, R5W, Sec. 27 - (0.25 acres)

Decision: It is my decision to implement Alternative B, the Proposed Action, of the Jump Creek Recreation Site Road Improvement Environmental Assessment #DOI-BLM-ID-B030-2012-0015-EA. This alternative was developed in order to mitigate public safety concerns, resource issues, as well as to enhance the longevity of recreational facilities in the area. This alternative is supported by a variety of groups, as discussed in the Environmental Assessment (EA). In addition; the proposed action is supported by Idaho Parks and Recreation (IDPR) and will be funded through IDPR's Road and Bridge grant program.

The Proposed Action consists of project work to reconstruct and repair approximately 685 feet of an existing road leading to the main/lower parking area of the Jump Creek Recreation Site. Work for the proposed project includes design and construction staking of the roadway to bring grades down from a maximum of 17% to an estimated grade of 10-12% throughout. Additional drainage structures (culverts) would be added and existing structures would be cleaned to ensure water is being diverted from the road surface. Engineered fill materials will be placed and compacted to reconstruct the roadbed, which would then be paved.

Authority:

The Jump Creek road reconstruction project will be in compliance with the Federal Land Policy Management Act. The project is also in compliance with the Owyhee Field Office Resource Management Plan (RMP) Objective RECT 2 which directs management to “provide special management attention to areas of public land with identified special recreational, scenic, and cultural values where current and projected recreational demand warrants intensive management,” as well as Objective RECT 4, which directs management to “provide for high quality recreational opportunities and experiences at developed and undeveloped recreation sites by maintaining existing amenities and by providing new recreation sites for the public’s enjoyment.”

The proposed project will be in compliance with Executive Order 11989 (1977), which directs federal land managers to immediately close areas or trails to off-road vehicles whenever the land manager determines that "the use of the off-road vehicle will cause or is causing considerable adverse effects on the soil, vegetation, wildlife, wildlife habitats or cultural or historic resources of particular areas or trails until such adverse effects have been eliminated and that measures have been implemented to prevent further recurrence."

The project is also consistent with the Bureau's "Priorities for Recreation and Visitor Services" (2003) work plan where objectives are to: "Ensure public health and safety, and improve the condition and accessibility of recreation sites and facilities," as well as to "Manage and maintain recreation sites and facilities to acceptable operational standards."

Authority for temporary closure of the recreation site during project construction is authorized under CFR 9268.3(d) which states: "*Closure of lands. In the management of lands to protect the public and assure proper resource utilization, conservation, and protection, public use and travel may be temporarily restricted. For instance, areas may be closed during a period of high fire danger or unsafe conditions, or where use will interfere with or delay mineral development, timber and livestock operations, or authorized use of the lands.*"

Compliance and Monitoring: All monitoring/maintenance and operations of the Jump Creek Recreation Site will be conducted by the Boise District Bureau of Land Management and associated contractors. The site is visited weekly by a government maintenance contractor who performs routine and minor maintenance. Larger maintenance items are immediately reported to the government for corrective actions.

NEPA Compliance: The Owyhee Field Office conducted public scoping in 2012 and received 100% positive feedback on the proposed project. In addition to the Proposed Action alternative, the EA analyzed a No Action Alternative in which the BLM would not reconstruct/pave the Jump Creek Recreation Site access road. The road leading to the main/lower Jump Creek Recreation site would be left in its current state and public safety and natural resource issues would persist. Current management would continue on the existing roadway, which has a graveled surface and steep pitch with slopes as high as 17% in some areas.

Based on my review of the EA and consideration of comments received, I determined that the proposed project would not result in any significant impacts to the human environment. The EA and Finding of No Significant Impact (FONSI) is available upon request to the Owyhee Field Office, and will be available with this Decision Record on the Idaho BLM public internet site at <http://www.blm.gov/id/st/en/info/nepa.html> throughout an administrative appeal period for this decision.

Rationale for the Decision: My decision to implement the Jump Creek Recreation Site road improvement project as described has been made due to the fact that the project will: eliminate public safety concerns, ensure access to recreational facilities to disabled visitors year-round, eliminate resource concerns (such as erosion and impacts to water quality), reduce the potential

for the creation of new routes within the recreation site, and enhance the longevity of recreational facilities within the area. The project is consistent with goals and objectives identified within the Owyhee RMP and the Bureau's priorities. Public and group support for the project was also over overwhelmingly positive; the project benefits far outweigh any negligible impacts associated with the proposed action.

Approval of Authorized Officer:

/s/ Loretta V. Chandler

Loretta V. Chandler - Owyhee Field Office Manager

4/2/13

Date

Contact: For questions concerning this decision, please contact Ryan Homan, Outdoor Recreation Planner, Owyhee Field Office, 208-896-5925 or at rhoman@blm.gov.

Appeal Information

This decision 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. Public notification of this decision will be considered to have occurred on April 3, 2013. Information on how to appeal this document can be found on the attached form 1842-1.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

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

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- 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).
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- 2. WHERE TO FILE**..... Bureau of Land Management / Owyhee Field Office
20 First Ave. West
Marsing, ID. 83639
- NOTICE OF APPEAL.....
- WITH COPY TO SOLICITOR... Office of the Regional Solicitor at Department of the Interior
Boise Field Solicitor's Office / University Plaza
960 Broadway Ave. Suite 400
Boise, ID. 83706
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- 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 SOLICITOR..... Office of the Regional Solicitor at Department of the Interior
Boise Field Solicitor's Office / University Plaza
960 Broadway Ave. Suite 400
Boise, ID. 83706
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- 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).
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- 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)).
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- 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 effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). 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 a 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.

43 CFR SUBPART 1821--GENERAL INFORMATION

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:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ---- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(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.