



United States Department of the Interior
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT OFFICE
ASHLAND RESOURCE AREA
3040 Biddle Road
Medford, Oregon 97504



DECISION RECORD
for the
JACK-ASH TRAIL PROJECT
(DOI-BLM-ORWA-M060-2016-0011-EA)

INTRODUCTION

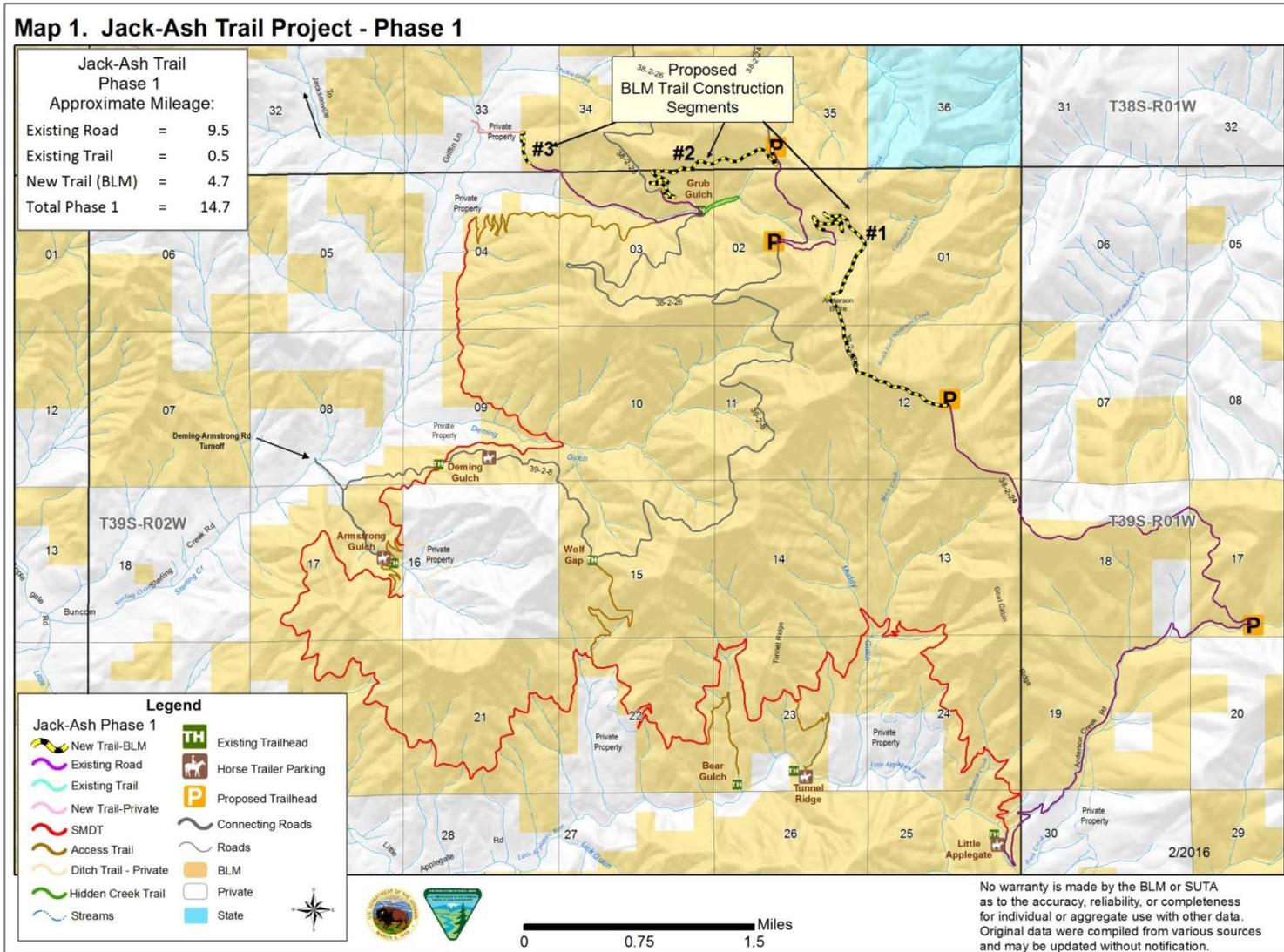
This document describes my decision, and reasons for my decision, regarding the selection of a course of action to be implemented for the Jack-Ash Trail Project. The Medford District Bureau of Land Management (BLM), Ashland Resource Area, has completed the environmental analysis of the Jack-Ash Trail Project, which is documented in the *Jack-Ash Trail Project Environmental Assessment* (DOI-BLM-ORWA-M060-2016-0011-EA) (EA). The Jack-Ash EA was issued for public review on June 17, 2016. The EA public review period ended on July 18, 2016.

BACKGROUND

The Jack-Ash Trail Project EA documented the analysis of the BLM's proposal to construct 4.7 miles of new non-motorized trail and four trailheads on BLM-administered lands. The proposed new trail segments are located on the upper slopes of Anderson Butte, upper- and mid-slopes of Grub Gulch, and a short segment on the lower slopes of Grub Gulch just above Sterling Creek. All of the proposed new segments on BLM-administered lands occur in the Lower Little Applegate River Watershed (Map 1). Portions of the Jack-Ash Trail Project would be shared-use (motorized and non-motorized) along existing BLM roads on and near the ridge between the Little Applegate River and Bear Creek Watersheds to connect the segments of newly constructed non-motorized trail.

The Project Area for Phase 1 of the Jack-Ash Trail is located south of the cities of Jacksonville and Medford, and west of the Ashland/Phoenix/Talent area. It is bordered on the west by Sterling Creek, on the south by the Little Applegate River, and on the east by Anderson Butte Road. Land in the Project Area is predominantly managed by the BLM, and all segments of proposed new trail are on BLM-administered land. The existing BLM and county roads that serve to connect the off-road segments of Phase 1 would be Anderson Creek Road (also known as Rush Creek Road) from its junction with Little Applegate Road near the Little Applegate Trailhead of the Sterling Mine Ditch Trail (NW 1/4 of Section 25, T 39S., R 2W), up to the junction with Anderson Butte Road (BLM Road # 38-2-24) at Section Line Gap (Section 18, T 39S., R 1W). From there the route runs northwesterly along Anderson Butte Road and then west near Grub Gulch and ends along BLM Road # 39-2-3 (Map 1).

Map 1. Jack-Ash Trail Project – Phase 1



Phase 1 is a portion of planned larger trail system that would ultimately provide a non-motorized trail system for equestrians, hikers, runners, and mountain bikers that would connect the cities of Jacksonville and Ashland with a trail system, primarily along the ridges and crests of the Siskiyou Mountains. Portions of the Phase 1 route that utilize existing roads to connect the larger trail route are considered shared-use routes for motorized and non-motorized use. Phase 1 connects to the existing Sterling Mine Ditch Trail to create a stand-alone loop trail. The trailheads would be designated in areas that already receive some recreational parking use. The trail would be accessible to all levels of non-motorized users.

THE DECISION

As the Responsible Official, it is my decision to implement Alternative 2 (Proposed Action) as described in the Jack-Ash Trail EA. My decision authorizes the following actions:

- The construction of 4.7 miles of trail. This decision relies on the shared-use of BLM roads as described below to for a loop trail.
 - Route to start at the southeast end on Anderson Creek Road near the Little Applegate Trailhead of the Sterling Mine Ditch Trail (SMDT) in Section 25, T. 39 S., R. 2 W. Trail route to follow Anderson Creek Road (BLM Road # 38-2-24).
 - **Segment #1** – 2.7 miles of new trail construction along the Anderson Butte ridge system from BLM Road # 38-2-24 to just below the top of Anderson Butte. Tie into old road system (BLM Road # 38-2-12.2) and continue north to connect with Upper Grub Gulch Road (BLM Road # 39-2-2). Trail would continue north along Armstrong-Deming Road (BLM Road # 39-2-8) to just south of the junction at a landing in the southwest quarter of Section 35, T. 39 S., R. 2 W.
 - **Segment #2** – 1.7 miles of new trail construction westerly across the slope and switchback easterly and westerly to connect with BLM Road # 39-2-26 in Section 3, T. 39 S., R. 2 W.
 - **Segment #3** – 0.3 miles of new trail construction along the Grub Gulch A Spur (BLM Road # 39-2-3.0) to the western BLM boundary.
- The construction of four new trailheads in areas that already receive some recreational parking use.
- All Project Design Features, as described in the EA, will be carried forward as required (pp. 24 and 25).

DECISION RATIONALE

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 Jack-Ash Trail Project, 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 Jack-Ash Trail Project EA.

My decision to utilize existing roads for connection to off-road trail segments does not designate these existing roads as non-motorized use only – they are shared-use routes. Transportation

management planning under the *Southwestern Oregon Record of Decision/Resource Management Plan* (USDI 2016) could provide a basis for any changes in road use in the future.

The Jack-Ash Trail Project EA analyzed two alternatives for the management of the BLM-administered lands in the project area: Alternative 1 (No Action), and Alternative 2 (Proposed Action). 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.

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 non-motorized use and provides economic benefits to local communities.

It meets the top two statewide non-motorized trail concerns: the need for more trails in close proximity to where people live, and the need for additional non-motorized trails. 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: northern spotted owl and recreation. I have determined the effects will be within those analyzed in the *Western Oregon Proposed Resource Management Plan and Environmental Impact Statement* (2016 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 (pp. 30- 36).

In making my decision, I considered the Decision Factors identified in the EA (pp. 13 and 14) to

- provide recreation opportunities that contribute to meeting projected recreation demand within the Project Area,
- enhance recreation opportunities provided by existing and proposed watchable wildlife and wildflower areas and national back country byways,
- manage OHV use on BLM-administered land to protect natural resources, provide visitor safety, and minimize conflicts among various users,
- provide recreation opportunities that would benefit local community economic strategies consistent with BLM land use objectives,
- consider adjacent landowners, and
- minimize impacts to federally listed and proposed species and their habitats.

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 non-motorized trail opportunities in the region through construction of 4.7 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;
- reducing conflicts between OHV users and non-motorized use by providing connectivity for an eventual 36-mile-long loop that would open up opportunities for equestrians, hikers, runners, and mountain bikers from around the Rogue Valley and the Pacific Northwest;
- taking advantage of the existing network of BLM gravel roads in the Anderson Butte area to connect other loops from the Sterling Mine Ditch Trail trailheads;
- providing signage to address private property concerns; and
- reducing impacts to northern spotted owl by only removing trees less than 12 inches in diameter at breast height, limiting the height of cut branches to less than 10 feet above the trail surface, and designing the trail to minimize vegetation removal through route location.

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 Jack-Ash Trail Project 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 2016 RMP.

I have personally read the comment letters sent in response to the EA and have considered them fully. The BLM has identified comments/issues submitted during the EA public review period and prepared responses to these comments. Responses are intended to be explanatory in nature, and when applicable, to guide the reader towards analysis or information contained in the EA. The BLM's response to comments is included in this Decision Record under heading Public Involvement (pp. 6-7).

In conclusion, the Jack-Ash Trail Project, as described in the Decision above, best meets the purpose and need described for this project (EA, p. 10), 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, policy, and the direction of the 2016 *Southwestern Oregon Record of Decision/Resource Management Plan* (see Plan Consistency below, and the Finding of No Significant Impact document for the Jack-Ash Trail Project).

CONSULTATION AND COORDINATION

Pursuant to the Endangered Species Act (ESA), consultation with the US Fish and Wildlife Service (USFWS) has been completed for the activities proposed under the Jack-Ash Trail Project in the BLM's *Biological Assessment for the Nedsbar Forest Management Project and Jack-Ash Trail Construction* (Nedsbar BA 2016). The BLM requested concurrence for the Jack-Ash Trail Project because BLM has determined the Proposed Action "*may affect, and is Not Likely to Adversely Affect (NLAA)* the northern spotted owl and their designated critical habitat. In their Letter of Concurrence (FWS Reference Number 01EOFW00-2016-I-0367), the USFWS determined that the

proposed activities “may affect, but are Not Likely to Adversely Affect spotted owls” (USFWS 2016, p. 3, EA, pp. 32-33).

There is no Coho Critical Habitat or Essential Fish Habitat in the Aquatic Habitat and Fish Analysis Area for the Jack-Ash Trail Project (EA, p. 15). Therefore, no consultation was required for federally-listed aquatic species, specifically Southern Oregon Northern California Coastal (SONCC) Coho, their Critical Habitat, or Essential Fish Habitat.

Gentner’s fritillary (*Fritillaria gentneri*) is the only potential federally listed plant species in the range of the Project Area. No Special Status vascular and non-vascular plants (including federally threatened, endangered, or Bureau Sensitive) were found during 2015 botany surveys of the proposed trail corridor (EA, p. 37).

In accordance with the Protocol for Managing Cultural Resources on Lands Administered by the Bureau of Land Management (BLM) in Oregon, and the National Historic Preservation Act of 1966 (specifically section 106), as amended, a literature review and cultural resource survey were conducted for the Jack-Ash Trail Project Area. No new sites were located during the Cultural Resource Survey and no significant cultural resources or historic properties are located within the Area of Potential Effect (EA, p. 39).

Letters describing the proposed project were sent on December 22, 2014 to federally-recognized Tribes, which included the Confederated Tribes of Siletz Indians of Oregon, the Cow Creek Band of Umpqua Tribe of Indians, and the Confederated Tribes of the Grand Ronde Community of Oregon.

PUBLIC INVOLVEMENT

A scoping letter briefly describing the Proposed Action and inviting comments was mailed to adjacent landowners, interested individuals, organizations, and other agencies on December 22, 2014. Comment letters received were reviewed by the interdisciplinary team of specialists and by the Responsible Official, the Ashland Resource Area Field Manager. Issues identified to be relevant to the analysis of the Proposed Action were incorporated into the list of relevant issues in Section 1.5.2, *Issues Identified for Detailed Analysis* of the EA.

The Jack-Ash Trail EA was completed on June 17, 2016 and made available for public review on the BLM’s ePlanning website. The EA public review period ended on July 18, 2016. Thirty-six comment letters and responses were received. All letters and responses were supportive of the Proposed Action. However, in addition to supporting the Proposed Action, six letters/responses expressed some concern and encouraged BLM to additionally consider comments regarding: trailheads, target shooting areas, unauthorized OHV routes, and construction of additional non-motorized trail/completely non-motorized trail (see below for responses).

Trailheads- Three letters requested ample options for trailheads with plenty of room for parking several horse trailers/truck rigs at a time with room for easy turnaround. The proposed route and the loop could be accessed from numerous existing SMDT trailheads and several wide turnouts/parking areas along Anderson Butte Road, in addition to the four proposed trailheads. The proposed trailheads would be designated on existing graveled and hardened parking areas and would not expand the footprint of the existing parking areas (EA, p. 23).

Target shooting areas- Two letters encouraged the BLM to control target shooting and confine it to designated areas for safety for all users, and one response encouraged BLM to close all target shooting areas within the range of the Jack-Ash Trail within the Anderson Butte vicinity. Closing all target shooting areas within the range of the Jack-Ash Trail is beyond the scope of this EA, and does not meet the purpose and need of the project. Illegal target shooting is addressed through law enforcement; additionally, signs would be posted in areas of trailheads to assist with enforcement (EA, p. 13), concrete barriers would be installed where conflict with target shooting is within range of Phase 1 of the trail, and BLM will continue its education efforts regarding responsible shooting.

Unauthorized OHV routes- Two responses referenced unauthorized OHV routes in the area and encouraged BLM to permanently close the routes. Permanent closure of unauthorized OHV routes in the vicinity of Anderson Butte/Phase 1 of the Jack-Ash Trail is beyond the scope of this EA. However, this project aims to minimize conflicts among various users by creating non-motorized trail segments around the slopes of Anderson Butte and Grub Gulch, allowing separation of motorized and non-motorized users (EA, p. 10) with the exception of those segments sharing use of existing roads.

Additional non-motorized trail/completely non-motorized trail- One response encouraged BLM to build [additional] non-motorized trail from Chelsea Spring/Section Line Gap to Anderson Butte, below the Anderson Butte Road, rather than incorporating the existing road segment citing it would more effectively serve the needs of non-motorized trail users for a more enjoyable recreational experience. Additionally, a different response expressed interest in the entire Jack-Ash Trail being a single-track, non-motorized trail. Further, another response advocated for more real trail miles and less improved road miles. BLM considered different alignments and segments of new trail construction; the proposed trail segments limit potential impacts to northern spotted owl and reduce the overall workload and cost associated with new trail construction. Future transportation management planning could identify opportunities for additional off-road trail routes to increase the non-motorized experience.

PLAN CONFORMANCE

Resource Management Plan

The BLM signed a Record of Decision approving the *Southwestern Oregon Resource Management Plan* (2016 ROD/RMP) on August 5, 2016.

Revision of an RMP necessarily involves a transition from the application of the old RMP to the application of the new RMP. The planning and analysis of future projects requires several years of preparation before the BLM can design a site-specific project and reach a decision. Allowing for a transition from the old RMP to the new RMP avoids disrupting the management of BLM-administered lands and allows the BLM to utilize work already begun on the planning and analysis of projects.

The 2016 ROD/RMP (p. 10) allows the BLM to implement projects consistent with the management direction of either the 1995 RMP or the approved 2016 RMP, at the discretion of the decision maker, if—

- The BLM had not signed a project-specific decision prior to the effective date of the ROD;

- The BLM began preparation of NEPA documentation prior to the effective date of the ROD; and
- The BLM signs a project-specific decision on the project within two years of the effective date of the ROD.

The Medford District began preparation of NEPA documentation prior to the effective date of the 2016 ROD/RMP, as the District initiated planning and preparation of NEPA documentation for this project on December 22, 2014. Although this project was initially designed to conform to and be consistent with the Medford District's 1995 ROD/RMP, it also conforms to and is consistent with the 2016 ROD/RMP. This project meets the criteria described in the 2016 ROD/RMP that allows the BLM to implement projects begun under the 1995 ROD/RMP, with the exception of five categories of prohibited carry-over actions. These criteria include five categories of actions for projects begun under the 1995 ROD/RMPs that are prohibited from occurring during the two years after the 2016 ROD/RMP was signed. The Jack-Ash Trail Project does not include any actions that are excepted and is therefore consistent with the 2016 ROD/RMP.

This decision is consistent with management direction in the Southwestern Oregon ROD/RMP that directs the BLM to "Manage Special Recreation Management Areas and Extensive Recreation Management Areas, identified in Appendix G, in accordance with their planning frameworks" (p. 107) and "Pursue and prioritize public access to BLM-administered lands that have high recreational potential consistent with BLM designations and allocations" (p. 107). The Jack-Ash Trail is within an Extensive Recreation Management Area (ERMA) on the Medford District.

Special Status Species

The Jack-Ash Trail Project is also consistent with BLM Manual 6840 (USDI 2008), the purpose of which is to provide policy and guidance for the conservation of BLM Special Status Species and the ecosystems upon which they depend on BLM-administered lands. BLM Special Status Species include those species listed or proposed for listing under the Endangered Species Act (ESA), as well as those designated as Bureau Sensitive by the State Director.

Statutes and Regulations

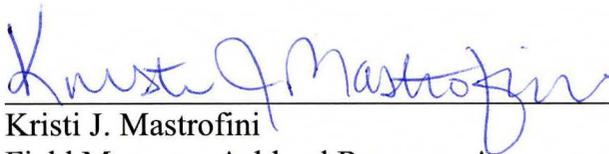
This decision is also in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the National Environmental Policy Act of 1969 (NEPA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990, the National Historic Preservation Act of 1966 as amended, and the Archaeological Resources Protection Act of 1979.

ADMINISTRATIVE REMEDIES

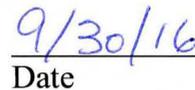
This decision is a general Public Land decision and is subject to appeal by the public. In accordance with Department of the Interior regulations at 43 CFR Part 4-Department Hearings and Appeals Procedures, and the attached Form 1842-1, this decision may be appealed to the Interior Board of Land Appeals (IBLA). A Notice of Appeal must be filed in writing to the office that issued this decision (Bureau of Land Management, Medford District Office, 3040 Biddle Road, Medford, OR 97504, Attention: Ashland Resource Area Field Manager) within 30 days after the publication of the Notice of Decision in the *Medford Mail Tribune* newspaper. 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.



Kristi J. Mastrofini
Field Manager, Ashland Resource Area
Medford District, Bureau of Land Management


Date