

2nd FINAL DRAFT submit march 31 Due April 4

**Klamath Siskiyou Wildlands Center
Oregon Shores Conservation Coalition
Oregon Wild**

March 31, 2022

Sent via email to: Jill.DeKoekkoek@odot.oregon.gov

Jill DeKoekkoek
Oregon Department of Transportation
3500 NW Stewart Parkway
Roseburg, OR 97470
Sent via Certified Mail 7020 3160 0001 4324 2027

Steven D. Lydick, District Manager
Coos Bay District of the U.S. Bureau of Land Management
1300 Airport Lane
North Bend, OR 97459
Sent via Certified Mail 7020 3160 0001 4324 2034

Phillip Ditzler, Division Administrator
Oregon Division
Federal Highway Administration
530 Center Street NE, Suite 420
Salem, OR 97301
Sent via Certified Mail 7020 3160 0001 4324 2041

Re: Public Comments on ODOT's Colebrook Quarry Proposal

Dear Ms. DeKoekkoek:

Please accept the following comments in response to the Oregon Department of Transportation's ("ODOT" or "the Department") February 2, 2022 "Interested Parties" letter, which seeks input regarding ODOT's plan to request transfer of 40 acres of land from the Bureau of Land Management (BLM) to the Federal Highway Administration (FHWA) for the purpose of making the proposed Colebrook Quarry available as a rock source for future projects on U.S. Highway 101.¹ The purpose of the transfer is to authorize ODOT to expedite mining on the parcel for a minimum of 300,000 tons of rock (ODOT 2022b). On behalf of our members and supporters, Klamath Siskiyou Wildlands Center (KS Wild), Oregon Shores Conservation Coalition and Oregon Wild ("Undersigned Organizations") strongly urge ODOT to withdraw the current request to BLM, and in order to ensure meaningful compliance with the National Environmental Policy Act ("NEPA"), work with its federal agency partners to complete a full environmental review with an Environmental Impact Statement (EIS).

¹ The transfer is authorized pursuant to the BLM and FHWA INTERAGENCY AGREEMENT AA 851-IA2-40 (Aug. 27, 1982) (hereinafter Agreement).

KS Wild is a 501(c)(3) Oregon non-profit corporation based in Ashland, Oregon, dedicated to the preservation and restoration of biological diversity in the Klamath-Siskiyou region of southwest Oregon and northern California. We have approximately 3,000 members and 5,000 supporters. KS Wild is committed to the protection of ecological and biological integrity of late-successional forests and aquatic ecosystems in the region. KS Wild members, staff and supporters use and enjoy the BLM lands identified for transfer to the FHWA for dispersed recreation, wildland studies, and to satisfy our human need for direct experience with old growth forests and pristine geologic features (i.e. Colebrook Rock). KS Wild members hike, bird watch, identify plants, and otherwise learn from the terrestrial forest ecosystems where the land transfer and mining activities are proposed. We want to recreate under an intact forest canopy, enjoy scenic vistas on intact rock outcrops, hear songbirds, encounter rare plants and animals, visit old growth trees and be in the presence of ecologically functional ecosystems. KS Wild and its members will be directly harmed by the proposed land transfer and subsequent mining activities.

KS Wild also has an organizational interest in providing its members and the public with information that the National Environmental Policy Act (NEPA) requires ODOT to compile and disclose in its environmental documents. Members and staff of KS Wild have a right to know the environmental costs and tradeoffs involved in site-specific resource management decisions such as the transfer of BLM lands to ODOT for destruction via mining. KS Wild's interests will be adversely impacted by ODOT's failure to fully comply with NEPA and the Endangered Species Act (ESA).

Oregon Shores is a non-profit organization dedicated to protecting the Oregon coastal region's natural communities, ecosystems, and landscapes, while preserving the public's access to these priceless treasures. Oregon Shores' mission includes assisting coastal residents and people who wish to participate in land use and other regulatory decision-making processes with the potential to impact coastal communities, including those involving forestry and mining practices. The organization's area of concern encompasses the entire coastal region from the crest of the Coast Range to the edge of the continental shelf. Oregon Shores members, volunteers, and supporters, along with the general public, would be directly and potentially adversely impacted by the proposed quarry development. Oregon Shores recognizes the necessity of aggregate mining and gravel extraction and associated uses. However, this need must be balanced against the equally important need to protect Oregon's vital and vulnerable coastal watersheds and ecosystems. Oregon Shores strongly believes that such projects should be done in an ecologically responsible and climate resilient fashion, with full attention to water quality, endangered species and other key resources, with robust opportunity for inclusive public participation.

Oregon Wild is an Oregon non-profit corporation headquartered in Portland, with field offices in Eugene, Bend, and Chiloquin. Oregon Wild's mission is to protect and restore Oregon's wild lands, wildlife, and waters as an enduring legacy. Oregon Wild's goals are to permanently protect federal forest-lands and protect and restore habitat for native species. Oregon Wild has over 7,000 members, some of whom recreate in the public lands at issue in this proposed quarry. Oregon Wild's members enjoy hiking, nature appreciation, camping, photography, bird watching, wildlife viewing, and other pursuits. The educational, aesthetic, recreational, scientific,

and other interests of Oregon Wild and its members in public lands will be irreparably harmed if the currently protected BLM lands are destroyed by an ODOT rock quarry.

The Undersigned Organizations agree with ODOT that the best outcomes result from “working in partnership with local communities and individuals.”² We are therefore disturbed by the lack of transparency or opportunity for public comment in the Colebrook Quarry development process. We are also concerned that the use of a CE to authorize the project has circumvented the careful scrutiny and disclosure of potential environmental impacts required by NEPA. We therefore urge ODOT and its federal partner agencies to thoroughly analyze the project’s potential impacts, present them to the public in an EIS, conduct any activities in an ecologically responsible manner, and make detailed provisions for mitigation and reclamation.

We provide these written comments to emphasize the importance of a robust review prior to development in a highly dynamic stream environment—particularly when a proposed development risks altering coastal ecosystems downstream. The deficiencies in ODOT’s process are discussed in further detail below. Please notify us of any further decisions, reports, or notices issued for this proposal or any related matters, as well as any actions taken, public hearings held, or additional public comment periods in relation to this matter.

1. Request for public hearing and additional public comment period, as well as general comment on sufficiency of public process related to proposal.

Given that the proposed action is of high public interest and concern, the undersigned organizations strongly believe that the public’s interest would be served by extending the public comment period for a minimum of 30 additional days to allow for parties to meaningfully review, analyze, and provide comments on a potential action of this magnitude. In order to develop an appropriate and informed decision in this matter, consistent with applicable statutes and regulation, the undersigned organizations strongly urge ODOT to extend the period of public notice to ensure that the public has time to meaningfully evaluate the proposed changes and submit fully informed comment. Additionally, the undersigned organizations request a public hearing regarding the proposals, in accordance with ODOT’s October 2020 public involvement policy³ and NEPA public involvement procedures.⁴ First, as discussed throughout this comment, there is dispute about the size, nature, and extent of the proposal. ODOT NEPA Manual, §423, 423-14.⁵ Second, there is question about whether proceeding under a categorical exclusion (“CE”) classification in this matter is proper under 23 C.F.R. §771.117(b), given the following:

² Oregon Department of Transportation, “Colebrook Quarry: A Local Rock Source for Local Highway Projects” 2 (March 2022) (hereinafter “Info Sheet”).

³ ODOT Public Involvement Policy (10/22/20):
<https://www.oregon.gov/odot/Planning/Documents/OTCpolicy%20policy%20Final%20for%20public%20posting.pdf>

⁴ ODOT NEPA Manual, §412 - *Public Involvement / Agency Coordination*, 1-2 (Feb. 2020) (setting forth public involvement procedures required for all project development activities, regardless of NEPA document being prepared), *available at*
https://www.oregon.gov/odot/GeoEnvironmental/Docs_NEPA_Manual/412.NEPA_Manual.pdf.

⁵ https://www.oregon.gov/odot/GeoEnvironmental/Docs_NEPA_Manual/423.NEPA_Manual.pdf

2nd FINAL DRAFT submit march 31 Due April 4

- As discussed throughout this comment and as several members of the public have expressed to ODOT, the proposal has the potential to impose significant adverse environmental impacts on the natural and human communities within Oregon's coastal zone. 23 C.F.R. §771.117(b)(1).
- As discussed throughout this comment and as evidenced by the public inquiry related to the publication of ODOT's March 2022 Info Sheet for this matter, the proposal raises substantial controversy on environmental grounds. 23 C.F.R. §771.117(b)(1). ODOT NEPA Manual, §423, 423-14.
- There may be several practical project alternatives available, which the Department has yet to identify or address. ODOT NEPA Manual, §412, 1 (encouraging public meetings where alternatives are available).

For these reasons, no final decision in this matter should ensue until the public has the time and preparation necessary to provide comprehensive comments and participate meaningfully in the regulatory process through an opportunity to be heard at public hearings. Should ODOT and its partner agencies move forward with the proposal as currently indicated in the March 2022 Info Sheet, the Undersigned Organizations respectfully request that ODOT set forth findings explaining how the Department determined consistency with the aforementioned public involvement policies. If ODOT determined that the latter standards were not applicable, we request that the Department set forth findings explaining the basis for such a determination.

General comment on sufficiency of public process related to proposal.

The Undersigned Organizations appreciate ODOT's recent efforts related to address public inquiry and concern related to this proposal. However, there are several gaps in public information with respect to this matter, and several attempts at public inquiry have gone unaddressed. As such, the Undersigned Organizations object to the public process that is occurring for this proposal. Specific concerns include:

- Despite the high level of public interest in the proposed quarry, ODOT has failed to hold public meetings, schedule a public hearing, or provide any detailed information on the proposal. The extent of its efforts to involve the public has been a brief letter to "interested parties" and, after repeated public inquiry, the release of a four-page "Info Sheet." This is inadequate.

At the time of writing of this comment, the Undersigned Organizations are aware of several telephone calls from concerned people to ODOT and its federal partners seeking more detailed information about the proposal under consideration. The Undersigned Organizations are dismayed to hear that several of these calls have gone unanswered or have failed to elicit meaningful information about the proposal. The information document released by ODOT, while helpful, does not satisfy the need for a formal presentation of the project with ample time for questions by the public.

2nd FINAL DRAFT submit march 31 Due April 4

This complex project involves coordination with the BLM, which currently manages the land, and Curry County and the Forest Service, which maintain the haul route⁶. Local community members are confused and concerned that this complexity of this project is leading to bad decisions and/or that the public isn't able to respond clearly due to the jurisdictional overlap. ODOT, as the agent for FHWA and coordinating agency with BLM, -must demonstrate that the multiple agencies have a coherent plan, and explain the plan for coordination clearly enough so that the public can understand and then make appropriate comments.

- ODOT's minimal opportunity for public participation excludes many who would be better able to ask questions and make informed comment after a formal presentation. The information document states that "ODOT reaches the best outcomes when we work in partnership with local communities and individuals." March 2022 Info Sheet, 2. Scheduling public meetings would be a necessary first step towards establishing a "partnership with the local community." *Id.*
- Relatedly, the Undersigned Organizations are concerned that ODOT has already posted "right of way" signs on land currently managed by the BLM (photo 1). The signs mislead the public into believing that the ODOT right of way for the BLM 40-acre parcel has been secured when, in theory, the agencies have not yet finished their planning processes. The sign also demonstrates a presumption that the BLM will approve the transfer application; this jeopardizes the credibility of the public involvement process as it implies that ODOT clearly believes the parcel will be transferred to FHWA regardless of any public input and the disclosure requirements of NEPA.

⁶ See USDA Forest Service 2017 MOU with ODOT



Photo 1. A permanent ODOT boundary marker has been placed in the southeast corner of the BLM parcel. The Agreement item III.F.5. indicates that signing would occur only after BLM provides ODOT with a “letter of consent.” No such letter has been issued by BLM to ODOT; thus, ODOT has violated the Agreement by the placement of permanent signs.

- Please provide the basis for the Department’s authority to place “right-of-way” signs on the subject property. Absent such justification, the Undersigned Organizations request that these signs be removed until the resolution of this matter.
- As discussed throughout this comment, the Department’s proposal at Colebrook Quarry has lacked the transparency require to ensure meaningful public involvement. At the very minimum, the following information is required (with additional time for public review and comment) to ensure that both ODOT and the public are able to meaningfully evaluate the process and substance of this proposal. This includes:

1. All materials related to ODOT’s Right-of-Way Request to BLM, and the application narrative in particular. These materials should include, at the very minimum:

- a. Accident reporting plans, particularly related to landslide hazards on FS 3680.
- b. Topographic Map: A topographic map showing elevations, roads, floodplains, property lines, and other natural and human-made features should be provided to address runoff, discharge, stockpiling, and equipment storage area questions.
- c. Hydrologic Information: Assessing the potential impacts of mining operations on ground-water flow, wells, and surface waters requires hydrologic information.

The direction of ground-water flow in the deposit, the location and construction of wells, and any surface-water bodies (streams, lakes, wetlands, and springs) should be displayed on a map of the area at the appropriate scale. If the mine is to be dewatered, the pumping point, volume, and discharge location should also be included. This information will allow meaningful assessment of the impact the project will have on surface-water features.

- d. **Pollution Prevention Plan:** A pollution prevention plan must be implemented to address the likely risks of runoff and discharges associated with the proposal. Good management practices such as vegetative buffers, detention ponds, covered bulk containers and hazardous material storage areas, as well as the skillful placement of stockpiles and equipment, will greatly improve storm water management and erosion control at aggregate sites, and prevent further harms to the hillside or coastal ecosystem.
2. The legal basis for the current process being used to evaluate this proposal, including all applicable local, state, and federal statutes, regulations, and rules.
3. The substantive criteria for the current proposal, including all applicable local, state, and federal statutes, regulations, and rules.
4. All local, state, and federal permits, authorizations, or certificates necessary for the proposal, as well as ODOT's timeline for obtaining the same.

Without the above information, it is near impossible for the public to meaningfully evaluate the proposal. Should ODOT and its partner agencies move forward with the proposal as currently detailed in the March 2022 Info Sheet without providing the aforementioned materials, the Undersigned Organizations respectfully request that ODOT set forth findings explaining how the Department addressed public concerns absent providing the same. The Undersigned Organizations strongly urge the Department to develop a public website for the proposed Colebrook Quarry, similar to websites developed previously for other comparable resource projects (e.g., Barr Road Quarry) to support the public's understanding of the proposal.

Based on an extremely limited opportunity for review, the Undersigned Organizations offer the following comment on the proposed project.

2. Neither ODOT nor its partner agencies have adequately identified the legal authorities under which the project is to be authorized.

Due to the lack of transparency in the project-development process, concerned members of the public have not been informed of the legal basis for the proposed land transfer and quarry operations. This has further impeded the public's ability to provide informed feedback to ODOT and created uncertainty as to the project's potential scope. An adequate NEPA document should – at the *bare minimum* – identify the legal authority for the project so that interested parties can determine the potential scope of the activity, the relevant criteria and standards, and the responsible agency to address concerns and operational problems.

Here, ODOT has released so little information that the Info Sheet does not even state whether the public is being given the opportunity to comment on the proposed quarry or merely the proposed land transfer. Concerned parties run the risk of providing comments irrelevant to the current decision making process, then missing their opportunity to submit their comments at the proper time in the mistaken belief that they had already done so.⁷

ODOT has not so far been able to identify any Categorical Exclusion (CE) under which its proposed activities could be authorized. In response to our requests for clarification, ODOT stated that it was “using the Categorical Exclusion C-5. This NEPA document will be used to cover the land transfer, as well as all on-site activities.”⁸ This CE authorizes the “[t]ransfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.” 23 C.F.R. § 771.117(c)(5). It does *not* authorize any “on-site activities” beyond the transfer, but ODOT has failed to identify any further legal authority. C-5 simply does not apply to the proposed quarry operations.

Moreover, C-5 is not applicable to land transfers “in support of” actions subject to further NEPA review. *Id.* The land transfer is unquestionably “in support of” the proposed rock quarry, but ODOT has not explained how several years of quarry operations, not themselves authorized under an identified CE, constitute “an action that is not otherwise subject to FHWA review under NEPA.” *Id.* Thus, the authority ODOT invokes does not even apply to the land transfer itself.

ODOT must adequately explain the legal basis for both the land transfer and the quarry, as it has so far failed to cite a regulation under which these actions could be authorized. We note that the quarry is a connected action and therefore must be analyzed in the same NEPA document as the transfer. 40 C.F.R. § 1508.25(a)(1); *Thomas v. Peterson*, 753 F.2d 754, 758 (9th Cir. 1985). Regardless of which legal authority ODOT plans to invoke, and as discussed in greater detail below, a CE is inappropriate for this project.

3. ODOT has not demonstrated that the proposal is consistent with relevant federal, state, and local laws and environmental standards.

As noted, ODOT has not revealed the legal basis for its proposed activities, making it impossible for members of the public to identify the relevant environmental criteria. However, regardless of which regulations ODOT invokes, it still must show compliance with all applicable laws and directives. This it has not done. Potentially relevant standards and laws include, but are not limited to, DEQ air quality, water quality, and noise regulations; DOGAMI regulations; ODFW regulations; DLCD policies and procedures related to federal consistency review; the federal endangered species act; and the federal clean water act. The Department should provide all

⁷ To avoid this potential pitfall, we will note our concerns with both the land transfer and the proposed quarry, but urge the agencies to provide further opportunity for comment.

⁸ Email from Jill DeKoekkoek, ODOT Region 3 Lead Engineering Geologist, to Kelsey Furman, KS Wild Legal Fellow (March 28, 2022, 9:32 AM).

applicable criteria, with time for additional public review and comment, prior to any final decision in the matter.

4. ODOT has not demonstrated that the proposed quarry is consistent with current land management goals.

Both ODOT and FHWA must ensure consistency with all federal and state laws, requirements, and administrative determinations. 23 § C.F.R. 771.117(b). The BLM, before transferring the land, must determine if the appropriation is “inconsistent with the purposes for which [the land] ha[s] been reserved.” 23 U.S.C. § 317(b). ODOT has not demonstrated how the proposed quarry will be consistent with current land management requirements and objectives.

Under the Federal Land Policy and Management Act of 1976, 43 U.S.C. §§ 1701 et seq., the BLM must manage its lands in accordance with the relevant land use plan. *Id.* § 1732(a). The proposed project area is on BLM land currently managed as “district-designated reserve,” riparian reserves, and harvest land base. “District-designated reserve” lands include “areas of critical environmental concern” and “lands managed for their wilderness characteristics.”⁹ The BLM is instructed to “[m]aintain the values and resources for which the BLM has reserved these areas,” but neither ODOT nor the BLM has explained how the land transfer and quarry will be managed in accordance with these values.¹⁰

In riparian reserves, management should “[c]ontribute to the conservation and recovery of ESA-listed fish species and their habitats” and “[m]aintain water quality and streamflows . . . to protect aquatic biodiversity [and] provide quality water.”¹¹ The BLM is further instructed to use site-specific best management practices (BMP) to maintain water quality during land management actions, including by non-agency entities. Again, ODOT has failed to explain how the proposed quarry will conform to these priorities or what BMPs it will implement.

ODOT must identify how its proposed actions will conform to current land management practices; the BLM, in its review of the project, must ensure that quarry operation is not inconsistent with the area’s management purpose and identify any conditions “necessary for the adequate protection and utilization” of the area. 23 U.S.C. § 317(b).

ODOT must also ensure that any proposed actions conform to local, state, and federal environmental standards. As noted, ODOT has not revealed the legal basis for its proposed activities, making it impossible for members of the public to identify the relevant environmental criteria. But regardless of which regulations ODOT invokes, it still must show compliance with all applicable laws and directives. This it has not done.

5. Neither ODOT nor FHWA have demonstrated that the project is necessary or in the public interest, and have failed to consider several practical project alternatives.

⁹ BLM, NORTHWESTERN AND COASTAL OREGON RESOURCE MANAGEMENT PLAN 43 (2016) (hereinafter RMP).

¹⁰ *Id.* at 56.

¹¹ *Id.* at 68.

Per the terms of the Agreement between FHWA and the BLM, FHWA must determine that the lands and materials it requests are “necessary for the project.”¹² Neither FHWA nor ODOT have made this determination, nor showed – or even claimed – that existing quarries and prospects are inadequate to meet the material needs for paving and landslide stabilization.

For example, the Conn Creek Quarry, located approximately five miles up Hunter Creek Road, is currently producing large amounts of rock used for work on Highway 101 (see Figure 1). ODOT has not explained why an additional quarry, *further away from the highway*, is currently necessary.

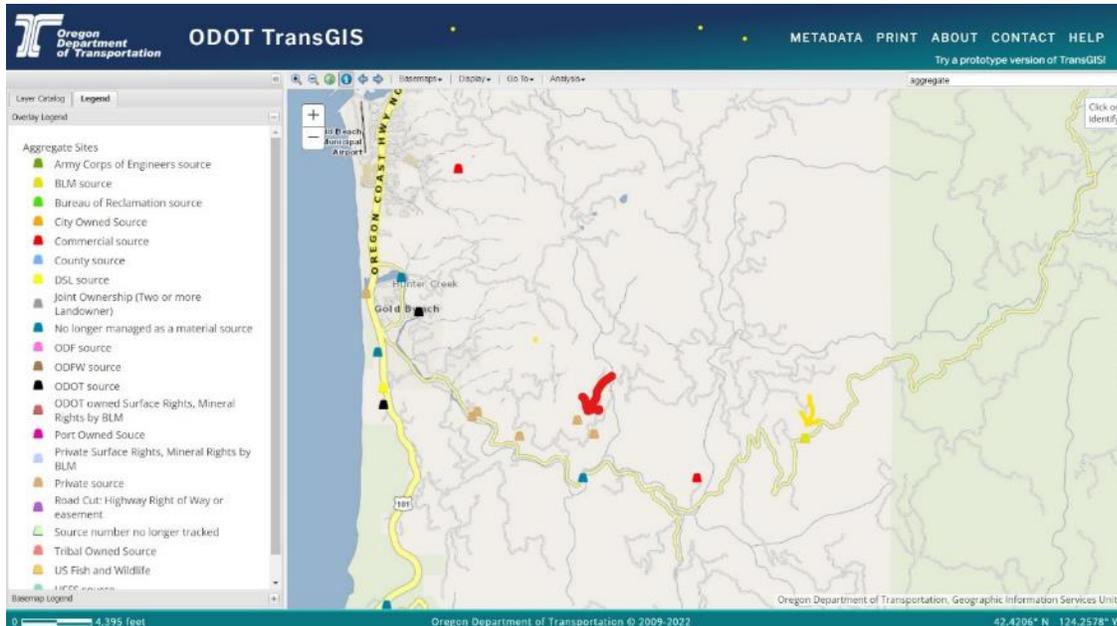


Figure 1. The red arrow identifies Agnew Conn Creek Quarry (OR-08-123-3) and the Conn Creek Prospect (OR-08-037-3). The yellow arrow identifies the proposed Colebrook Quarry that is about 4 miles further from Highway 101. ODOT TRANSGIS, Ore. Dept of Transportation, <https://gis.odot.state.or.us/transgis> (last visited March 25, 2022).

Similarly, none of the participating agencies have addressed whether the land transfer (and subsequent mining operations) is contrary to the public interest, as the BLM must during its consistency review.¹³ The ODOT Info Sheet states generally that “A material source site that is located near a roadway construction project . . . results in reduced production and hauling costs of aggregate material, a cost savings to taxpayers and overall reduced environmental impact.”¹⁴ This may be true, but it ignores the presence of existing material source sites near Highway 101. Thus, the land transfer would result in unnecessary significant impacts to the environment because existing rock sources are currently available from adjacent Hunter Creek Road.

Furthermore, creating an alternative Hunter Creek Road rock source might benefit ODOT’s contracting ability, but this contracting option is a benefit specifically to ODOT and is not necessarily in the public’s interest. ODOT errs by conflating benefits to itself with the much

¹² Agreement § III(B).

¹³ Agreement § III(D).

¹⁴ Info Sheet at 2.

broader public interest, which must take into account the value of the BLM's continued management for sustained timber harvest, old growth tree preservation, protection of riparian reserves, and retention of the rock outcrop that provides recreational opportunities for the public.

The anticipated thousands of rock haul trips would cause unnecessary noise and safety risks to residents of Hunter Creek. A thorough and objective analysis, as required by NEPA, would show that the environmental and social costs of the appropriation clearly outweigh any public interest asserted by ODOT. The Info Sheet – released in response to local concern over the proposed quarry's impacts on traffic, noise, air quality, and property values – does not contain enough detail to show that the agencies have adequately considered these tradeoffs. It merely states that DEQ standards for water and air quality, noise, and dust will be met.¹⁵ There is no meaningful discussion of dust or other environmental factors as required by state and local regulations.

6. The proposal does not contain an adequate reclamation plan or interim storage plan.

ODOT has stated that “Colebrook Quarry will be used for a few months every two to three years,” but has not specified how long the quarry will be operational, which agency will be responsible for reclamation activities after it is closed, or how the quarry site will be secured when not in use. ODOT must explain how the quarry site will be rehabilitated to at least meet the requirements of state surface mining or gravel removal permits and how it will conform to other applicable standards, including ORS 517.702 to 517.989 and associated implementing regulations.

A crucial concern related to aggregate mining uses and activities in coastal areas is the use and character of a mining area once mining operations end. A robust reclamation plan must be prepared and submitted to allow for evaluation consistent with state law. Said reclamation plan should include, at the very minimum, what reclamation activities will be done during mining, reclamation methods, vegetation types, shape and slope of open water areas, and the future uses of the site. This information will ensure that the design and use of the reclaimed area is compatible with the surrounding properties and downslope estuarine area.

Because the quarry will not be in continuous use, ODOT should identify how it will maintain the area while it is inactive. Before reclamation occurs, the site could deposit large amounts of sediment after rain events or leach industrial chemicals into the ground water, be vulnerable to colonization by invasive species, and create a safety hazard for residents and recreating visitors. ODOT and its cooperating agencies must develop a plan for safely “storing” the quarry site while inactive.

7. The proposal must ensure the highest level of protection for culturally significant areas.

The Undersigned Organizations cannot, and do not seek to, speak for impacted tribal sovereigns. However, ensuring that culturally significant objects and areas are protected is both a matter of environmental justice, and state policy. ORS 358.910(2). The Info Sheet states, absent any supporting evidence, that there are no known “archaeological artifacts” within the area of potential impacts. The Undersigned Organizations are concerned that this falls short of

¹⁵ *Id.* at 4.

demonstrating meaningful compliance with ODOT’s “Section 106” obligations to consult with impacted tribes and survey for sites of religious and cultural significance, *see* 36 C.F.R. §§ 800.3-800.13. At the minimum, ODOT must identify, seek consultation, and obtain written concurrence from any impacted tribal sovereign to demonstrate consistency with 36 C.F.R. §§ 800.4 and ORS 358.910(2).

8. ODOT does not have authority under its Programmatic Categorical Exclusion Agreement with FHWA to authorize this project.

The proposed land transfer and quarry has a high potential to create significant environmental impacts, require ESA consultation beyond the scope of previous programmatic biological opinions, and conflict with state and federal regulations and land use priorities. The ODOT must conduct a full environmental review under an EA or EIS.

9. A Categorical Exclusion is not appropriate for numerous reasons.

The anticipated CE will not meet FHWA legal standards as described below due to the potential for significant environmental impacts and the presence of unusual circumstances. Neither is the project appropriate for ODOT to independently authorize under its “programmatic categorical exclusion agreement” (PCE) with FHWA.¹⁶

Categorical exclusions actions that an agency “has determined, in its agency NEPA procedures [], normally do not have a significant effect on the human environment.” 40 C.F.R. § 1508.1(d). FHWA has further defined its CEs as

[A]ctions that: Do not induce significant impacts to planned growth or land use for the area; do not require the relocation of significant numbers of people; do not have a significant impact on any natural, cultural, recreational, historic or other resource; do not involve significant air, noise, or water quality impacts; do not have significant impacts on travel patterns; or do not otherwise, either individually or cumulatively, have any significant environmental impacts.

23 C.F.R. § 771.117.

Additionally, actions which might normally be classified as a CE but *could* involve “unusual circumstances” require further environmental analysis. *Id.* (emphasis added). Such unusual circumstances include: (1) significant environmental impacts; (2) substantial controversy on environmental grounds; or (3) inconsistencies with any Federal, State, or local law, requirement or administrative determination relating to the environmental aspects of the action. *Id.*

The proposal likely does not qualify for authorization pursuant to a CE because it will potentially have a significant impact on natural resources and water quality and may have further cumulatively significant environmental impacts. Further, the action as proposed implicates

¹⁶ FHWA & ODOT, ODOT Misc. Contracts and Agreements No. 30537, PROGRAMMATIC AGREEMENT BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION, OREGON DIVISION AND THE OREGON DEPARTMENT OF TRANSPORTATION REGARDING APPROVAL OF ACTIONS CLASSIFIED AS CATEGORICAL EXCLUSIONS FOR FEDERAL AID HIGHWAY PROJECTS (March 11, 2015) (hereinafter PCE Agreement).

2nd FINAL DRAFT submit march 31 Due April 4

unusual circumstances, as it “could” involve significant environmental impacts and appears to be inconsistent with relevant regulation and law.

a. **The proposed land transfer and subsequent mining would remove or threaten the continued existence of old growth trees.**

At least ten old growth trees and associated old growth forest are present on and adjacent to rock outcrops that would be removed during quarry operations. (Photos 2, 3 and Fig. 2). Destruction of these trees could constitute a significant environmental impact and an unusual circumstance, making the project’s authorization under a CE improper. *Id.* § 771.117(b).



Photo 2. This old growth Douglas-fir is estimated to be 300 years old and is 57 inches in diameter. This truly magnificent tree is located immediately east of the rock outcrop on the north side of FS Road 3680 and within the 40-acre BLM parcel identified by ODOT for transfer to the FHWA and subsequent mining. A second old growth tree is seen at the left side of the photo. Photo by R. Nawa on March 9, 2022.



Photo 3. The three tallest trees in this photo are old growth trees well over 200 years old. They are growing on the rock outcrop on the south side of Road 3680 and within the 40-acre BLM parcel identified by ODOT for transfer to the FHWA and subsequent mining. Photo by R. Nawa on February 25, 2022.

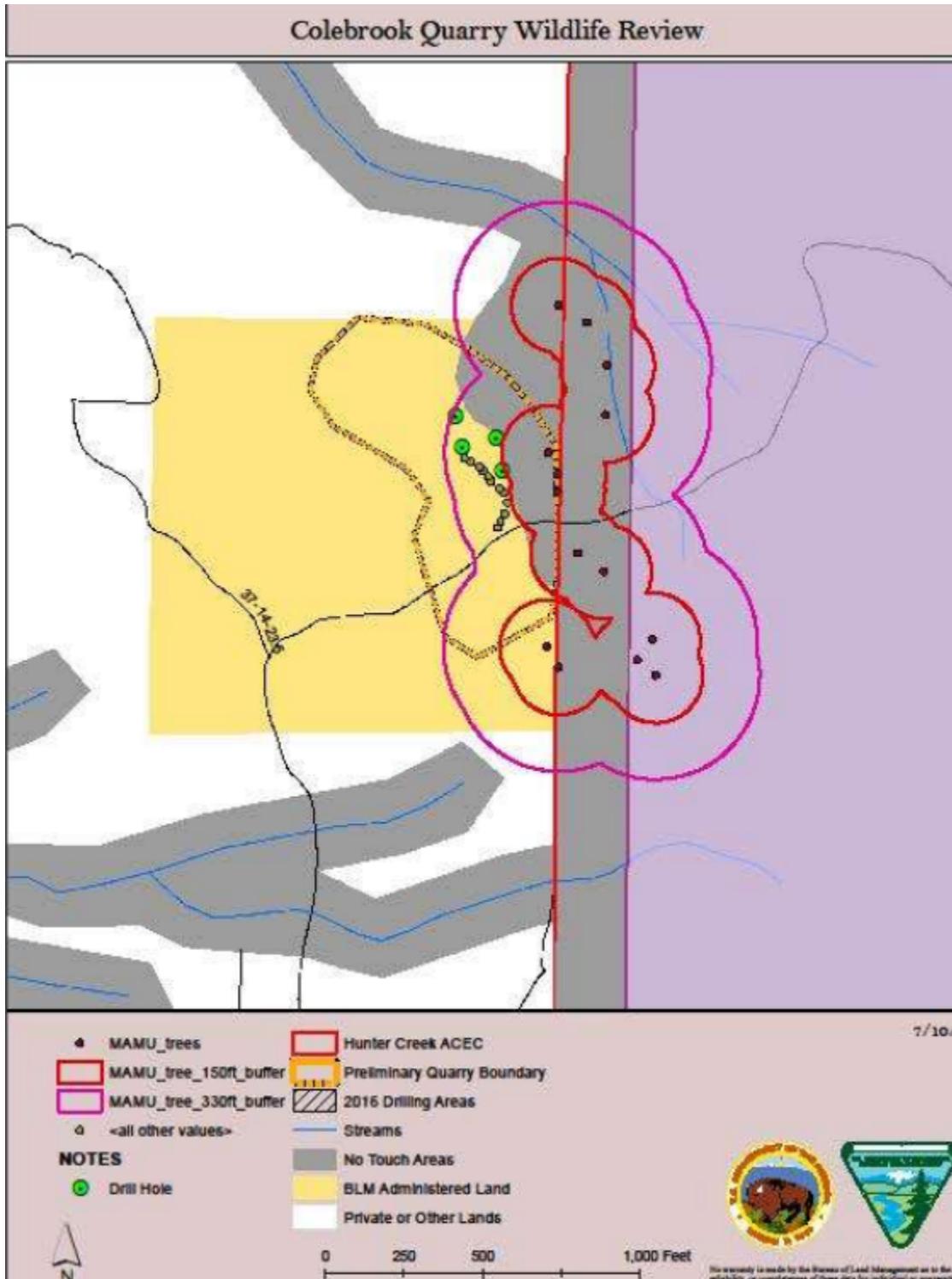


Figure 2. MAMU [marbled murrelet suitable nest] trees identified in this BLM map are old growth trees. U.S. Dept. of Interior, Bureau of Land Management, DOI-BLM-OR-C040-2017-0004-CX, COOS BAY DISTRICT CATEGORICAL EXCLUSION REVIEW (June 13, 2017).

Mining activities would directly remove some old growth trees and cause others to die. Loss of old growth trees is a significant impact because they are hundreds of years old and cannot be replaced. Old growth trees are highly valued by the public because of their rarity, age, size and beauty. Decades of legal battles over the logging of old growth trees attests to the “substantial controversy on environmental grounds,” as the effects of their removal continues to be hotly debated. Biologists place a high priority on retaining all old growth trees because of the unique habitat features they provide (e.g. nesting platforms for ESA-listed marbled murrelets, structurally complex habitat for ESA-listed northern spotted owls).

Old growth trees are so valuable to the public and wildlife that the BLM has put old growth trees off limits for timber harvesting. The BLM RMP directs land managers to “[i]nclude among retained trees all trees that are both ≥ 40 ” DBH and that the BLM identifies were established prior to 1850[.]”¹⁷ The BLM, FHWA, and ODOT have not disclosed the significant impacts of removing or damaging old growth trees in the proposed quarry site.

b. The proposed mining would destroy proposed critical habitat for the federally listed coastal marten, which constitutes a significant environmental impact.

The proposed project area is proposed critical habitat for the ESA-listed Pacific marten, which has been detected in the area. As the project would have potentially significant impacts on the marten and its habitat, ODOT and FHWA must consult with the U.S. Fish & Wildlife Service.

The coastal distinct population segment of Pacific marten (*Martes caurina*), a small mammal from coastal California and Oregon, was listed as threatened in 2020; its proposed critical habitat includes the BLM land in question here.¹⁸ Marten sightings have been reported in the vicinity of the BLM parcel, and it appears that the BLM parcel is within the home range of a detected marten.¹⁹ Marten are also known to occur in adjacent BLM Hunter Creek Bog Area of Environmental Concern.²⁰ Besides direct destruction of critical habitat, noise and dust from mining operations would diminish critical habitat use by marten over a much larger area than the 40-acre project area.

The proposed mining would also potentially degrade the adjacent Hunter Creek Bog Area of Environmental Concern (ACEC), causing marten to avoid this part of its critical habitat and conflicting with the land management priorities.

ODOT and FHWA must consult with the U.S. Fish & Wildlife Service prior to taking action which may degrade or destroy critical habitat. It is unclear what the level of consultation has been, as the Info Sheet refers vaguely to “ESA clearance,” a term with no legal significance.

¹⁷ BLM RMP at 63.

¹⁸ USFWS 2021.

¹⁹ Moriarty et al. 2016 (see p. 73 Figure 1B)

²⁰ Schuller et al. 2021.

c. ODOT must consult with National Marine Fisheries Service because the proposed rock haul is likely to adversely affect threatened coho salmon populations.

Quarry operations and subsequent rock haul would result in increased harmful fine sediment discharges into Hunter Creek. Hunter Creek is critical habitat for ESA-listed Southern Oregon Northern California Coast (SONCC) coho salmon. Section 7 consultation with the National Marine Fisheries Service (NMFS) is needed because rock haul sediment and toxic runoff associated with heavy equipment traffic is likely to adversely affect SONCC coho salmon due to the connectivity of haul roads with Hunter Creek and its tributaries.²¹ Site-specific BMPs must be identified and implemented to minimize sediment delivery from rock haul into the waters of the United States to comply with the Clean Water Act, 33 U.S.C. §§ 1251-1389, and relevant state standards.

“Any road segment that has a continuous surface flow path to a natural stream channel during a ‘design’ runoff event is termed a hydrologically connected road or road reach.”²² Hydrologic connectivity provides pathways for pollutants from the road to enter streams and harm coho salmon and/or critical habitat. The Info Sheet states: “ODOT expects the quarry to generate truck traffic of 30-60 round trips per day when paving projects are underway. These jobs typically last 2-3 months and rarely longer than five months.” Info Sheet at 3. This intensity of rock haul would result in 3,600 to 10,800 one way trips each year. Each trip would pulverize some rock from Road 3680 MP 0.0 to 4.4 into fine sediment which would make its way into Hunter Creek or tributaries during or subsequent to intense rainfall via existing hydrologic connections. Fine sediment accumulated from rock haul during summer would be mobilized during the first large rainfall event in early winter, which often coincides with coho salmon spawn timing. Dust from summer haul would also enter streams causing additional fine sediment pollution. Tire wear will deposit a globally ubiquitous tire rubber antioxidant (6PPD) to roadways. Winter storms will mobilize the toxic 6PPD into Hunter Creek due to connectivity of the road with the stream system. Coho salmon are vulnerable to 6ppd at very low concentrations.²³

The potential for hydrologic connectivity of rock surface Road 3680 (road) to Hunter Creek was field investigated by R. Nawa on March 4, 2022. Hunter Creek and perennial tributaries to Hunter Creek that pass under the road were evaluated for connectivity. Five sites on rock surfaced Road 3680 were found to be hydrologically connected to critical coho salmon stream habitat from MP 0.2 to MP 1.1 (see Photos 4a,4b,5a,5b, 6a, 6b, 7a,7b, 8a,8b). Sediment from a rainstorm on or about March 1 was observed to have accumulated on bridges and roadways where it had obviously entered Hunter Creek during the rainstorm.

Additionally, impacts to protected species or critical habitat may constitute a significant environmental impact, making the project inappropriate for approval via a CE.

²¹ See 16 U.S.C. § 1536 (ESA Section 7).

²² Weaver et al. 2015 (p.332). In this comment letter, the terms “hydrologic connectivity”, “hydrologically connected” and “connectivity” are used synonymously.

²³ See Tian et al. 2020



Photos 4a (top) and 4b (bottom). Road 3680 connectivity at MP 0.2 During intense rainstorms sediment laden water runs down Road 3680 for approximately 500 ft (Photo 4a) before entering Hunter Creek via several drain holes in the bridge directly above Hunter Creek (Photo 4b). Sediment also enters Hunter Creek via the roadside ditch at right side of Photo 4a. Road 3680 is hydrologically connected to Hunter Creek for approximately 500 ft east of the bridge at MP 0.2.



Photos 5a (top) and 5b (bottom). Road 3680 connectivity at MP 0.5 During intense rainstorms sediment laden water runs down a roadside ditch for approximately 600 ft (Photo 5a) before entering a culvert (photo 5b). The red arrow indicates location of culvert. Sediment laden water from about 600 ft of road surface is directed into the culvert and flows downhill for about 50 ft (brown arrow) and into Hunter Creek. About 600 ft of Road 3680 is hydrologically connected to Hunter Creek at MP 0.5.



Photo 6a (top), 6b (bottom). Road 3680 connectivity at mile post 0.8. During intense rainstorms sediment laden water runs down a roadside ditch for approximately 300 feet (tan arrow in Photos 6a, 6b) before entering a culvert (red arrow). The culvert directs the sediment laden water from the road into a small tributary channel (blue arrow, Photo 6b) that flows about 70 feet to Hunter Creek. About 300 ft of Road 3680 is hydrologically connected to Hunter Creek at mile post 0.8.



Photo 7a (left), 7b (right). Road 3680 connectivity at MP 0.9. During intense rainstorms sediment laden water runs down the road for about 300ft. and enters the bridge (Photo 7b). Sediment entering the bridge is shunted directly into Hunter Creek via drainage holes in the bridge (Photo 7a). Approximately 300 ft of Road 3680 at MP 0.9 is hydrologically connected to Hunter Creek.



Photo 8a (top), 8b (bottom). Road 3680 connectivity at MP 1.2. During intense rainstorms sediment-laden water runs down the road for about 1,000 feet (photo 8a) and enters a tributary to Hunter Creek (Photo 8b). The tributary transports the sediment-laden road runoff for about 600 feet to Hunter Creek. Road 3680 is hydrologically connected to Hunter creek for approximately 1000 feet at MP 0.9.

d. Proposed mining has the potential to destroy or degrade a spring-fed wetland.

The ODOT 2020 wetland survey reports: “One jurisdictional resource was identified during the field survey: a spring-fed stream located in the northwest corner of the parcel (Figure 5: Photos 1&2.”

Photos



Photo 1 March 10, 2020: Perennial stream located in the northwest corner of the parcel



Photo 2 March 10, 2020: Upstream view of perennial stream

Even if this wetland is not directly impacted, the proposed mining could alter the hydrology of the immediate area significantly enough that the stream could stop flowing. Destruction of wetlands is a significant impact.

e. Mining and rock haul could cause new occurrences of sudden oak death disease (SOD) and/or Port Orford Cedar (POC) root disease.

Both diseases are present on or near Road 3680 (Figure 3). The increased heavy-machinery traffic associated with mining and rock haul has the potential to spread sudden oak death disease (SOD) and Port Orford Cedar root disease.

2nd FINAL DRAFT submit march 31 Due April 4

The SOD is caused by an airborne fungus and can kill numerous species, particularly tanoak which is common in coastal forests. A SOD infestation only one mile from the BLM parcel was heavily treated recently.

Port Orford Cedar root disease is caused by a waterborne fungus and is rapidly spread by “earth movement in construction, road maintenance and use, and logging operations.”²⁴ Heavy equipment will be used in mining operations, and trucks will frequently enter the area to pick up and transport gravel; this high-intensity vehicle traffic – particularly during wet weather – increases the risk of spreading Port Orford Cedar root disease diseases to a new location.²⁵ Causing new SOD and new POC root disease infections is a significant environmental impact because these diseases kill ecologically and economically important components of the forest ecosystem. The ODOT must fully analyze and disclose risks and potential effects as required by the NEPA.

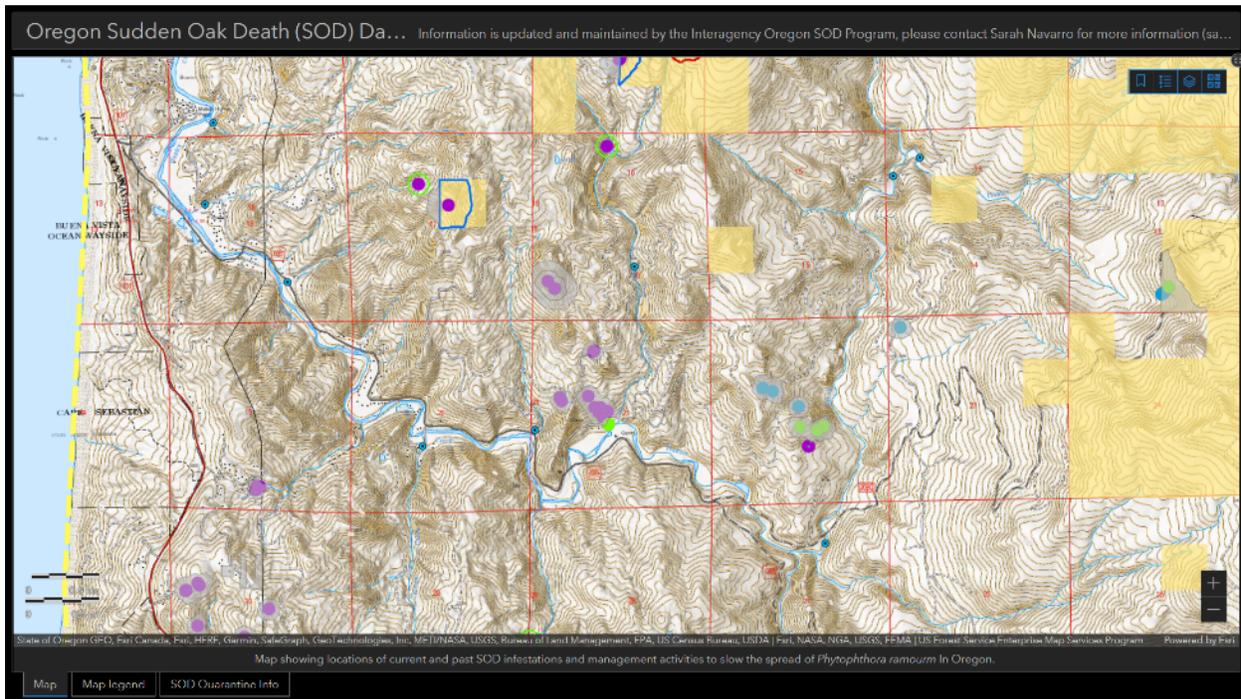


Figure 3. Locations of current and historical SOD infestations and mitigation activities in Oregon. *Oregon Sudden Oak Death*, Interagency Oregon SOD Program, <https://usfs.maps.arcgis.com/apps/dashboards/775c52bb94b646a1929f0b35dca4a1ad> (last visited March 25, 2022).

²⁴ Roth et al. 1987 U.S. Forest Service, “Port-Orford-Cedar Root Disease”

²⁵ Jules et al. 2002

f. **Proposed mining would destroy habitat for a sensitive bat species, an endemic salamander and mollusks.**

The bat study (Rodriguez and Rose 2022) detected the fringed myotis bat, a sensitive BLM species. Construction and operation of the quarry would likely displace this sensitive species due to blasting and removal of habitat. The abundant talus on the parcel is habitat for the endemic Del Norte salamander. Construction and operation of the quarry would likely kill or displace this species due to blasting and removal of habitat. Similarly mollusks, some of which are endemic, would be displaced or killed.

g. **Per FHWA’s Agreement with the BLM, an EA or EIS must be prepared prior to the land transfer.**

The Agreement states:

FHWA shall submit to the authorized officer of BLM a written request for appropriation, accompanied by a map showing the location of lands it desires to appropriate, a statement of its determination that the lands are necessary for the project, a copy of the environmental assessment, and/or a copy of the environmental impact statement.

In this case, ODOT has not prepared an environmental assessment or environmental impact statement for submission to FHWA. The ODOT intends to obtain authorization of the project pursuant to a CE. This is inappropriate.

h. **FHWA cannot authorize the land transfer without also analyzing the potential impacts of the quarry itself.**

As noted previously, ODOT has failed to fully disclose its proposed actions, their potential effects, or the legal authority under which it intends to proceed. It has not explained why the proposed quarry is anticipated to have no significant environmental impact. ODOT and FHWA cannot avoid this analysis by artificially separating the effects of the land transfer from the effects of the quarry project – they must be considered together, as connected actions, and neither agency can authorize a project of this scope under a CE.

FHWA has defined a CE for the “[t]ransfer of Federal lands pursuant to 23 U.S.C. 107(d) and/or 23 U.S.C. 317 when the land transfer is in support of an action that is not otherwise subject to FHWA review under NEPA.” 23 C.F.R. § 771.117(c)(5). ODOT has stated that this CE will cover both the land transfer and the quarry. But the text of this CE does not cover the quarry, which must be considered during this NEPA process for two independent reasons: first, the text of the CE limits it to land transfers to support actions “not otherwise subject to FHWA review under NEPA.” The land transfer is inarguably “in support of” the proposed quarry, and FHWA has no CE under which it could authorize the quarry with no further review.

Additionally, NEPA (and the CEQ regulations which implement it) does not permit piecemeal analyses to avoid a finding of significance. In fulfilling its NEPA obligations, an agency must consider the effects of “connected actions,” which “are closely related and therefore should be discussed in the same impact statement.” 40 C.F.R. § 1508.25(a)(1). Actions are connected if they “[c]annot or will not proceed unless other actions are taken previously or simultaneously” or “[a]re interdependent parts of a larger action and depend on the larger action for their justification.” *Id.*

Here, the land transfer, the construction of the quarry, rock blasting, and rock haul are unquestionably “connected actions” and must therefore be considered in the same NEPA analysis. The construction of the quarry cannot proceed without the land transfer, and the land transfer depends on the quarry for its justification. ODOT and FHWA must consider both actions together, and it cannot simply separate the land transfer from its purpose and authorize it as a CE with no significant impacts.

10. Conclusion

The undersigned organizations urge ODOT to withdraw the current proposal. Alternatively, to ensure compliance with the NEPA, the ODOT would need to proceed with the requirements for an EIS since there are numerous significant impacts and uncertainties that must be fully analyzed and disclosed. We request a written response to the issues we have raised.

11. Citations and References (digital copies are provided on enclosed disc)

Federal Highway Administration. 2009. ENVIRONMENTAL IMPACT AND RELATED PROCEDURES Federal Highway Administration and Federal Transit Administration Effective: April 23, 2009. Environmental Impact and Related Procedures (23 CFR part 771)

JLC Ecological. 2021. Wildlife Survey Report: Colebrook Quarry Surveys for Listed Northern Spotted Owl and Marbled Murrelet. Client: Oregon Department of Transportation. Contractor: Farm Unlimited. 9pp.

JLC Ecological. 2021. Wildlife Survey Report: Colebrook Quarry Surveys for Listed Northern Spotted Owl and Marbled Murrelet. Client: Oregon Department of Transportation. Contractor: Farm Unlimited. Appendix A-B37455 Colebrook Quarry Northern Spotted Owl Survey Data Forms.

JLC Ecological. 2021. Wildlife Survey Report: Colebrook Quarry Surveys for Listed Northern Spotted Owl and Marbled Murrelet. Client: Oregon Department of Transportation. Contractor: Farm Unlimited. Appendix B-B37455 Colebrook Quarry Marbled Murrelet Survey Data Forms.

Jules, E.S., M.J KAUFFMAN, W. D. RITTS, AND A.L. CARROLL. 2002. SPREAD OF AN INVASIVE PATHOGEN OVER A VARIABLE LANDSCAPE: A NONNATIVE ROOT ROT ON PORT ORFORD CEDAR. *Ecology*, Vol. 83, No. 11

2nd FINAL DRAFT submit march 31 Due April 4

Moriarty, K.M. , J.D. Bailey, S.E. Smythe, and J. Verschuyt. 2016. DISTRIBUTION OF PACIFIC MARTEN IN COASTAL OREGON. NORTHWESTERN NATURALIST 97:71–81. Autumn 2016.

Oregon Department of Transportation (ODOT). 2017. National Environmental Policy Act (NEPA) Public Involvement Procedures for Federal Highway Administration Oregon Division Federal-Aid Project Development.

Oregon Department of Transportation (ODOT). No date. Rock Blasting and the Community.

Oregon Department of Transportation(ODOT). No date. Material Source FAQ's

Oregon Department of Transportation(ODOT). 2011. Royalties & ODOT Sources

Oregon Department of Transportation(ODOT). 2020. Wetlands survey for proposed Colebrook quarry.

Oregon Department of Transportation(ODOT). 2021a. ODOT NEPA Manual Effective January 2021. Section 426 –Resource Guidance for PCE Approvals & CE Closeout Documents

Oregon Department of Transportation(ODOT). 2021b. ODOT NEPA Manual Effective 1/2021. Section 423- P

Oregon Department of Transportation(ODOT). 2021c. Colebrook Quarry, OR-08-151-3 (Hazardous Materials Memo)

Oregon Department of Transportation. 2022a. ODOT letter for Public Comment dated February 2, 2022, from Jill DeKoekkoek (ODOT) to “Interested Parties” concerning proposed ODOT Colebrook Quarry.

Oregon Department of Transportation (ODOT). 2022b. Email February 4, 2022 from Jill DeKoekkoek (ODOT) to Ann Vileisis ([Kalmiopsis Audubon](#)) concerning Proposed Colebrook Quarry Land Transfer Questions.

.

Oregon Department of Transportation(ODOT). 2022c. Email ca February 10, 2022 from Jill DeKoekkoek (ODOT) to Joe. Janowicz concerning Proposed Colebrook Quarry Land Transfer Questions.

Oregon Department of Transportation(ODOT). 2022d. Email dated March 28, 2022 at 9:32 AM from Jill DeKoekkoek (ODOT) to Kelsey Furman (KSWild) concerning Proposed Colebrook Quarry Land Transfer Question

Oregon Department of Transportation(ODOT). 2022e. Colebrook Quarry- A local rock source for local highway projects. March 2022

Oregon Transportation Commission (OTC). 2020. PUBLIC INVOLVEMENT POLICY AND PROCEDURES (TRANSPORTATION COMMISSION-11)

2nd FINAL DRAFT submit march 31 Due April 4

Rodriguez, R. and S. Rose. 2022. Bat Monitoring at Colebrook quarry, Coos County, Oregon. Final Report prepared for Oregon Department of Transportation.

Roth, L. F., R. D. Harvey, Jr., and J. T. Kliejunas. 1987. Port-Orford-Cedar Root Disease, United States Department of Agriculture, Forest Service, R6 FPM-PR-294-87, 1987.

Schuller, Reid; Rodenkirk, Tim; Wright, Kip. 2021. North Fork Hunter Creek and Hunter Creek Bog areas of critical environmental concern. Gen. Tech. Rep. PNW-GTR-999. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. 49 p

Tian, Z. and 27 others. 2020. A ubiquitous tire rubber-derived chemical induces acute mortality in coho salmon. Science 10.1126/science.abd6951.

USDA. Forest Service. 2017. REGIONAL MEMORANDUM OF UNDERSTANDING Between USDA FOREST SERVICE PACIFIC NORTHWEST REGION And STATE OF OREGON DEPARTMENT OF TRANSPORTATION 2017-2027.

USDI Bureau of Land Management. 1982. INTERAGENCY AGREEMENT AA 851-IA2-40 between Bureau of Land Management and Federal Highway Administration

USDI. Bureau of Land Management . 2016. Northwestern and Coastal Oregon Record of Decision and Approved Resource Management Plan Coos Bay, Eugene, Salem Districts, and Swiftwater Field Office of Roseburg District. August 2016

USDI Bureau of Land Management. 2017. Decision Record for the Colebrook Quarry Prospect project (DOI-BLM-ORWA-C040- 2017-0004-CX).

USDI Bureau of Land Management. 2020. Email dated June 30, 2020 from G. Grost (BLM) to J. DeKoekkoek (ODOT) stating that no special status plants were found.

USDI Fish and Wildlife Service. 2020. Threatened Species Status for Coastal Distinct Population Segment of the Pacific Marten with a Section 4(d) Rule. 63806-63830 Federal Register / Vol. 85, No. 196 / Thursday, October 8, 2020 / Rules and Regulations 63806-63830.

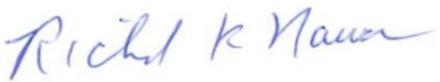
USDI Fish and Wildlife Service. 2021. Designation of Critical Habitat for the Coastal Distinct Population Segment of the Pacific Marten. Federal Register / Vol. 86, No. 203 / Monday, October 25, 2021 / Proposed Rules 58831-58858.

Weaver, W.E., Weppner, E.M. and Hagans, D.K., 2015, Handbook for Forest, Ranch and Rural Roads: A Guide for Planning, Designing, Constructing, Reconstructing, Upgrading, Maintaining and Closing Wildland Roads (Rev. 1st ed.), Mendocino County Resource Conservation District, Ukiah, California

Wyttenberg. K. , A. Griffith, J. Williams, M.Lynde. 2002. AGGREGATE RESOURCE INVENTORY AND NEEDS FORECAST STUDY Final Report SPR 314 by for Oregon Department of Transportation Research Group and Federal Highway Administration Washington, DC 20590

2nd FINAL DRAFT submit march 31 Due April 4

Respectfully Submitted,



Richard K. Nawa
Staff Ecologist
Klamath- Siskiyou Wildlands Center
P.O. Box 654
Selma, OR 97538
rich@kswild.org

On behalf of:

Phillip Johnson
Executive Director
Oregon Shores Conservation Coalition
PO Box 5626
Coos Bay, OR, 97420
(503) 754-9303
phillip@oregonshores.org

Doug Heiken
Western Field Representative
Oregon Wild
PO Box 11648
Eugene OR 97440
dh@oregonwild.org

Enc: Disc with digital copies of citations and references

Copies via email to:

Steven D. Lydick, District Manager
U.S. Bureau of Land Management, Coos Bay District Office
sdlydick@blm.gov
Attn: BLM_OR_CB_Mail@blm.gov

Scott Rumsey, Acting Regional Administrator

2nd FINAL DRAFT submit march 31 Due April 4

NOAA Fisheries, West Coast Region
scott.rumsey@noaa.gov

Robyn Thorson, Regional Director
U.S. Fish & Wildlife Service, Pacific Region
Robyn_Thorson@fws.gov

Merv George, Jr., Forest Supervisor
U.S. Forest Service - Rogue River-Siskiyou National Forest
Merv.George@usda.gov

Wade McMaster, District Ranger
U.S. Forest Service - Gold Beach Ranger District
wade.mcmaster@usda.gov

Phillip Ditzler, Division Administrator
U.S. Dep't of Transportation, Federal Highway Administration – Oregon Division
phillip.ditzler@dot.gov

Chris Woods, Right-of-Way Manager/Civil Rights
U.S. Dep't of Transportation, Federal Highway Administration – Oregon Division
chris.woods@dot.gov

Benjamin Haines, Operations Engineer Region 3
U.S. Dep't of Transportation, Federal Highway Administration – Oregon Division
benjamin.haines@dot.gov

Sarah Lewis, Program Manager, Mineral Land Regulation & Reclamation & Interim Director
Or. Department of Geology and Mineral Industries
sarah.lewis@dogami.oregon.gov

Amanda Punton, Natural Resources Specialist
Or. Dep't. of Land Conservation and Development
amanda.punton@dlcd.oregon.gov

Deanna Caracciolo, Coastal State-Federal Relations Coordinator
Or. Dep't. of Land Conservation and Development
deanna.caracciolo@state.or.us

Jeff Navarro, Water Quality Program Analyst
Oregon Department of Environmental Quality
navarro.jeffrey@deq.state.or.us

Curt Melcher, Director
Or. Dep't of Fish and Wildlife
curt.melcher@state.or.us

2nd FINAL DRAFT submit march 31 Due April 4

Becky Crockett, Planning Director
Curry County Department of Community Development, Planning Division
crockettb@co.curry.or.us

Court Boyce
Curry County Commissioner
boicec@co.curry.or.us

David Brock Smith
State Representative District 1
Rep.DavidBrockSmith@oregonlegislature.gov