



**File Code:** 1950

**Date:** August 2, 2022

Dear Interested Parties,

This letter is to inform you that the *Bend to Lava Lands Paved Path* Project Final Environmental Assessment (EA), *Draft* Decision Notice (DN) and Finding of No Significant Impact (FONSI) are available for review. The Bend to Lava Lands Paved Path Project is located on the Bend – Fort Rock Ranger District of the Deschutes National Forest. The paved path would parallel U.S. Highway 97 from Knott Road to Lava Lands Visitor Center south of Bend, OR (see attached map). This letter provides a brief summary of the proposed decision (Alternative 2) and information about the official 45-day objection period. A copy of the final EA, *draft* DN and FONSI may be accessed on the Deschutes National Forest website at:

<https://www.fs.usda.gov/project/?project=57665>. These documents are also available by request at the address on the letterhead, or by contacting the project leader listed at the end of this letter.

### ***Decision Summary***

Following the review of the environmental effects analysis and the consideration of public comments, I've tentatively decided to select Alternative 2. I have also determined that there will be no significant environmental effects from the project. My proposed decision to select Alternative 2 is documented in the *draft* DN and FONSI.

Alternative 2 addresses the project's purpose and need which is to create a safe, accessible, non-motorized route for bicyclists and pedestrians to travel from the city of Bend to high use visitor attractions and recreation sites including Lava Lands, Lava Butte, High Desert Museum, and the Deschutes River.

The *draft* DN and FONSI describes, in detail, Alternative 2. This project will construct a paved path about 6.1 miles long south of Bend, Oregon in collaboration with ODOT using funds from the Federal Lands Access Program (FLAP) which is administered by the Federal Highways Administration. The section of the path that will be on Forest Service lands and that is analyzed in the EA is about 4.1 miles long and will be 10 feet wide with a 2-foot shoulder. To mitigate the loss of wildlife habitat from the addition of the paved path, reinforcement of road closures and road decommissioning is planned as part of the proposed action. About 2.9 miles of road will be obliterated, including 2.5 miles of unauthorized roads.



### ***Pre-decisional Administrative Review Process***

This project is subject to pre-decisional administrative review (also called the objection process) pursuant to 36 CFR 218, subpart B. Only individuals or organizations that submitted specific written or oral comments (36 CFR 218.2) during a designated opportunity for public participation (scoping or the 30-day public comment period) may object (36 CFR 218.5). Notice of objection must meet the requirements of 36 CFR 218.2.

Incorporation of documents by reference is not allowed, except for the following list of items that may be referenced by including the date, page, and section of the cited document, along with a description of its content and applicability to the objection: 1) All or part of a federal law or regulation; 2) Forest Service directives and land management plans; 3) Documents referenced by the Forest Service in the EA; 4) Comments previously provided to the Forest Service by the objector during public involvement opportunities for the proposed project where written comments were requested by the Responsible Official. All other documents must be included with the objection (36 CFR 218.8(b)).

Minimum requirements of an objection are described in 36 CFR 218.8(d). An objection must include a description of those aspects of the proposed project addressed by the objection, including specific issues related to the proposed project; if applicable, how the objector believes the environmental analysis or draft decision specifically violates law, regulation, or policy; supporting reasons for the reviewing officer to consider; and a statement that demonstrates the connection between prior specific written comments on the particular proposed project or activity and the content of the objection, unless the objection concerns an issue that arose after the designated opportunities for comment.

Objections may be:

1. Emailed to: [objections-pnw-deschutes@usda.gov](mailto:objections-pnw-deschutes@usda.gov). Please put OBJECTION and the project name in the subject line. Electronic objections must be submitted as part of an actual e-mail message, or as an attachment in Microsoft Word (.doc or .docx), rich text format (.rtf), or portable document format (.pdf) only. For electronically mailed objections, the sender should receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of receipt of the objection, it is the sender's responsibility to ensure timely receipt by other means.
2. Mailed to: Forest Supervisor (Reviewing Officer), Deschutes National Forest Supervisor's Office, Attn: Sasha Bertel, 63095 Deschutes Market Road, Bend, OR 97701
3. Hand-delivered to: Forest Supervisor (Reviewing Officer), Deschutes National Forest Supervisor's Office, Attn: Sasha Bertel, 63095 Deschutes Market Road, Bend, OR 97701. Hand deliveries may be limited due to open office hours. Please call 541-383-5300 for current office hours.

Objections must be received by the Reviewing Officer, Regional Forester (or postmarked if submitted via US Mail), within 45 days from the date of publication for notice of the objection period in *The Bulletin*, Bend, OR. Objections delivered by mail must be received before the close of the fifth business day after the objection filing period. The publication date is exclusive means

for calculating the time to file an objection. Those wishing to file an objection should not rely upon dates or timeframe information provided by any other source.

***Implementation***

Implementation of this project is expected to begin 2023. If no objection is filed, implementation may begin on, but not before the fifth business day following the close of the 45-day objection period. If an objection is filed, implementation may occur immediately after the date of the final decision.

If you would like further information about this project, please contact Cristina Peterson, Environmental Coordinator, by email at [cristina.peterson@usda.gov](mailto:cristina.peterson@usda.gov).

Sincerely,

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KEVIN W. LARKIN  
District Ranger

Figure 1. Vicinity Map

