



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

1300 AIRPORT LANE, NORTH BEND, OR 97459

Web Address: <http://www.blm.gov/or/districts/coosbay> E-mail: [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov)

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### **In Reply Refer To:**

6332/1792 (ORC030)

DOI-BLM-OR-C030-2011-0006-EA

Bastendorff Beach Cooperative Management Plan Environmental Assessment/Decision Record

***March 1, 2012***

Dear Concerned Citizen:

We have signed the Decision Record for the Bastendorff Beach Cooperative Management Plan Environmental Assessment (DOI-BLM-OR-C030-2011-0006 EA).

We have posted the signed Decision Record documentation on the District Internet site: <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

Please direct requests for copies, questions or concerns to Coos Bay District BLM, 1300 Airport Lane, North Bend, OR. 97459, Attn: Nancy Zepf, or e-mail to [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov), Attn: Nancy Zepf.

Sincerely,

*/s/ A. Dennis Turowski*

A. Dennis Turowski

Umpqua Field Manager



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Bastendorff Beach Cooperative Management Plan Environmental Assessment

## **DECISION RECORD**

### **Bastendorff Beach Cooperative Management Plan**

#### **Background:**

The Umpqua Field Office, Coos Bay District Bureau of Land Management (BLM), has completed the *Bastendorff Beach Cooperative Management Plan Environmental Assessment* (EA), DOI-BLM-OR-C030-0006-EA for managing vehicle use and camping on BLM lands at the Bastendorff Beach area. The document contained an analysis of the potential impacts of limiting vehicle access to designated routes and limiting camping to a maximum of 24 hours on the BLM lands at Bastendorff Beach. This EA, hereby incorporated by reference, concluded in a Finding of No Significant Impact (FONSI) dated February 27, 2012.

#### **Decision:**

It is my decision to authorize the implementation of Alternative 5, the Revised Route Network as described on page 15 of the EA. This alternative incorporated the comments received from the public during the draft plan review. The network provides access to the beach from three of the four parking areas and provides a foredune route along the beach connecting the parking lots. Alternative 5 provides 0.65 miles of motorized vehicle access in the foredune. (See pages 52 & 53 in the Bastendorff Beach Cooperative Management Plan). This alternative would change the camping limit from 14 days within any 28 day period to a 24 hour camping limit every 14 days.

#### **Conformance and Compliance:**

This project was initiated and developed under the direction of the 1995 *Coos Bay District Record of Decision and Resource Management Plan* (1995 ROD/RMP). The analysis supporting this decision tiers to the *Final Coos Bay District Proposed Resource Management Plan/Environmental Impact Statement* (USDI 1994). This 1995 Record of Decision is also supported by, and consistent with, the 1994 *Final Environmental Impact Statement on Management of Late-successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl* and its associated Record of Decision (USDA/USDI 1994).

The Coos Bay District initiated planning and design for this project to conform with the Coos Bay District's 1995 RMP. Following the March 31, 2011 decision by the United States District Court for the District of Columbia in *Douglas Timber Operators et al. v. Salazar*, which vacated and remanded the administrative withdrawal of the Coos Bay District's 2008 ROD and RMP, I evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP.

Based upon this review, I have determined that the selected alternative is consistent with the Coos Bay District's 1995 RMP and 2008 ROD and RMP. Although the selected alternative contains some design features not mentioned specifically in the 2008 ROD and RMP, these design features are consistent with the 2008 ROD and RMP.

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement.

I have reviewed the NEPA document for the *Bastendorff Beach Cooperative Management Plan* route designation and camping limit *Environmental Assessment* (EA) and have determined it is consistent with the Coos Bay District Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, as modified by the 2011 Settlement Agreement.

Consultation with the National Marine Fisheries Service is not required, as the Proposed Action has been determined to have "no effect" to threatened Oregon Coast coho salmon. Additionally, project activities would not adversely affect Essential Fish Habitat under the Magnuson- Steven Fishery Conservation and Management Act (16 U.S.C. 1855(b)). (EA page 8).

The project area does not contain any suitable or designated critical habitat for marbled murrelet, northern spotted owl, or western snowy plover. Therefore, consultation with U.S. Fish and Wildlife Service is not required.

This project complies with the, the Clean Water Act, the Clean Air Act, the National Historic Preservation Act, and the BLM Special Status Species Program. This project area does not contain any designated Wilderness, Wild & Scenic Rivers, prime or unique farmlands, or cultural resources (EA pages 25-26).

The *Bastendorff Beach Cooperative Management Plan* EA resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

### **Public Involvement**

The general public was informed of the draft management plan effort through a meeting announcement in *The World* newspaper May 12, 2010 and through public scoping meetings. The draft management plan was released for comment Dec. 15, 2010. A public meeting took place in March 2011 for public feedback on the plan. The original proposed alternative was adjusted as a result of public input at the March, 2011 meeting.

The *Bastendorff Beach Cooperative Management Plan Environmental Assessment* and preliminary (unsigned) Finding of No Significant Impact were made available for public comment on January 11, 2012. The comment period closed on January 26, 2012. The BLM received one public comment. In response to the public comment, additional language clarifying the project description and management of seasonal wetlands was added to the EA. These minor additions did not change the proposed action or the analysis of effects; they only provided additional clarity to the analysis. The updated environmental document was made available to the public February 27, 2012.

### **Rationale for the Decision**

The proposed action would most effectively meet the purpose and need for action, which is to address recreation related issues at Bastendorff Beach such as long term camping, illegal dumping, law enforcement and unauthorized motorized vehicle use.

### **Administrative Remedies**

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 CFR Part 4. If an appeal is taken, your notice of appeal must be filed with the Coos Bay District Office, Coos Bay BLM, 1300 Airport Lane, North Bend OR., 97459 (43 CFR 4.411 and 4.413). A copy of the Notice of Appeal must also be sent to the BLM Regional Solicitor, Pacific Northwest Region, 500 N.E. Multnomah St. Suite 607, Portland, OR. 97232.

The appellant has the burden of showing that the decision being appealed is in error.

For further information, contact Nancy Zepf at 1300 Airport Lane, North Bend, OR. 97459 or (541) 756-0100.

Decision Approved by:

*/s/ A. Dennis Turowski*

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A. Dennis Turowski  
Umpqua Field Manager

*March 1, 2012*

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Date