



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: OR_CoosBay_Mail@blm.gov

Telephone: (541) 756-0100 Toll Free: (888) 809-0839 Fax: (541) 751-4303



In Reply Refer To:

1792/8300 (ORC030)

DOI-BLM-OR-C030-2009-0010-EA

Bastendorff Beach Restroom and Parking Lot

November 2, 2009

Dear Citizen:

We have signed the Decision Record for the Bastendorff Beach Restroom and Parking Lot Project. The Environmental Assessment (DOI-BLM-OR-C030-2009-0010-EA) and Finding of No Significant Impact (FONSI) analyzed the potential impacts of removing an old vault toilet, installing a double vault, concrete facility and delineating accessible parking at Bastendorff Beach. This project is designed to implement management objectives and direction described in the 1995 Coos Bay District Resource Management Plan. These documents have been posted on the District Internet Site: <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

The decision to implement this project may be protested under 43 Code of Federal Regulations (CFR) 5003 – Administrative Remedies. As outlined in 43 CFR 5003 (a) and (b), protests of a management decision may be made within 15 days of the publication date of the decision. In accordance with the regulations, this notice constitutes the decision document for the purpose of protests which must be filed by close of business (4:30 P.M.) on November 16th, 2009 with the Umpqua Field Manager, A. Dennis Turowski, at the Coos Bay District Office, 1300 Airport Lane, North Bend, Oregon, 97459. As interpreted by BLM, the regulations do not authorize acceptance by the BLM of protests in any form other than a signed, paper document that is delivered to the physical address of the BLM office within the 15-day period. Therefore, e-mail, verbal, or facsimile protests will not be accepted.

For further information, contact Nancy Zepf at (541) 756-0100 at the address above, or e-mail questions to OR_CoosBay_Mail@blm.gov Attn: Nancy Zepf.

Sincerely,

/s/ Rick Schultz for

A. Dennis Turowski
Umpqua Field Manager



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DOI-BLM-OR-C030-2009-0010

Bastendorff Beach Restroom and Parking Lot

DECISION RECORD

Bastendorff Beach Restroom and Parking Area

Background

Bureau of Land Management (BLM) staff prepared an Environmental Assessment (EA) to evaluate a proposed action to remove an existing, non-functioning vault toilet and replace it with a double vault, concrete facility on the other side of the parking lot at Bastendorff Beach. BLM is working with Coos County and the Oregon Parks and Recreation Department (OPRD) to coordinate this project. The BLM and OPRD recently signed a Memorandum of Understanding (MOU) to install and maintain the new restroom at Bastendorff Beach to help prevent the spread of disease related to human waste and to enhance the visitors' experience. The parking area will provide a parking space in conformance with accessibility laws. The location of the project is T. 26 S., R. 14 W., Sec. 3, Lot 2. WM. A subsequent Finding of No Significant Impacts (FONSI) was signed September 24, 2009.

Decision

It is my decision to authorize the replacement of the existing vault toilet with a new, concrete, double vault facility in an adjacent location. There will be an accessible parking site to the facility. The design features and environmental consequences for this project were fully analyzed in the EA.

Conformance and Compliance

The EA is in conformance with the *Coos Bay District Resource Management Plan/Final Environmental Impact Statement* (USDI* 1994) and its *Record of Decision* (USDI 1995) by meeting the following objective: "Provide a wide range of developed and dispersed recreation opportunities that contribute to meeting projected recreation demand within the planning area." The project also addresses a public health concern.

This project complies with the Endangered Species Act, the Clean Water Act, the Magnuson-Stevens Fishery Conservation Act, and the BLM Special Status Species Program. The EA and FONSI analyzed the selected alternative and found the development of an Environmental Impact Statement would not be needed.

Public Involvement

The World Newspaper published a public notice of the EA and FONSI on September 25, 2009. Letters to interested parties were mailed on September 24, 2009 and the EA and FONSI were posted on BLM's web page on September 25, 2009. No comments were received.

Decision Rationale

I am choosing to implement this restroom project to reduce the threat to public health, enhance the visitor's experience, and to cooperate with the County and State in managing this popular beach access area.

Administrative Remedies

The decision described in this document is a management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 Code of Federal Regulations (CFR), Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, A. Dennis Turowski, by November 16th, 2009, which is within 15 days of the publication date of the notice of this decision advertised in *The World* newspaper, Coos Bay, Oregon.

43CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (e-mail) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Coos Bay District Office will be accepted. The protests must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party. Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by the regulations at 43 CFR § 5003.3(f).

If no protest is received by the close of business (4:30 p.m.) by November 16th, 2009, this decision becomes final. If a timely protest is received, the protest decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay District will issue a protest decision.

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

/s/ Rick Schultz for

October 26, 2009

A. Dennis Turowski
Umpqua Field Manager

Date