



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

COOS BAY DISTRICT OFFICE

1300 AIRPORT LANE, NORTH BEND, OR 97459

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In Reply Refer To:

5400/1792 (ORC030)

OR120-TS12-04

Blue Ridge C & BP Timber Sale

DOI-BLM-OR-C030-2010-0007-EA

Blue Ridge Communication Site Environmental Assessment

March 1, 2012

Dear Concerned Citizen:

We have prepared the Decision Documentation for the Blue Ridge C & BP Timber Sale (OR120-TS12-04). The units in this sale were analyzed as part of the Blue Ridge Communications Site Environmental Assessment (DOI-BLM-OR-C030-2010-0007-EA). The analysis concluded in a Finding of No Significant Impact (FONSI), dated August 31, 2011, for proposed beam path maintenance and fuel reduction treatment projects. These projects were designed to implement management direction described in the 1995 Coos Bay District Record of Decision and Resource Management Plan (1995 ROD/RMP). The Decision Documentation is posted on the District Internet site: <http://www.blm.gov/or/districts/coosbay/index.php>.

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, A. Dennis Turowski, within 15 days of the publication date of the notice of decision/timber sale advertisement in The World, Coos Bay, OR.

Please direct requests for copies, questions, or comments to Coos Bay District BLM, 1300 Airport Lane, North Bend, OR. 97459-2000, ATTN: Bill Elam; call (541) 756-0100; FAX (541) 751-4303, or email to OR_CoosBay_Mail@blm.gov, ATTN: Bill Elam.

Sincerely,

/s/ A. Dennis Turowski

A. Dennis Turowski

Umpqua Field Manager



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Blue Ridge Communication Site Environmental Assessment

DECISION DOCUMENTATION

For the

Blue Ridge C & BP Timber Sale (OR120-TS12-04)

Background:

The Umpqua Field Office, Coos Bay District Bureau of Land Management, using input from District resource staff and the public, prepared the *Blue Ridge Communication Site Beam Path Maintenance and Fuel Reduction Environmental Assessment (EA)*. This EA, hereby incorporated by reference concluded in a Finding of No Significant Impact (FONSI) dated August 31, 2011.

The Proposed Action Alternative in the EA would conduct maintenance of telecommunication beam paths and fuel reduction treatments at the Blue Ridge Communication Site on approximately 40 acres of BLM-administered lands. The fuels reduction action will remove all trees within one site potential tree height (approximately 240 feet) from each of the communication facilities, totaling approximately six acres. Within identified beam path segments, the BLM will thin trees within the adjacent stands creating linear gaps on approximately 23 acres that would allow an interference free transmission between the Blue Ridge Communication Site and surrounding communication facilities. These linear gaps have been incorporated into the overall proposed thinning prescriptions analyzed under the Fairview EA in the adjacent stands.

Proposed Action:

The *Blue Ridge C & BP* Timber Sale would implement treatment on 29 acres of the 40 acres analyzed under the Proposed Action in the EA.

The *Blue Ridge C & BP* Timber Sale is composed of EA units FR-1, FR-2, BP-1, BP-2, BP-3, BP-4, and portions of EA units BP-5, BP-6, BP-7, BP-8, BP-9, BP-10, and BP-11. This project is located in T.26S., R.12W., Sections 35; and T.27S., R.12W., Section 2, Willamette Meridian, Coos County, Oregon.

Out of the 29 acres, 27.5 acres of tree removal is within the General Forest Management Area (GFMA) and 1.5 acres within the Riparian Reserve (RR) land use allocation.

Approximately 1,359 MBF of timber is scheduled for removal.

The sale will require 2.9 miles of road renovation; no new roads will be constructed. The sale will include 0.2 miles of road decommissioning, a decrease from 0.63 miles identified in the EA.

The following tables show the relationship between EA estimates and field verified acres of forest treatment and miles of road construction/decommissioning for the *Blue Ridge C & BP* Timber Sale:

Blue Ridge C&BP Unit Number	EA Unit Number	Estimated Acres*	Actual Acres*
1	FR-1	6.2	6.0
1	FR-2	11.0	11.0
1, Path 4	BP-1	1.4	1.3
1, Path 2	BP-2	1.4	1.3
1, Path 3	BP-3	4.1	4.1
1, Path 5	BP-4	4.1	2.1
1	BP-5	0.2	0.2
1	BP-6	3.9	0.4
1	BP-7	4.3	0.7
1	BP-8	0.5	0.5
1	BP-9	1.3	0.6
1	BP-10	0.7	0.3
1	BP-11	0.6	0.5
Totals		39.7*	29.0

*excludes right-of-way acreage

	Treatment Acres*	New Road Construction (miles)	Road Decommissioning (miles)
EA Estimate	39.7	0.0	0.6
Blue Ridge C&BP	29	0.0	0.2

A list of Project Design features can be located on pages 11 and 12 of the EA.

Compliance and Conformance:

This project was 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 *Blue Ridge C & BP* Timber Sale 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 Mitigations Measures and Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement (EA page 25).

The *Blue Ridge C & BP* Timber Sale was included in the Biological Assessment (BA) for the Fairview Commercial Thinning Timber Sale and Alder Conversions. BLM received a Letter of Concurrence (LOC No. 13420-2010-I-100) from USFWS on June 23, 2010. The determination in the BA was "no effect" for marbled murrelet, and may affect, "not likely to adversely affect" for northern spotted owls. There was also a "no effect" determination for critical habitat for both marbled murrelets and northern spotted owls.

Consultation with the National Marine Fisheries Service is not required, as the Proposed Action (*Blue Ridge C & BP* Timber Sale) 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 23).

Surveys for botanical Special Status Species surveys were completed as of November 2011 on all treatment areas for which surveys are practical for those species included in the 2008 State Director's Special Status Species List. No botanical Special Status Species were observed in the *Blue Ridge C & BP* Timber Sale area.

Analysis by the Umpqua Field Office Hydrologist has concluded that the proposed activities in the EA will not prevent attainment of ACS Objectives (EA pages 20-22).

The *Blue Ridge C & BP* Timber Sale complies with the Clean Water Act, the National Historic Preservation Act, and the Clean Air Act. The project area does not contain any Areas of Critical Environmental Concern, designated Wilderness, Wild & Scenic Rivers, or prime and unique farmlands. There were no concerns identified regarding Cultural Resource Values, Native American Religious Concerns, or Environmental Justice issues (EA pages 18 & 31-32).

The *Blue Ridge Communication Site Beam Path Maintenance and Fuel Reduction Environmental Assessment* (DOI-BLM-OR-C030-2010-0007-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 planned EA through a letter (December 4, 2010) to those on the Coos Bay District's mailing list, which included persons who had requested scoping notices of forest management EAs. The BLM also posted an announcement on the District's internet site requesting comments for scoping. No comments were received in response to either.

The EA and preliminary Finding of No Significant Impact (FONSI) were made available for public comment on July 18, 2011. The comment period closed on August 16, 2011. The BLM received one public comment. The BLM specialists reviewed the comment letter and determined that changes to the EA or FONSI were not needed. The BLM subsequently signed and posted the FONSI on August 31, 2011.

Rationale for the Decision:

Using the Decision Factors for this project (EA page4), I am choosing to implement the Proposed Action Alternative as it applies to offering the *Blue Ridge C & BP* Timber Sale described in the EA (DOI-BLM-OR-C030-2010-0007-EA) for the following reasons:

- It is consistent with and best meets the purpose and need described in the EA. The No Action Alternative fails to address the purpose and need for action and does not meet the management objectives.
- The project is consistent with both the *1995 Record of Decision and Resource Management Plan* and the *2008 Record of Decision and Resource Management Plan* for the Coos Bay District of the Bureau of Land Management. The *Blue Ridge C & BP* Timber Sale meets the objectives and management directions for the land use allocations.
- It complies with other major applicable laws, regulations, and Bureau policies.

Administrative Remedies:

In accordance with *Forest Management Regulations* in 43 CFR 5003.2, the Decision Record for this timber sale will not become effective or be subject to formal protest until the *Notice of Sale* is published ". . . in a newspaper of general circulation in the area where the lands affected by the decision are located." For this project, the *Notice of Sale* will be published in *The World* newspaper on March 1, 2012.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and would contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) 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 protest 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 the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party (ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay District Office will issue a protest decision.

For further information, contact Bill Elam, Team Lead, at 1300 Airport Lane, North Bend, OR. 97459 or (541) 756-0100.

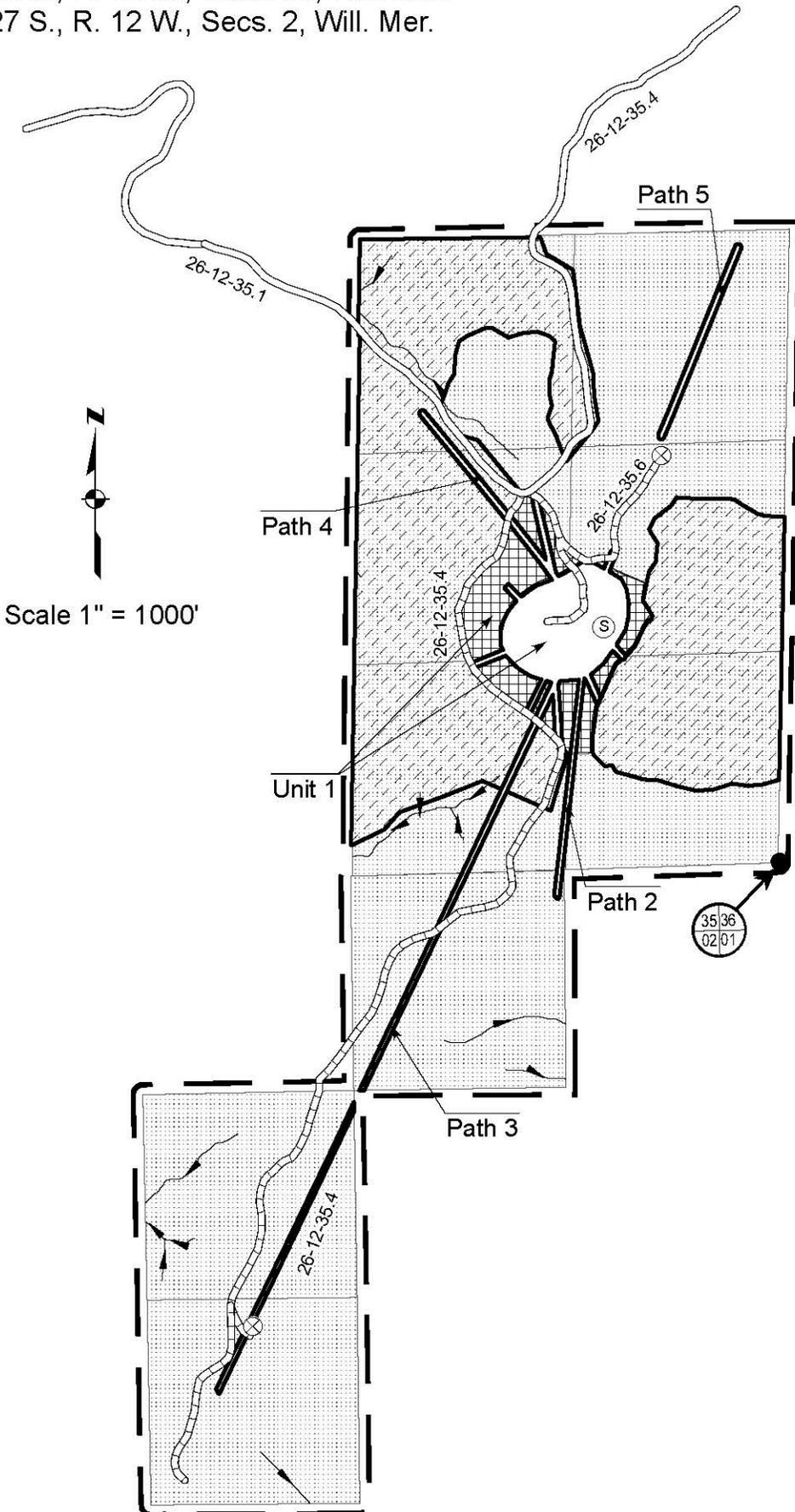
Decision Approved by:

/s/ A. Dennis Turowski

March 1, 2012

A. Dennis Turowski
Umpqua Field Manager

Date



Legend

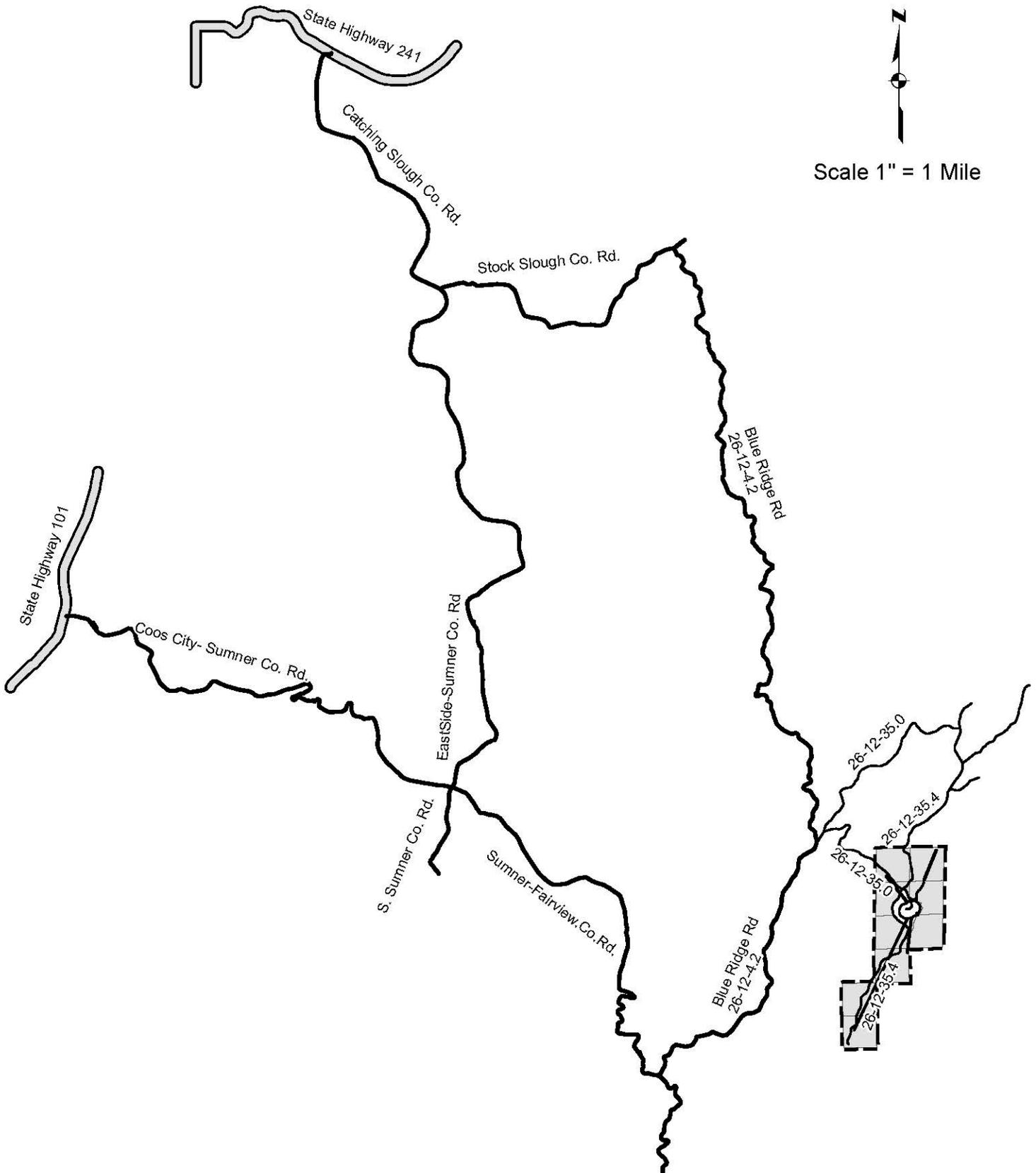
- Section Corner
- Corner Found
- Proposed Landing
- Stock Pile
- Stream Channel
- Existing Road
- Road to be Renovated
- Beam Paths
- Boundary of Contract Area
- Reserve Area
- Adjacent Sale Area - Reserve
- Special Cutting Area/Unit 1
- Partial Cut/Unit 1

Unit Totals

Unit 1	_____	22 ACRES
Path 2	_____	1 ACRE
Path 3	_____	4 ACRES
Path 4	_____	1 ACRE
Path 5	_____	1 ACRE
Total Reserve Area	__	331 ACRES
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Total Contract Area	__	360 ACRES

TIMBER SALE CONTRACT MAP
USDI-BLM COOS BAY DISTRICT
T. 26 S., R. 12 W., Secs. 35, Will. Mer.
T. 27 S., R. 12 W., Secs. 2, Will. Mer.

SALE NO.12-04
EXHIBIT A.1
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Blue Ridge C & BP



Scale 1" = 1 Mile