



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

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



IN REPLY REFER TO

1792 (ORC040)

DOI-BLM-OR-C040-2014-0003-DNA

Palmer Butte Communication Site Maintenance/Hazard Fuel Reduction DNA

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

Blue Ridge Communication Site Beam

Path Maintenance and Fuels Reduction EA

October 20, 2014

Dear Concerned Citizen:

I have signed the decision record for the Palmer Butte Communication Site Maintenance project analyzed in the Documentation of NEPA Adequacy (DOI-BLM-OR-C040-2014-0003-DNA). The proposed action of this DNA is to reduce hazardous fuel loading (predominantly Douglas fir and hairy manzanita) around the communication site to levels that will lower the likelihood of damage to critical infrastructure during a wildfire event. The Bureau of Land Management (BLM) has posted these documents on the District internet site: <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

The decision to implement this forest management project may be protested under 43 CFR 5003 – Administrative Remedies. As outlined in 43 CFR 5003 (a) and (b), protests of a forest management decision may be made within 15 days of the publication date of the decision notice and shall contain a written statement of reasons for protesting 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 5, 2014 with the Myrtlewood Field Manager, *Kathy Hoffine*, at the Coos Bay District Office, 1300 Airport Lane, North Bend, Oregon, 97459. As interpreted by the 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, email, verbal, or facsimile protests will not be accepted.

For further information, contact Joanie Lawrence, Fuels Management Specialist, at 1300 Airport Lane, North Bend, Oregon, 97459 or (541) 756-0100, or email at BLM_OR_CB_Mail@blm.gov, Attn: Joanie Lawrence.

Respectfully,

/s/ Kathy Hoffine

Kathy Hoffine

Myrtlewood Field Manager



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DECISION RECORD **For the** **Palmer Butte Communication Site** **Maintenance/Hazard Fuel Reduction DNA**

Background

The Bureau of Land Management previously prepared an environmental assessment (DOI-BLM-OR-C030-2010-0007-EA; Blue Ridge Communication Site Beam Path Maintenance and Fuels Reduction EA) and a Finding of No Significant Impact (FONSI), which contained the analysis of effects of conducting communication signal maintenance at the Blue Ridge Communication Site. As was with the project in the original EA, the primary goal of the proposed action in this Documentation of NEPA Adequacy (DNA) is to reduce hazardous fuel loading (predominantly Douglas fir and hairy manzanita) around the Palmer Butte Communication Site to levels that will lower the likelihood of damage to critical infrastructure during a wildfire event.

Decision

It is my decision to authorize the maintenance activities for the Palmer Butte Communication Site, described in the Palmer Butte Communication Site Maintenance/Hazard Fuel Reduction DNA. These include tree removal and pruning of trees, shrubs, and brush, and removal of trees along the access road for the site. This project is adjacent to the Palmer Butte Communication Site located in T. 40. S., R. 13 W., Section 10 and consists of 3 acres of treatment surrounding the site and tree removal along 2,528 feet of the access road. The project will occur entirely on General Forest Management Area (Matrix) lands. Average diameter at breast height (dbh) of trees within the 3-acre treatment area is 10.9 inches. Average dbh of trees to be removed along the access road is 12.3 inches.

The original environmental assessment contained a full analysis of the design features and environmental consequences from this type of project. There is no road construction, renovation, or maintenance. Timber would be sold through a small sale commercial contract.

The EA contained a complete list of Project Design Features (pp. 11-15) which are measures designed to avoid, minimize, or rectify impacts on resources. This proposed action incorporates those that are applicable to this site. These and additional descriptions of the EA proposed action are incorporated by reference.

Conformance and Compliance

The BLM developed the Palmer Butte Communication Site Maintenance/Hazard Fuel Reduction DNA under the management 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). The 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).

I have reviewed the NEPA document for the Palmer Butte Communication Site Maintenance/Hazard Fuel Reduction project and have determined it is consistent with the 2001 ROD and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines, as incorporated into the District Resource Management Plan.

This project utilizes the December 2003 species list. This list incorporates species changes and removals made as a result of the 2001, 2002, and 2003 Annual Species Reviews (ASR) with the exception of the red tree vole. For the red tree vole, the Ninth Circuit Court of Appeals in *KSWC et al. v. Boody et al.*, vacated the category change and removal of the red tree vole in the mesic zone, and returned the red tree vole to its status as existed in the 2001 ROD Standards and Guidelines, which makes the species Category C throughout its range.

The project is within red tree vole range. Surveys have been conducted and no suitable habitat for red tree voles was found.

The project is within range of six Survey and Manage species. The project contains suitable habitat for five species. A survey for these species was conducted in June 2014 and no sites were found.

A small population of a rare, Bureau Sensitive Special Status plant species, Howell's manzanita (*Arctostaphylos hispidula*), occurs at the communication site. The DNA contains special precautions that would be undertaken before, during, and after treatment at the site.

Since the development of the Beam Path EA, the U.S. Fish and Wildlife Service finalized new Critical Habitat designations for the northern spotted owl in 2012. The Palmer Butte project area is not located in Critical Habitat for the owl or marbled murrelet. Consultation with the U.S. Fish and Wildlife service has been completed as these activities have been included in the Biological Opinion Addressing Fiscal Years 2014-2018 Programmatic Suite of Activities for the Coos Bay District BLM (01EOFW00-2014-F-0163).

There are no federally threatened or endangered fisheries species within the project area, or located within a distance to be affected by project activities. Therefore, consultation with the National Marine Fisheries Service is not warranted. Additionally, as there is no impact to water quality, this project complies with the Coastal Zone Management Act.

Analysis has also concluded that implementation of the proposed action will not increase the likelihood of or the need for listing of any Special Status Species under the ESA as identified in BLM Manual 6840 and BLM OR/WA 6840 Policy. Botany Special Status Species surveys are complete. One species was found and buffered to ensure persistence at the site.

The Palmer Butte Communication Site Maintenance/Hazard Fuel Reduction DNA complies with the Clean Water Act, the National Historic Preservation Act and the Clean Air Act. This project area does not contain any designated Wilderness, Wild & Scenic Rivers, Areas of Critical Environmental Concern or prime or unique farmlands. There were no concerns identified regarding Cultural Resource Values, Native American Religious Concerns or Environmental Justice Issues. The Blue Ridge Communication Site Beam Path Maintenance and Fuels Reduction EA (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 BLM informed the public of the availability of the EA and preliminary FONSI through a direct notification (July 18, 2011) to those on the BLM's mailing list, which included adjacent landowners, the web update group and others who requested notice of this type of project. One comment was received; however, BLM specialists determined that the FONSI was still appropriate and it was signed on August 31, 2011. There were no protests of the two subsequent decisions.

Rationale for the Decision

Using the decision factors for this project (EA p. 4) I am choosing to implement the Palmer Butte Communication Site Maintenance/Hazard Fuel Reduction project for the following reasons:

- It provides a long-term solution to minimize the potential for infrastructure damage from wildfire and wind disturbances to the site.
- It provides cost effective management that would enable implementation of these management objectives while providing collateral economic, social and service benefits to society.
- It provides for continued public health and safety by maintaining emergency alert systems.
- It complies with all applicable laws, regulations and Bureau policies.

Administrative Remedies

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 *Kathy Hoffine* within 15 days of the publication date of the notice of decision in *The World*, Coos Bay, OR.

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 reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information to her. 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 Myrtlewood Field Office will issue a protest decision.

For further information, contact Joanie Lawrence, Fuels Management Specialist, at 1300 Airport Lane, North Bend, Oregon, 97459 or (541) 756-0100.

Decision Approved by:

/s/ Kathy Hoffine

October 20, 2014

Kathy Hoffine
Myrtlewood Field Manager

Date