



# 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)

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

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

1792/6843 (ORC030)

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

Blue Ridge Communication Site Environmental Assessment

*April 02, 2012*

Dear Concerned Citizen:

We have prepared the Decision Documentation for the Residual Blue Ridge BP Maintenance Project. The units in this sale were analyzed as part of the Blue Ridge Communication Site Beam Path Maintenance and Fuels Reduction 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](mailto:OR_CoosBay_Mail@blm.gov), ATTN: Bill Elam.

Sincerely,

*/s/ A. Dennis Turowski*

A. Dennis Turowski

Umpqua Field Manager



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1792/6843 (ORC030)  
DOI-BLM-OR-C030-2010-0007-EA  
Blue Ridge Communication Site Environmental Assessment

## DECISION RECORD for Residual Blue Ridge BP Maintenance Project

### Background:

The Bureau of Land Management (BLM) previously prepared an Environmental Assessment (EA OR-C030-2010-0007 *Blue Ridge Communication Site Beam Path Maintenance and Fuels Reduction Environmental Assessment (EA)*) and a Finding of No Significant Impact (FONSI), which contained the analysis of the effects of beam path maintenance and fuels reduction treatments to improve critical communications for local communities within the boundaries of the Coos Bay District.

The Proposed Action Alternative analyzed in the EA was to conduct maintenance of telecommunication beam paths and fuel reduction treatments at the Blue Ridge Communication Site on approximately 40 acres. The *Blue Ridge C & BP* Timber Sale Decision Document encompassed approximately 29 of the 40 acres addressed by the EA, leaving approximately 11 acres for future treatment. The *Residual Blue Ridge BP Maintenance Project* will thin trees within the adjacent stands creating linear gaps on approximately 11 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. Timber generated from thinning will be sold as forest products.

The *Residual Blue Ridge BP Maintenance Project* consists of approximately 9 acres of tree removal within the General Forest Management Area and 2 acres within the Riparian Reserve land use allocation. The project area is located in T. 26 S., R. 12 W., Sections 25, 35, and 36, and T. 27 S., R. 12 W., Section 2, Willamette Meridian, Coos County, Oregon.

The following table shows the relationship between EA estimates and field verified acres of forest treatment and miles of road construction/decommissioning for the *Residual Blue Ridge BP Maintenance Project*:

	Treatment Acres*	New Road Construction (miles)	Road Decommissioning (miles)
EA Estimate	40.0	0.0	0.6
Blue Ridge C&BP	29	0.0	0.2
Residual Blue Ridge BP Maintenance	11	0.0	0.6

**Decision:**

It is my decision to authorize the removal of trees on the remaining 11 acres for beam path maintenance identified in the EA.

The original environmental assessment contained a full analysis of the design features and environmental consequences of this type of project. The EA contained a complete list of Project Design Features on pages 11-12 designed to avoid, minimize, or rectify impacts on resources.

**Conformance and Compliance:**

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.

The EA was developed incorporating the 2006 Pechman Exemptions. Per the 2011 Settlement Agreement, these exemptions remain in force. The *Residual Blue Ridge BP Maintenance Project* meets Exemption A because it consists of thinning in stands less than 80 years of age (EA page 17). Therefore, I have reviewed the NEPA document for the *Residual Blue Ridge BP Maintenance Project* and have determined that 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*, as modified by the 2011 Settlement Agreement. (EA page 25).

The *Residual Blue Ridge BP Maintenance Project* was included in the Biological Assessment for the Fairview NWFP Project Environmental Assessment. 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 spotted owls.

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 23).

Surveys for botanical Special Status Species (for those species included in the 2008 State Director’s Special Status Species List surveys), were completed as of November 2011 on all treatment areas for which surveys are practical. No botanical Special Status Species were detected in the project area.

The *Residual Blue Ridge BP Maintenance Project* 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 Fuels Reduction EA* (DOI-BLM-OR-C030-2010-0007-EA) resulted in a 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. BLM posted an announcement on the District’s internet site requesting comments for scoping. No comments were received.

The EA and 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. BLM specialists reviewed the comment letter and determined that changes to the EA or FONSI were not needed. The BLM signed the FONSI on August 31, 2011 and subsequently made it available to the public.

**Decision Rationale:**

Field Office staff has reviewed the Proposed Action. Based on the *Blue Ridge Communication Site Beam Path Maintenance and Fuels Reduction EA*, I have determined that the Proposed Action involves no significant impact to the human environment and no further analysis is required. The supporting analysis and NEPA documentation fully covers the Proposed Action and constitutes BLM’s compliance with the requirements of NEPA.

I am choosing to implement the *Residual Blue Ridge BP Maintenance Project* for the following reasons:

- Implementation of the Proposed Alternative best meets the Purpose and Need described in the EA.

- It is consistent with both the *2008 Record of Decision and Resource Management Plan* and the *1995 Record of Decision and Resource Management Plan* for the Coos Bay District Bureau of Land Management.
- It complies with other major 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, A. Dennis Turowski within 15 days of the publication date of the notice of decision advertisement 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 him. 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, or e-mail at [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov) Attn: Bill Elam.

**Decision Issued by:**

*/s/ A. Dennis Turowski*

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A. Dennis Turowski  
Umpqua Field Manager

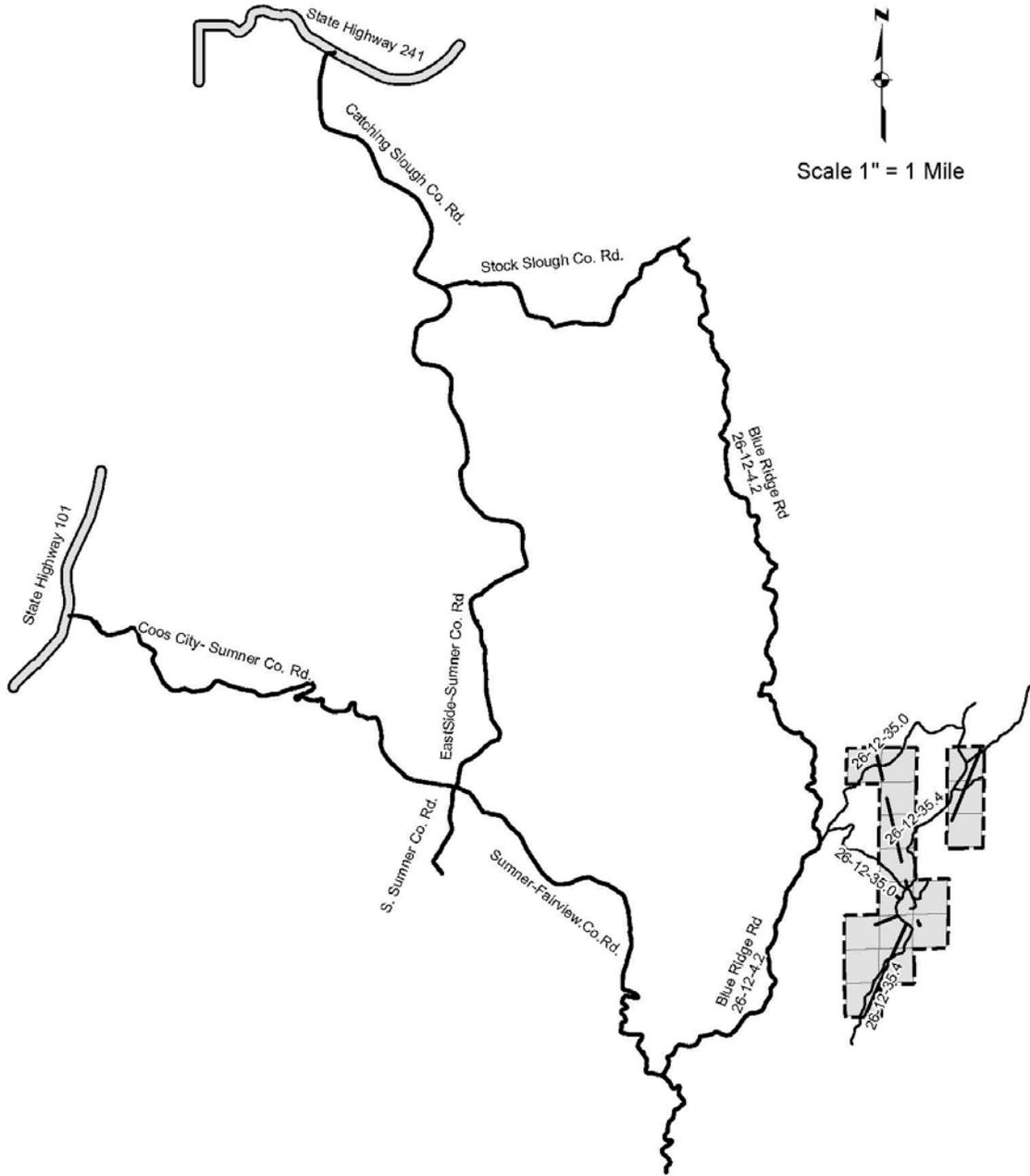
*April 02, 2012*

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Date

TIMBER SALE CONTRACT MAP  
USDI-BLM COOS BAY DISTRICT  
T. 26 S., R. 12 W., Secs. 25, 26, 35, & 36 Will. Mer.  
T. 27 S., R. 12 W., Secs. 2, Will. Mer.

EXHIBIT A.1  
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Residual Blue Ridge  
BP Maintenance Project



TIMBER SALE CONTRACT MAP  
 USDI-BLM COOS BAY DISTRICT  
 T. 26 S., R. 12 W., Secs. 25, 26, 35 & 36 Will. Mer.  
 T. 27 S., R. 12 W., Secs. 2 Will. Mer.

EXHIBIT A  
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 Residual Blue Ridge  
 BP Maintenance Project

