



## 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/H-2860-1 (ORC040)

DOI-BLM-OR-C040-2012-0004-DNA

Signal Tree Beam Path DNA

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

Blue Ridge Communication Site Beam

Path Maintenance and Fuels Reduction EA

**September 21, 2012**

Dear Concerned Citizen:

I have signed the Decision Record for the Signal Tree Beam Path project analyzed in the Documentation of NEPA Adequacy (DOI-BLM-OR-C040-2012-DNA). The Proposed Action of this DNA is to remove obstructing vegetation currently interfering with communication signals from a commercial tower located at the Signal Tree Communication Site. The Bureau of Land Management (BLM) has posted these documents at the BLM 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 October 10, 2012 with the Myrtlewood Field Manager, *Kathy Hoffine*, 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 Aimee Hoefs, Team Lead, at 1300 Airport Lane, North Bend, Oregon 97459 or (541) 756-0100, or e-mail at [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov), Attn: Aimee Hoefs.

Respectfully,

/s/ *Kathy Hoffine*

Kathy Hoffine

Myrtlewood Field Manager



# 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/H-2860-1 (ORC040)

DOI-BLM-OR-C040-2012-0004-DNA

Signal Tree Beam Path DNA

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

Blue Ridge Communication Site Beam

Path Maintenance and Fuels Reduction EA

## Decision Record for

### Signal Tree Beam Path 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 if not eliminate the signal interference from encroaching vegetation within the transmission beam path of a commercial tower located at the Signal Tree Communication Site.

#### Decision

It is my decision to authorize the maintenance activities for the Signal Tree Communication Site, described in the *Signal Tree Beam Path DNA*. These include tree removal and assorted pruning of trees, shrubs, and brush within the beam path that transmits to Noah Butte for the California Oregon Broadcasting, Inc. This project is adjacent to the Signal Tree Communication Site located in T. 29 S., R. 9 W., Section 33 and consists of 0.51 acres of treatment. The project will occur on 0.21 acres of the Matrix land use allocation and 0.30 acres of "non-forest." Trees on the Matrix are approximately 70 years of age. The entire length of the path to be cleared is 0.10 miles or approximately 540 feet. This beam path carries the emergency alert system for Amber Alerts, weather alerts, and civil emergency alerts to the coastal communities.

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, or any fuels reduction treatments. 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. The following is a brief summary of some applicable design features:

- Ground-based equipment would occur only when soil moistures are below 25%.
- An existing compacted skid road would be used to the extent practical.
- The existing skid trail would be closed according to the Best Management Practices listed in Appendix D of the 1995 RMP.

### **Conformance and Compliance**

The BLM developed the *Signal Tree Beam Path* 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).

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Rey et al.*, No 08-1067 (W.D. Wash.) (Coughenour, J.) granting Plaintiffs' motion for partial summary judgment and finding of a variety of NEPA violations in the *Final Supplement to the 2004 Supplemental Environmental Impacts Statement to Remove or Modify the Survey and Management 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 manage standards and guidelines in the 2011 ROD, as modified by the 2011 Settlement Agreement.

I have reviewed the NEPA document for the *Signal Tree Beam Path* project 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* (2001 ROD), as modified by the 2011 Settlement Agreement. Surveys have been conducted and no Red Tree Voles or any S&M botany species were found.

Consultation with the U.S. Fish and Wildlife service has been completed as these activities have been included in the *Biological Opinion and Concurrence on the FY 2008-2013 Programmatic Suite of Activities Planned by the District and the Tribe*, signed October 8, 2008 (FWS# 13420-2008-F-0118).

There are no 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 for species in which surveys are practical and are included in the 2011 State Director's Special Status Species List; none were found.

The *Signal Tree Beam Path* 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 *Signal Tree Beam Path* project for the following reasons:

- It provides for an immediate and long-term solution to communication interference.
- It provides a timely and effective response to the request of rights-of-way holders.
- It provides for continued public health and safety by maintaining the Emergency Alert System and other 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, Oregon.

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 Coos Bay District Office will issue a protest decision.

For further information, contact Aimee Hoefs, Team Lead, at 1300 Airport Lane, North Bend, Oregon 97459 or (541) 756-0100.

**Decision Approved by:**

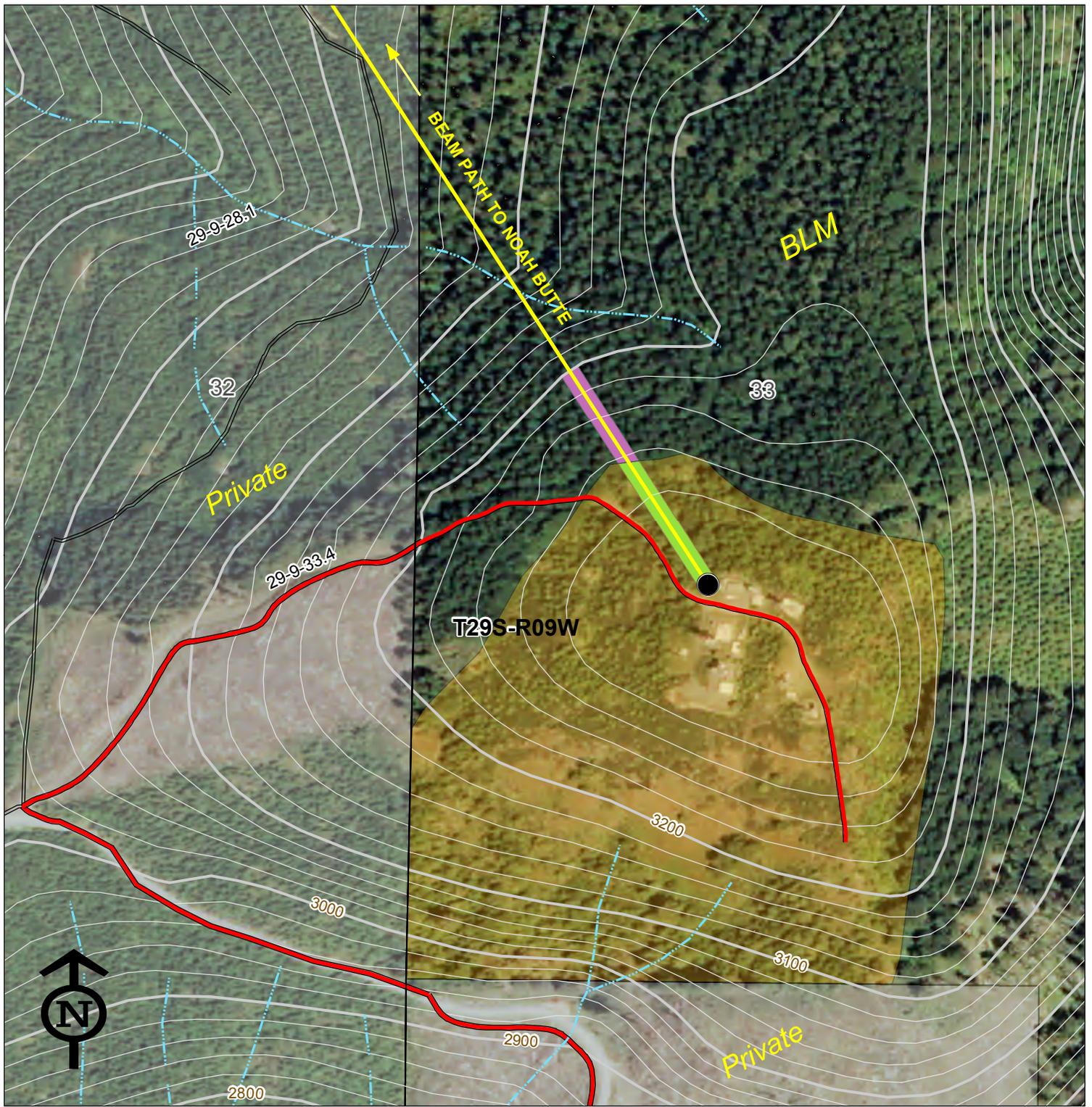
*/s/ Kathy Hoffine*

*September 21, 2012*

\_\_\_\_\_  
Kathy Hoffine  
Myrtlewood Field Manager

\_\_\_\_\_  
Date

Enclosure: Map (1 page)



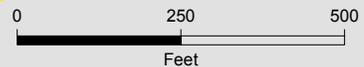
### Map Features (Using 2011 NAIP Imagery in background)

-  COBI Tower
-  COBI Beam Path
-  BLM Controlled Road
-  Matrix Clearing Limits
-  Non-BLM Controlled Road
-  Nonforest Clearing Limits
-  Perennial Stream
-  Nonforest Area
-  Intermittent Stream
-  Non-BLM Administered Lands

### US DEPARTMENT OF THE INTERIOR Bureau of Land Management



Coos Bay District Office  
Mrtlewood Resource Area  
1300 Airport Lane  
North Bend, OR 97459



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data.

## Signal Tree Beam Path DNA T29S-R09W-Sec.33