

DECISION RECORD

NEPA Register Number: DOI-BLM-OR-P040-2006-0142-EA

Title of Action: North Hampton Butte Petrified Wood Recovery

Serial Case File or Project Number: N/A

BLM Office: Central Oregon Resource Area, Prineville, OR.

Decision: Excavate the petrified log specimen using techniques specifically outlined in the environmental assessment as mitigation against undue impacts. In this case, removal will be accomplished by the use of a backhoe and a small group of individuals.

Alternative Considered: Take no action. Let fossil disappear through natural or human caused agents.

Rationale for Decision: The purpose of the action is to recover a piece of museum-quality, petrified wood from public land. The need is to display this piece of petrified wood at the Bellvue Community College, Washington, as the center piece of the new Life Science building. The size, completeness, and preservation of the specimen are unusual characteristics for petrified wood of similar age (30-40 million years ago) known to exist in this area. The requests for the specimen is consistent with the Federal Land Policy and Management Act (1976), Title 43 CFR Subpart 3621 addressing the collection of petrified wood specimens exceeding 250 lbs. in weight, and BLM Manual H-8270-1, General Procedural Guidance for Paleontological Resource management. The Brothers-LaPine Resource Management Plan (1989) is silent on general rock hounding on public lands. Through a letter, the Bellvue Community College has accepted responsibility for specimen display in their new Life Science building. The National Park Service paleobotanist, Reagan Dunn, visited the locality and was consulted on the appropriate removal strategy. Approximately 5 feet of the terminal end of the log will be removed by the use of a rubber-tired backhoe. The backhoe will make a single pass into and out of the specimen location. It will be used to excavate a trench along side of the log specimen and to lift the log into the bed of a truck for transport. A small group of individuals will accompany the excavation to make sure the trench is filled in and all tracks and signs of disturbance are eliminated. The location of paleontology localities on public lands is considered sensitive information which limited the opportunity for public comment. It is reasonable to assume that without preserving a piece of this specimen it would be discovered and either removed illegally, or destroyed through the actions of legitimate collectors.

The action was analyzed and found to have no significant impacts, thus an Environmental Impact Statement was determined not to be required.

Compliance and Monitoring: The group representing Bellvue Community College will be required to follow the instructions below for the removal of the specimen as mitigation against undue impacts to the surrounding environment and to keep the majority of the specimen in tack for the future. The locality will be visited by BLM staff after removal to make sure compliance with mitigation measures was followed.

Protest and Appeal: This decision constitutes my final decision and may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (3050 N.E. Third Street, Prineville, OR 97754) within 30 days from receipt of this decision. Notice of appeal must be sent certified mail. The appellant has the burden of showing that the decision appealed from is in error. Any request for stay of this decision in accordance with 43 CFR 4.21 must be filed with your appeal.

/S/ Jennifer Eberlien

Jennifer Eberlien
Acting Field Manager, Central Oregon Resource Area

9/10/09

Date