

USDI, Bureau of Land Management
Three Rivers Resource Area, Burns District
Hines, Oregon 97738

Decision Record
for
Wrights Point Repeater and Communication Site Management Plan
Environmental Assessment, OR-025-01-04

INTRODUCTION: Following a 30-day public comment period on the Environmental Assessment/Finding of No Significant Impact (EA/FONSI) for the Wrights Point Repeater and Communication Site Management Plan, EA No. OR-025-01-04, the Bureau of Land Management's (BLM's) Three Rivers Resource Area, Burns District is issuing a decision for the development by BLM of a repeater site on Wrights Point and implementation of the Wrights Point Communication Site Management Plan.

DECISION: Having considered a full range of alternatives and associated impacts my decision is to implement the proposed action (Site 1) as described in the EA for the Wrights Point Repeater and Communication Site Management Plan. Development of the repeater and implementation of a communication site management plan would occur at Site 1 unless prior thereto an easement can be secured across private land to access Site 2. Development at Site 2 would occur only if this contingency arises. The no action alternative is being rejected without further consideration.

The legal descriptions for Site 1 and 2 were inadvertently reversed in the Description of the Affected Environment of the EA. The correct legal description for Site 1 is W.M., T. 24 S., R. 30 E., Section 33, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and for Site 2, T. 24 S., R. 30 E., Section 35, W $\frac{1}{2}$ SE $\frac{1}{4}$. The map attached to the EA correctly identifies and labels the two alternative locations.

Rationale for Decision: I have selected the proposed action (Site 1) for the following reasons:

Development of the repeater at either site would meet the BLM goal of providing a more reliable interagency dispatch system at a reasonable cost. It would also provide increased safety for the public and agency personnel.

The environmental affects of communication development are similar at either location. Communication development at either site does not result in any undue or unnecessary environmental degradation.

Site 1 is being selected over Site 2 because it has legal access and development may proceed as soon as funding for the development becomes available. This factor offsets any advantages offered by Site 2.

Implementation of a communication site management plan will establish site management policies, procedures, strategies, and standards for development of the site. It will allow BLM to efficiently manage the site, protect resources, and limit interference and conflicts among communication users. It will also improve the BLM's ability to fulfill the public need for adequate communication sites, protect the interests of site users by preserving a safe and electronically "clean" environment, and encourage the efficient development and use of space and facilities within the site.

The site management plan would limit visual affects of communication development by requiring design standards that are unobtrusive and by minimizing unnecessary facilities and structures at the site.

Implementation of the site management plan complies with direction and policies in BLM Manual 2860 and BLM Handbook, H-2860-1. Development of the repeater and implementation of the communication site plan is in conformance with the Three Rivers Resource Management Plan (RMP) (1992) LR 2.6 which provides for right-of-way development such as communication sites to be considered in a timely manner, on a case-by-case basis, utilizing the National Environmental Policy Act process. Wrights Point is not in a right-of-way or land use permit exclusion or avoidance area identified by the RMP.

Public involvement consisted of providing copies of the EA directly to interested parties and notification in the local newspaper and BLM, Burns District Internet EA web page. No comments were received during the EA/FONSI review period.

I also considered the following alternatives to the proposed action:

Alternative A - Site 2

The communication site would be developed at a different location on Wrights Point. I did not select this alternative because it does not have legal access. Extended negotiations for access to Site 2 may result in unacceptable delays. Condemnation will not be utilized to secure access to Site 2 because a reasonable alternative exists at Site 1. Development of Site 2 with only permissive, informal access could result in costly removal and relocation of the site should the informal access be rescinded unexpectedly by the landowner.

Alternative B - No Action

This alternative would not construct a new repeater site. I did not select this alternative because it would not adequately provide for the safety of agency personnel and the public and would not reduce operating costs.

This decision 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 Form 1842-1. If an appeal is filed, your notice of appeal must be filed in the Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738 within 30 days of your receipt of this decision. The appellant has the burden of showing that the decision appealed is in error.

Pursuant to regulation 43 CFR 4.21, if you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether or not the public interest favors granting the stay.

____ Signature on File _____
Joan M. Suther
Three Rivers Resource Area Field Manager

____ 6/25/2003 _____
Date