



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
MEDFORD DISTRICT OFFICE  
3040 BIDDLE ROAD  
MEDFORD, OREGON 97504

## DECISION RECORD / RATIONALE / FONSI

*Special Recreation Permit Application*  
*- Commercial Paintball Operation -*  
(EA # OR110-02-10)

**I. DECISION:** The decision is to implement Alternative 2, the proposed action, as described in the Environmental Assessment (EA# OR 110-02-10) and to issue a special recreation use permit for one year to Paul J. Bradbury of DMZ Paintball Supply. The permit will require implementation of all of the described project design features. It will also include proposed mitigation measure 1 (EA, p. 8) which will preclude the permittee or his activities from moving large pieces of coarse wood (> 10" in diameter).

**II. RATIONALE:** This project was designed and evaluated in response to an application for a special recreation use permit a commercial paintball operator. Issuance of a one year duration "trial" permit will allow the commercial operation of a paintball area to occur in a designated area and in a manner that can be monitored.

The permit will include a range of constraints and design features that will minimize potential adverse environmental impacts to the site. The permit site is a relatively flat area with little opportunity for erosion from concentrated use, there are no neighbors directly adjacent to the site, there are no threatened or endangered plant or animal species and the area has been recently treated to reduce the fuel hazard.

The EA does not identify any substantial environmental impacts that would result in granting the requested permit. This decision will not result in any irretrievable commitment of resources or change the overall land use / forest management objectives of the site. It will not preclude future forest management treatments.

Permitting a designated area / commercial operation may have the added benefit of reducing the level of currently unauthorized commercial paintball activity elsewhere on BLM lands.

Opportunities for public input and review and comment on the proposed action and the Environmental Assessment were provided for during the scoping phase of the project (April 2001) and the formal public comment period (March 2002). Two comment letters were received during the comment period. Commentors expressed concern about potential increased impacts from OHV use, the

displacement of the firearm target practice that currently occurs within the project area and trash.

These issues will be monitored during the duration of the permit. A determination will be made to renew or not renew the permit based on effects of the paintball use on the physical and social resources at the site.

Alternative 1, the No Action Alternative, was rejected because it does not meet the RMP's objective for developing additional recreational opportunities on BLM lands. Nor would it further the BLM's Strategic Planning Goal 1.02: "Provide opportunities for environmentally responsible commercial activities."

This decision is consistent with the Medford District Resource Management Plan ("pursue recreation opportunities that will benefit local community economic strategies consistent with BLM land use objectives.") and the Record of Decision and Standards and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl and, the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manager, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001). This decision is also consistent with the Endangered Species Act, The Native American Religious Freedom Act and cultural resource management laws and regulations.

This decision will not have any adverse impacts to energy development, production, supply and/or distribution (per Executive Order 13212).

**III. FINDING OF NO SIGNIFICANT IMPACT:** On the basis of the information contained in the environmental assessment for the subject project, it is my determination that the decision stated above will not result in significant effects to the quality of the human environment. In addition this project does not exceed the range of effects discussed in the EIS documents to which the project EA is tiered. Therefore, an Environmental Impact Statement is not necessary and will not be prepared.

**IV. ADMINISTRATIVE REMEDIES:** The effective date of this decision shall be the date of publication of the Notice of Decision and FONSI in the Grant Pass Daily Courier.

In accordance with 43 CFR §8372.6, any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office (at the above address) within 30 days from the effective date of this decision. In an appeal the appellant has the burden of showing that the decision is in error.

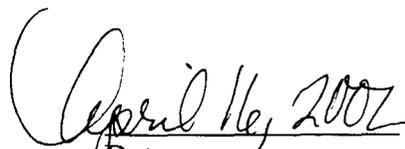
If, pursuant to 43 CFR 4.21, an appellant wishes to file a petition (request) to stay (suspension) this decision during the time that an appeal is being reviewed by the IBLA, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification 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, 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. Except as otherwise provided by law or other pertinent regulation, a petition for 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, and
- (4) Whether the public interest favors granting the stay.

  
\_\_\_\_\_  
Abbie Jossie  
Field Manager  
Grants Pass Resource Area

  
\_\_\_\_\_  
Date