

DECISION RECORD
for
OTIS MOUNTAIN ECOSYSTEM RESTORATION PROJECT
EA OR-025-99-50

INTRODUCTION: Following a 30-day comment period on the Finding of No Significant Impact (FONSI) for the Otis Mountain Ecosystem Restoration Project and Environmental Assessment (EA) OR-025-99-50, the Burns District, Bureau of Land Management (BLM) is issuing a decision to manage juniper through the use of prescribed fire and mechanical means in the Three Rivers Resource Area. The decision is to implement the Proposed Action in the EA.

DECISION: Having considered a range of alternatives, associated impacts within the analysis of the Otis Mountain Ecosystem Restoration Project, and public input, it is my decision to implement the proposed action (Burning and Cutting) as proposed in the EA with minor adjustments to the timing of implementation. After reviewing public comment I have decided to implement the Proposed Action with two modifications: a) Burning would be conducted over 4 years as opposed to 2, and b) I will limit the cutting of juniper trees to no more than 300 acres in any 1-year within the project area. Implementation of this project would increase the quality and quantity of perennial grasses and forbs, reduce erosion potentials, and improve the long-term diversity of habitats within the project area.

Rational for Decision: I have selected the proposed action for the following reasons:

The proposed project provides for the reestablishment of grass/sagebrush plant communities that are being or have been converted to juniper woodlands.

It provides for long-term improvement in the quality and quantity of sage grouse habitat recognizing that in the short-term it reduces existing poor quality sage grouse habitat.

It reduces the risk of a large high intensity fire.

It provides for the improvement of special habitats such as aspen and mountain mahogany stands.

It improves landscape diversity.

It is coordinated with grazing permittees to provide rest prior to and after burning.

The decision is in conformance with the Three Rivers Resource Management Plan of 1992.

It is responsive to issues raised through public involvement.

It is in conformance with Section 7(a)a of the Endangered Species Act.

It is in compliance with Federal laws that mandate the management of public land resources (Federal Land Policy and Management Act of 1976).

It includes coordination with local government, tribal entities, private landowners, and other State and Federal agencies.

The decision does not result in any undue or unnecessary environmental degradation.

I have also considered the following alternatives to the proposed action including:

Alternative A - Cutting Only: This alternative would use cutting as the only tool to reduce juniper tree densities and to improve aspen and mountain mahogany stands. I did not select this alternative because it was not cost-efficient and it provided only limited landscape diversity.

Alternative B - Burning Only: Alternative B considered using only prescribed fire to achieve the objectives identified in the purpose and need. I did not select this alternative because the use of fire alone would not meet resource objectives. For example, mountain mahogany stands are difficult to burn under cool conditions because they generally do not have adequate ground fuels. In order to get fire to carry conditions would be such that there would be high mortality rates in the mountain mahogany stands.

Alternative C - No Action: This alternative proposes no management activities that would reduce juniper or enhance any vegetative plant communities such as aspen or mountain mahogany. I did not select this alternative because it did not meet the purpose and need. I was concerned about the continued deterioration of sage grouse habitat, aspen and mountain mahogany stands.

I also considered implementing the burning over a longer period of time (10-15 years) and burning fewer acres per year as proposed through public comment. I did not select this alternative proposal because it was not cost-efficient, it would provide a hardship on the grazing systems in order to provide the necessary rest periods, and I was concerned about the burned areas' ability to recover due to the impacts from big game animals.

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, HC 74-12533 Highway 20 West, Hines, OR 97738 by July 14, 2000. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition, pursuant to regulation 43 CFR 4.21, 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

June 07, 2000

Craig M. Hansen
Three Rivers Resource Area Field Manager

Date