



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
COOS BAY DISTRICT OFFICE

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ENVIRONMENTAL ASSESSMENT

EA Number: OR 128-04-11

BLM Coos Bay District Office, Myrtlewood Resource Area

Case file No.: OR 60391

Proposed Action Title/Type: Communication Use Lease pursuant to Title V Federal Land Policy and Management Act of 1976 as amended.

Location of Proposed Action: T. 40 S., R. 13 W., Will. Mer.
Sec. 20 NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.
Curry County, Oregon
An area known as Black Mound

Applicant: Curry County Emergency Services
PO BOX 746
Gold Beach, Oregon 97444

Conformance With Applicable Land Use Plan: This proposed action is subject to the *Coos Bay District Resource Management Plan & Environmental Impact Statement* and its Record of Decision (BLM, 1995) as supplemented and amended; which is in conformance with the *Final Supplemental Environmental Impact Statement on Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl* and its Record of Decision (Interagency, 1994) as supplemented and amended. This plan has been reviewed to determine if the proposed action conforms with the land use plans terms and conditions as required by 43 CFR 1601.5.

Remarks: The Proposed Action is in compliance with the *Coos Bay District Resource Management Plan & Environmental Impact Statement* and its Record of Decision (BLM, 1995)(RMP); hereby incorporated by reference. The RMP has been determined to be consistent with the standards and guidelines for healthy lands at the land use plan scale and associated timelines.

Need for Proposed Action: Curry County Emergency Services (CCES) is currently upgrading their existing emergency services communications network by replacing obsolete equipment and towers. The proposed new facility, on Black Mound, will provide emergency services communications, which are currently inadequate, to South Curry County.

Description of Proposed Action: CCES is proposing to construct, operate, and maintain a microwave communication facility on public lands managed by the Bureau of Land Management, Coos Bay District Office. Construction of the communication facility is tentatively scheduled to begin in June, 2004. The project area will encompass one acre, more or less. Proposed site preparation will include the clearing of all vegetation within the project area (primarily Tanoak) and the excavation of an area 35' X 35' X 3' for the tower base and the electronic equipment shelter. Proposed site construction will consist of the erection of an 80' self supporting lattice tower anchored to a 25' X 25' X 3' concrete footing. The radio equipment will be housed in a 10' X 24' pre-fabricated concrete building installed on a concrete foundation. Proposed access to the project area will require the renovation of an existing road. Renovation will consist of reshaping the road, cleaning out the ditch line, and applying a lift of rock. Any exposed soil outside of the road prism or the authorized area will be seeded with a BLM approved seed mixture and fertilized. The proposed site is within the Sudden Oak Death quarantine area. No vegetation or soil will be transported from the quarantine area. All severed vegetation will be mechanically piled and burned or chipped and burned. No Port-Orford-Cedar is found in the project area.

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Environmental Impacts to Critical Elements of the Human Environment:

Critical Elements	Affected		Critical Elements	Affected	
	Yes	No		Yes	No
Air Quality	—	<u>X</u>	T & E Species	—	<u>X</u>
ACECs	—	<u>X</u>	Wastes, Hazardous/Solid	—	<u>X</u>
Cultural Resources	—	<u>X</u>	Water Quality	—	<u>X</u>
Farmlands, Prime/Unique	—	<u>X</u>	Wetlands/Riparian Zones/ACS	—	<u>X</u>
Floodplains	—	<u>X</u>	Wild & Scenic Rivers	—	<u>X</u>
Unresolved conflicts	—	<u>X</u>	Wilderness	—	<u>X</u>
Noxious Weed Management	—	<u>X</u>	Port Orford Cedar Management	—	<u>X</u>
Environmental Justice Concerns	—	<u>X</u>	Energy production, transmission	—	<u>X</u>
Native American religious concerns and/or Indian trust resources	—	<u>X</u>			

Description of Impacts to Specific Elements of the Human Environment:

Botany

The proposed site is on a ridgetop, just over 1500’ in elevation, and is less than three miles northeast of Brookings, Oregon. The overstory is primarily composed of 15-20 year old Douglas-fir (*Pseudotsuga menziesii*) and tan oak (*Lithocarpus densiflorus*). There are a few older, larger Douglas-fir (about 35 years of age and up to 24” in diameter at breast height) scattered through the overstory. The understory shrub layer is patchy and primarily consists of a few tan oak, golden chinquapin (*Chrysolepis chrysophylla*), rhododendron (*Rhododendron macrophyllum*), manzanita (*Arctostaphylos columbiana*), and evergreen huckleberry (*Vaccinium ovatum*). The shrub layer is sparse and consists of a few patches of salal (*Gaultheria shallon*) and very scattered sword fern (*Polystichium munitum*), bracken fern (*Pteridium aquilinum*), and beargrass (*Xerophyllum tenax*). Lichen diversity seemed fairly high and was dominated by early seral green algal-foliose lichens with just a few cyanolichens beginning to show up. Bryophyte diversity and numbers were low, probably due to the young age of the stand, limited amount of down wood, and warm and relatively dry ridge top microclimate of the site.

A botanical survey was conducted for both vascular and non-vascular (lichen and bryophyte) plant species, and no T & E, special status, or S & M plant species were found in the project area or in the adjacent stand. Thus, there would be no negative impacts to T & E, special status, or S & M plant species.

All of the vascular plant species found on the survey of the project area are species present in the adjacent forested stand, so removal of all the vegetation on this one acre site would not affect their persistence. The nonvascular lichen species are primarily green-algal foliose species that are common in young forested stands and would likely persist in the young forest adjacent to the proposed project area. Bryophyte species diversity and abundance is very low, and the few species found are also present in the adjacent forest outside the project area.

Cultural Resources

A Class 1 inventory (review of project documentation and records check) performed by the District Archeologist shows no known cultural resources in the immediate vicinity of the project area. The records indicate that the ridge was previously logged (around WWII), at which time a skid road was created along the ridge.

On March 8th, 2004 the District Archeologist performed a reconnaissance level field survey. The project area was evaluated for cultural resources, both prehistoric and historic. The proposed tower location and access road are near the top of the ridge, which is covered with Tanoak and shrubs. Ground visibility is less than 10%. Soil is generally thin, with decomposing bedrock just beneath. Significant cultural material was not observed.

The proposed project is not likely to adversely impact cultural resources.

Environmental Justice

The proposed project area is not known to be used by groups protected by environmental justice legislation. These groups include Native Americans, and minority (or low-income) populations. The Bureau of Land Management concludes that no disproportionately high or adverse human health or environmental effects would occur to the protected groups because of the proposed action.

Noxious Weeds

At this time no noxious weeds were observed within or adjacent to the project area. However, if noxious weeds become established, as a result of the proposed project, it should be the responsibility of the applicant to aggressively control the spread of the weeds.

Solid and Hazardous Materials

An Environmental Preliminary Analysis was performed. No recognized environmental conditions exist within or adjacent to the project area.

Wildlife

An on-site review showed no impacts to listed animal species or their habitats. To prevent possible impacts to bats or cavity nesting birds, consider slightly altering the location of the site and road if the removal of any large diameter snags or conifer trees (> 11" DBH) is necessary to meet site objectives or safety regulations. Follow the wildlife mitigation measures listed below where possible.

Fisheries, Including SSSP, ACS, ESA, and EFH

The nearest stream to the proposed action is a first order tributary to Harris Creek. Harris Creek is a third order stream that flows directly into the Pacific Ocean, just north of the Chetco River. Based on GIS data, fish have not been documented in Harris Creek. Soil runoff is not expected to occur as a result of the proposed actions (*pers comms* District Soil Scientist) since the site is flat, there is adequate vegetation between the site and the nearest stream channel, and since the nearest stream channel is at least 280 feet away (likely farther during summer, when ephemeral streams begin to dry).

The proposed action is not expected to effect fish species or aquatic habitat since: 1) The site is located on a ridgetop, outside of any Riparian Reserves, 2) the area of the road to be renovated does not have any stream crossings and is located outside Riparian Reserves, 3) the project will occur during summer dry months, 4) the nearest first order stream is approximately 280 feet from the site, and the stream is non-fish bearing where it becomes perennial. Additionally, this stream will likely be dry for several hundred feet below the initiation point during summer months, when the proposed action would occur.

Aquatic Conservation Strategy Objectives / Special Status Species

The Proposed Action is not expected to have any affect on fish species or aquatic habitat at the site, so will not prevent attainment of Aquatic Conservation Strategy objectives (ACS EIS, 2004) at the watershed scale. The Proposed Action is in conformance with the Bureau of Land Management's Special Status Species Program, since this project will not contribute to a species listing under the Endangered Species Act.

Endangered Species Act

The National Marine Fisheries Service listed Oregon Coast (OC) coho salmon under the ESA as threatened on August 10, 1998 (63 FR 42587); and critical habitat for this species was designated on February 16, 2000 (65 FR 7764). On September 2001, the U.S. District Court in Eugene, Oregon, ruled in *Alsea Valley Alliance v. Evans* setting aside NOAA Fisheries' 1998 ESA listing of Oregon Coast coho salmon. The Alsea ruling was appealed by

interveners, and the U.S. 9th Circuit Court of Appeals stayed the District Court's ruling pending resolution of the appeals. On February 24, 2004, the Appeals Court dismissed the appeals, and dissolved its stay of the District

The status of the ESU is currently under review by NOAA Fisheries, and the Oregon Coast coho ESU is by definition a "candidate" species.

OC steelhead were proposed as threatened under the ESA on August 9, 1996 (61 FR 41541), but found not warranted for listing on March 19, 1998 (63 FR 13347). OC steelhead are currently a candidate species. OC cutthroat trout are currently a candidate species (U.S. Fish and Wildlife Service).

The proposed action is a *No Effect* for coho salmon and steelhead trout, therefore conferencing will not be initiated.

Essential Fish Habitat

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires Federal action agencies to consult with the Secretary of Commerce regarding any action or proposed action authorized, funded, or undertaken by the agency that may adversely affect essential fish habitat (EFH) identified under the MSA. The NMFS has found that the existing National Environmental Policy Act (NEPA) and Endangered Species Act (ESA) environmental review process, including the Interagency Streamlined Consultation Procedure for Section 7 of the Endangered Species Act (July, 1999), used by the United States Forest Service (USFS) and the Bureau of Land Management (BLM) for Federal Activities can be used to satisfy the EFH consultation requirements of the MSA.

As described above, no effects would occur on federal land as a result of the proposed action. Therefore, the proposed action is a *No Adverse Effect* for essential fish habitat.

Description of Mitigation Measures and Residual Impacts:

Sudden Oak Death

Sudden Oak Death (SOD) (*Phytophthora ramorum*) is a new disease, first discovered on tanoaks near Mill Valley, CA in 1995. Since that time SOD has spread to several counties in California around the San Francisco Bay area, extending to the southern part of Humboldt County. During the fall of 2001, SOD was detected in Curry County, near Brookings, Oregon.

A quarantine area was established that encompasses approximately 9.5 square miles to include all the Oregon SOD sites. Movement of all host materials is prohibited from within this area. All soil movement out of the regulated area is also prohibited. The following are hosts that are found in the Curry County area: bigleaf maple, madrone, manzanita, rhododendron, evergreen huckleberry, tanoak, Canyon live oak, Oregon myrtle, California coffeeberry, Poison Oak, Coast redwood, and Douglas-fir. The following hosts are killed outright by SOD: tanoak, Canyon live oak, rhododendron, and evergreen huckleberry. Other host species are not killed outright but they may have leaf spots, or cankers. Coast redwood and Douglas-fir symptoms include needle and tip blight. Douglas-fir saplings were only found infected on one site in California (Yang, 2002).

The following stipulations apply to the prevention of transmission of Sudden Oak Disease and Noxious Weeds:

Curry County should notify the BLM during the Pre-work, if the Contractor or members of the crew have worked in areas containing Sudden Oak Death Disease infestations prior to the start of the proposed project. Infested counties are Marin, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz, Sonoma, Curry and any other county found to be infested with Sudden Oak Disease.

If the Contractor or members of the crew has worked in areas containing Sudden Oak Death prior to this contract, the following items may be required.

- a. All chainsaws should be cleaned of all sawdust and wood chips prior to the beginning of the proposed project to prevent the spread of Sudden Oak Disease.
- b. All vehicles should be washed including the undercarriage prior to the beginning of the proposed project. Washing may be required during the construction phase if the Project Inspector suspects that a vehicle has been contaminated with Sudden Oak Disease spores or infested material.
- c. All soles of Contractor's employees work boots and chainsaw bar, chain and clutch area should be sprayed with a 10% bleach solution in water prior to start of work in project units. This treatment of boots and chainsaws will be done in the presence of a Project Inspector. Treatment of boot soles and chainsaws may be required during the construction phase if the Project Inspector suspects that a member of the crew has been contaminated with Sudden Oak Disease spores or infested material.

Project Design Features for Sudden Oak Death (SOD)

- a. All vehicles should stay on rocked roads within the quarantine area. If a vehicle is exposed to mud in an infection site within quarantine area, the undercarriage should be washed prior to leaving the quarantine area.
- b. All chainsaws should be cleaned of sawdust and wood chips prior to moving to a site outside of the quarantine area.
- c. At the completion of each workday, all boot soles of contractor's employees should be sprayed with a 10% bleach solution, if working in an infection site. If contractor's employees' shoes or boots become muddy within the quarantine area, they shall be cleaned or washed prior to leaving the area.
- d. No vegetative material or soil will be removed from the quarantine area.
- e. All severed vegetation will be mechanically piled and burned or chipped and burned.

Wildlife

To avoid possible impacts to migratory birds or bats, follow the most current version of the U.S. Fish & Wildlife Service's Interim Guidelines on the Siting, Construction, Operation and Decommissioning of Communication Towers (available at <http://migratorybirds.fws.gov/issues/towers/comtow.html>). Mitigation measures which are beyond the current Project Design Features include:

1. Consider collocation with existing towers and structures or within clusters of current towers.
2. Maintain an unlighted tower within the limits of State and Federal Aviation Administration regulations.
3. Do not site the tower in areas with a high incidence of fog, mist, and low ceilings.
4. Security lights for on-ground facilities should be down-shielded to keep light within the boundaries of the site.
5. Towers no longer in service or obsolete should be removed within 12 months of cessation of use.

Noxious Weeds

When noxious weeds are present, the applicant should be required to control the weeds. The use of pesticides/herbicides should comply with applicable Federal and State laws. Pesticides/herbicides should be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides/herbicides, the applicant should obtain from the authorized officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer.

Cultural Resources

If cultural resources are encountered during the course of this project, all work in the vicinity of the project area should stop and the District Archeologist notified of the findings.

Persons/Agencies Consulted:

Curry County Emergency Services, Michael Murphy
South Coast Lumber Company, Fred Arnold
U.S. Forest Service

Preparer(s):

Paul Rodriguez - Realty Specialist - Team Lead	<u>PR</u>
Tim Rodenkirk - Natural Resource Specialist – Botany	<u>TR</u>
Steve Samuels - District Archeologist	<u>SS</u>
Holly Witt - Wildlife Biologist	<u>HW</u>
Bob Raper - District Noxious Weeds Coordinator	<u>BR</u>
Nikki Moore - Fisheries Biologist	<u>NM</u>
Tim Votaw - Hazardous Material Specialist	<u>TAV</u>

Date: 5/18/2004

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD.

I have reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required. I have determined that the proposed project is in conformance with the approved land use plan. It is my decision to implement the project as described in the Description of the Proposed Action section with the mitigation measures identified below.

Mitigation Measures:

1) The following stipulations apply to the prevention of transmission of Sudden Oak Disease and Noxious Weeds:

Curry County shall notify the BLM during the Pre-work, if the Contractor or members of the crew have worked in areas containing Sudden Oak Death Disease infestations prior to the start of the proposed project. Infested counties are Marin, Monterey, Napa, San Mateo, Santa Clara, Santa Cruz, Sonoma, Curry and any other county found to be infested with Sudden Oak Disease.

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If the Contractor or members of the crew has worked in areas containing Sudden Oak Death prior to this contract,

the following items will be required.

- a. All chainsaws shall be cleaned of all sawdust and wood chips prior to the beginning of the proposed project to prevent the spread of Sudden Oak Disease.
- b. All vehicles shall be washed including the undercarriage prior to the beginning of the proposed project. Washing may be required during the construction phase if the Project Inspector suspects that a vehicle has been contaminated with Sudden Oak Disease spores or infested material.
- c. All soles of Contractor's employees work boots and chainsaw bar, chain and clutch area shall be sprayed with a 10% bleach solution in water prior to start of work in project units. This treatment of boots and chainsaws will be done in the presence of a Project Inspector. Treatment of boot soles and chainsaws may be required during the construction phase if the Project Inspector suspects that a member of the crew has been contaminated with Sudden Oak Disease spores or infested material.

2) Project Design Features for Sudden Oak Death (SOD)

- a. All vehicles will stay on rocked roads within the quarantine area. If a vehicle is exposed to mud in an infection site within quarantine area, the undercarriage shall be washed prior to leaving the quarantine area.
- b. All chainsaws shall be cleaned of sawdust and wood chips prior to moving to a site outside of the quarantine area.
- c. At the completion of each workday, all boot soles of contractor's employees shall be sprayed with a 10% bleach solution, if working in an infection site. If contractor's employees' shoes or boots become muddy within the quarantine area, they shall be cleaned or washed prior to leaving the area.
- d. No vegetative material or soil will be removed from the quarantine area.
- e. All severed vegetation will be mechanically piled and burned or chipped and burned.

3) Wildlife

To avoid possible impacts to migratory birds or bats, follow the most current version of the U.S. Fish & Wildlife Service's Interim Guidelines on the Siting, Construction, Operation and Decommissioning of Communication Towers (available at <http://migratorybirds.fws.gov/issues/towers/comtow.html>). Mitigation measures which are beyond the current Project Design Features include:

1. Maintain an unlighted tower within the limits of State and Federal Aviation Administration regulations.
2. Security lights for on-ground facilities should be down-shielded to keep light within the boundaries of the site.
3. Towers no longer in service or obsolete should be removed within 12 months of cessation of use.

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4) Noxious Weeds

When noxious weeds are present, the applicant shall be required to control the weeds. The use of pesticides/herbicides shall comply with applicable Federal and state laws. Pesticides/herbicides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides/herbicides, the applicant shall obtain from the authorized officer written approval of a plan

showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers, and any other information deemed necessary by the authorized officer

5) Cultural Resources

If cultural resources are encountered during the course of this project, all work in the vicinity of the project area shall stop and the District Archeologist must be notified.

Decision recommended by: NRSA: *Dennis Turowski* Date: *5/19/2004*

NRSA: *Gregg Nelson* Date: *5/20/2004*

NRSA: *Terri Colby* Date: *5/24/2004*

Decision Approved by: FM: *Richard Conrad* Date: *5/25/2004*