

**United States Department of the Interior
Bureau of Land Management**

**DOI-BLM-MT-C020-2016-0026-CX
03/08/2016**

DECISION RECORD

**JP SMITH
HAZARDOUS TREE REMOVAL**

Location: **Carter County, MT
T. 1 N., R. 57 E., E $\frac{1}{2}$ E $\frac{1}{2}$ Section 13**

U.S. Department of the Interior
Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, MT 59301
Phone: 406-233-2800
FAX: 406-233-2921



Decision

DOI-BLM-MT-C020-2016-0026-CX

Decision and Rationale on Action

I have decided to implement this action of removing hazard trees along the JP Smith Road that would impact the road if left standing. The trees would be removed by cutting the dead hazard trees down with chain saws and cutting up the remaining biomass to increase decomposition time of remaining fuels. No roads will be created nor will any heavy equipment be used to implement this project. These actions meet the need for action.

In addition, I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required under the National Environmental Policy Act (as documented in the attached CX, NEPA Compliance [Section C]).

Implementation Date

This project will be implemented in the spring of 2016. Estimated project completion time is 2 weeks.

/s/ Wendy Warren
Signature
Wendy Warren
Acting Field Manager
Miles City Field Office

3/9/2016
Date

Administrative Review or Appeal Opportunities

APPEAL OPPORTUNITIES: The 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. Public notification of this decision will be considered to have occurred on (Include the date that Decision was signed). Within 30 days of this decision, a notice of appeal must be filed in the office of the authorized officer at (address of the authorized officer). If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b) (or cite applicable programmatic rules for petition for stay), the petition for stay should accompany your notice of appeal and 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 irreparable harm to the appellant or resources if the stay is not granted, and*
4. *Whether the public interest favors granting the stay.*

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Field Solicitor, U.S. Department of the Interior, 2021 Fourth Avenue North, Suite 112, Billings, Montana 59101, not later than 15 days after filing the document with the authorized officer and/or IBLA.

Contact Person

For additional information concerning this decision, contact:

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406-233-2816

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605-797-4506