DECISION

Additional Treatment Area – Clancy Area Hazardous Fuels Reduction Project

DOI-BLM-MT-M070-2016-003-DNA

DECISION: It is my decision to authorize the Additional Treatment Area-Clancy Area Hazardous Fuels Reduction Project, as described in the Determination of NEPA Adequacy (DNA) DOI-BLM-MT-M070-2016-003-DNA. I have reviewed the DNA and determined that the proposed action is in conformance with the Clancy Area Hazardous Fuels Reduction Project Environmental Assessment (EA) and Decision Record/Finding of No Significant Impact (DR/FONSI) (06/2012), the 2009 Record of Decision and Approved Butte Resource Management Plan (RMP), and determined that there is no significant impact to the human environment and no further environmental analysis is required. Implementing treatments will incorporate mitigation measures outlined in the DNA, EA, DR/FONSI and RMP.

SUMMARY OF THE PROJECT: The Bureau of Land Management, Butte Field Office, Western Montana District, would allow fuels reduction treatments within T9N R3W, Section 18, near Clancy, Montana, as delineated in the DNA. The existing EA and DR/FONSI allowed treatments to reduce hazardous fuels in the Wildland Urban Interface (WUI) on BLM lands adjacent to reduce the potential for adverse effects of catastrophic wildfire to adjacent private land. In 2014 and 2015, new homes were constructed in the area adjacent to the BLM lands after the DR/FONSI was signed in 2012. The proposed action would allow fuels treatment in a treatment area that was not delineated in the EA, but was analyzed in the EA and DR/FONSI.

RATIONALE: The decision to authorize this treatment has been made in consideration of the environmental impacts of the proposed action. No decision was made for treatment at the location of the proposed action in the DR/FONSI because, at the time, homes were not present adjacent to BLM lands. As a result of allowing the proposed treatments, the risk of catastrophic wildfire negatively affecting BLM and private lands in the WUI are reduced. The scope of the proposed action is consistent with the scope of the EA and DR/FONSI in terms of project intent, the affected environment, proposed methods used, site specific prescriptions, and mitigations.

This project is not unique or unusual, and the Butte Field Office has implemented similar actions in the past. The environmental effects to the human environment were analyzed in both the EA and RMP, and there are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks. The historic and cultural resources of the area have been inventories and potential impacts mitigated in the design of the project. No threatened or endangered plants or animals or critical habitats are known to occur in the area. The public was involved through open houses and public notification as part of the EA process.

ADMINISTRATIVE REMEDIES: This Healthy Forest Restoration Act (HFRA of 2003) project 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 October 30, 2015. Within 30 days of this decision, a notice of appeal must be filed in the office of the authorized officer at Bureau of Land Management, Butte Field Office, 106 North Parkmont, Butte, Montana 59701. 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.

The appellant has the burden of showing that the decision appealed is in error.

This decision becomes effective on October 30, 2015 in accordance with the regulations contained in 43 CFR 5003.1(b) Notwithstanding the provisions of 43 CFR 4.21 (a)(1), when BLM determines that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a wildfire management decision made under this part and parts 5400 through 5510 of this chapter effective immediately or on a date established in the decision. Wildfire management includes but is not limited to:

1. Fuel reduction or fuel treatment such as prescribed burns and mechanical, chemical, and biological thinning methods (with or without removal of thinned materials); and
2. Projects to stabilize and rehabilitate lands affected by wildfire.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), 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 Regional Solicitor, U.S. Department of the Interior, P.O. Box 31394, Billings, Montana 59107-1394, not later than 15 days after filing the documents with the authorized officer and/or IBLA.

Scott Haight 10/30/2015

Scott Haight
Field Manager
BLM Butte Field Office