

Decision Record
U.S. Department of the Interior
Bureau of Land Management, Spokane District
San Juan Islands National Monument
37 Washburn Place
Lopez Island, WA 98261

1. Background

BLM recently completed a hazard tree inventory on Patos Island. A hazard tree is any standing live or dead tree, including snags, with evidence of deterioration or physical damage to the root system, trunk, or stem, when a tree is in proximity to people, property, structures, or infrastructure. Examples of property, structures, and infrastructure include, but are not limited to: roads, landings, campgrounds, trails, right-of-ways, buildings, fences, and power lines. During the inventory, BLM identified several hazard trees that pose a risk to campgrounds and facility infrastructure.

2. Decision

I have decided to implement the Patos Hazard Tree Management project as described in the attached document (DOI-BLM-ORWA-W040-2016-0001-CX) and shown in the attached map. My decision includes cutting and/or pruning 18 or more hazard trees to reduce the threat to public safety and existing infrastructure. Trees would be cut and left in place or cut and piled by hand, as stated in the categorical exclusion.

3. Authority and Rationale for Decision

My decision is issued under the authority of the Federal Land Policy and Management Act, Section 102. Paragraph 8 instructs that public lands be managed in a manner that provides for outdoor recreation and human occupancy use. Removing the identified trees will reduce hazards from falling trees and allow for public use and enjoyment of lands on Patos Island.

In making my decision, I have also considered the 2013 Presidential Proclamation that established the San Juan Islands National Monument. The Proclamation recognizes these lands are a refuge of scientific and historic treasures and a classroom for generations of Americans. My decision is consistent with preservation of the objects identified in the Proclamation because it allows for public use and enjoyment of these scientific and historic treasures.

There is no land use plan covering BLM-administered lands in the San Juan Islands. The land use planning regulations (43 CFR 1610.8 (b)(1)) state that a proposed action on such lands may be authorized, if supported by appropriate analysis. There are no potential significant impacts to the human or natural environment that would



result from implementing this project, as indicated in the attached Categorical Exclusion Documentation.

My decision will reduce safety hazards to the public. I find that taking no action by leaving hazard trees to fall under natural conditions would maintain a high safety threat to the public and poses an unacceptable risk.

4. Coordination and Consultation

During the preparation of the categorical exclusion, BLM coordinated with Washington State Parks. BLM and Washington State Parks work cooperatively to manage the campground and other facilities on BLM-administered land in the project area. BLM also consulted with the Washington State Historic Preservation Officer and the Lummi Nation.

5. Administrative Review or Appeal Opportunities

Based on the BLM's Forest Management regulations at 43 CFR 5003.2, I have determined that the public interest requires that my decision be implemented as soon as the notice of decision is published in a newspaper of general circulation. My decision will be published in the Islands Sounder online newspapers. In addition the notice of decision will be published in the Islands Guardians, the Salishrocks.org website and on BLM's NEPA Register website at:

<https://eplanning.blm.gov/epl-front-office/eplanning/projectSummary.do?methodName=renderDefaultProjectSummary&projectId=55347>.

My decision is subject to protest under 43 CFR 5003.3. Any protest must be filed within 15 days of the date the notice of decision appears in the Islands Sounder online newspapers. Any protest must be filed with the authorized officer (i.e. the Monument Manager) at the San Juan Islands National Monument, 37 Washburn Place, Lopez Island, WA 98261. Any protest shall contain a written statement of the reasons for protesting the decision. If a timely protest is filed, the authorized officer shall reconsider the decision to be implemented in light of the statement of reasons and other pertinent information. The authorized officer shall provide a written decision related to her reconsideration of the decision to any protesting party.

My 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. To appeal you must file a notice of appeal at the San Juan Islands National Monument, 37 Washburn Place, Lopez Island, WA 98261, within 30 days from receipt of the decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the National Monument as noted above. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay of the decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

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 Office of the Solicitor (see 43 CFR 4.413); Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205; at the same time the original documents are filed with this office.

/s/ Marcia deChadenedes
Marcia deChadenedes
Monument Manager

5/19/2016
Date

Attached: Project Map
Categorical Exclusion Documentation