

## Decision Record

U.S. Department of the Interior  
Bureau of Land Management, Spokane District  
Wenatchee Field Office  
915 Walla Walla Avenue  
Wenatchee, WA 98801

### 1. Background

The Bureau of Land Management (BLM) recently completed a hazard tree inventory at the Chopaka Lake recreation site. During the inventory, BLM identified one hazard tree that poses a risk to campground and facility infrastructure. 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, or infrastructure. Examples of property and infrastructure include, but are not limited to: roads, landings, campgrounds, trails, right-of-ways, buildings, fences, and power lines.

### 2. Decision

I have decided to implement the Chopaka Hazard Tree Management project as described in the attached categorical exclusion document (DOI-BLM-ORWA-W020-2016-0023-CX). My decision includes cutting, pruning or other removal methods of one hazard tree to reduce the threat to public safety and existing infrastructure. The tree 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 tree will reduce hazards from the tree and allow for public use and enjoyment of lands at the Chopaka Lake recreation site.

The proposed action is in conformance with the 1987 Spokane Resource Management Plan (RMP), even though it is not specifically provided for, because it is clearly consistent with the general management objective (see p. 12) to "Manage public lands and keep access routes open for a variety of recreational opportunities/experiences, including both motorized and non-motorized recreation activities." Removing the hazard tree in the Chopaka Lake recreation site will keep the area open and provide for recreational opportunities.



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

#### **4. Coordination and Consultation**

During the preparation of the categorical exclusion, on June 3, 2016, BLM notified the Colville Confederated Tribes and Washington State Department of Archaeology and Historic Preservation, of the BLM's intention to immediately remove the hazard tree with a BLM archaeologist present to monitor potential effect to cultural resources. The CCT immediately agreed that the tree be removed; the DAHP concurred June 6, 2016.

#### **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 Omak Chronicle newspaper. In addition the notice of decision will be published 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 Omak Chronicle newspaper. Any protest must be filed with the authorized officer (i.e. the Field Manager) at the Wenatchee Field Office, 915 Walla Walla Street, Wenatchee, WA 98801. 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 Wenatchee Field Office, 915 Walla Walla Street, Wenatchee, WA 98801, 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 Wenatchee Field Office 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/ Bryan Mulligan (for)  
Linda Coates-Markle  
Field Manager

6/6/16  
Date

Attached:  
Categorical Exclusion Documentation