

FINDING OF NO SIGNIFICANT IMPACT
for
BRISTOL SILICA QUARRY EA. No. OR-110-02-035

Finding of No Significant Impact (FONSI)

The Bureau of Land Management's Medford District has analyzed, through the attached Bristol Silica Quarry Environmental Assessment, a proposal by Magma Gold Incorporated (MGI) to resume quarry operations on six acres of BLM administered lands within the existing Bristol Silica quarry site.

The proposed action and project design features are further described in the attached Environmental Assessment (EA). This FONSI and attached EA are tiered to the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (USDI, USDA 2001) and the *Medford District Record of Decision and Resource Management Plan (RMP)* (USDI 1995b). These Resource Management Plans incorporate the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (NFP) (USDA and USDI 1994). These documents are available at the Medford BLM office and the Medford BLM web site at <<http://www.or.blm.gov/Medford/>>.

Through the EA process, the interdisciplinary team reviewed the following critical elements of the human environment as they relate to this project: air quality, Areas of Critical Environmental Concern (ACEC), cultural resources, environmental justice, farmlands, floodplains, Native American religious concerns, invasive nonnative species, threatened and endangered species, hazardous/solid wastes, water quality, wetlands/riparian zones, Wild and Scenic Rivers, and wilderness. A rock art site occurs along the south central margin of the quarry area. For this reason, "Government-to-Government" consultation was initiated with the two federally recognized tribes with historic ties to this part of the Medford District: the Confederated Tribes of the Grand Ronde and the Confederated Tribes of the Siletz. The Confederated Tribes of the Grand Ronde identified their concerns as protection of the site from quarry operations, and access to the site for members of the tribe. These concerns have been addressed by requiring the following project design features:

- The area to the east of the rock art site will be preserved to create a peninsula that includes the site to provide easy future access for traditional practitioners;
- A barrier fence will be installed around the rock art site during active quarry operations;
- Monitors from the Confederated Tribes of the Grand Ronde will be notified so they could be on site during quarry operations around the rock art site; and
- A minimum of a 50-foot buffer will be preserved around the rock art site.

No substantive site-specific environmental changes would result from implementing the proposed action or alternative as discussed in the associated EA. Should threatened or endangered plants or additional cultural or paleontological resources be discovered, they would be protected.

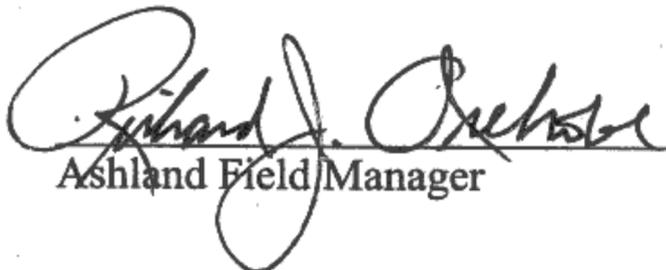
Coho are known to spawn in the Rogue River approximately 2 miles down stream of the area where renewed quarrying will occur on BLM administered lands. This project is covered under the August 8, 2001 Programmatic Biological Opinion. The project was reviewed for the potential for effects to other Threatened, Endangered, or Special Status Species with the potential to occur in or adjacent to the project area. A determination of no effect was made in regard to these species.

The Bristol Silica EA was advertised for a public review period beginning on July 29, 2001. This review provided the public with an opportunity to comment on the BLM's determination that there are no significant impacts associated with the proposed action, and that a project-specific environmental impact statement is not necessary. No public comments were received.

The estimation of impacts was based on research, professional judgment, and the experience of the interdisciplinary team. This method of estimating effects on the environment reduces the uncertainties to a level involving no highly unknown or unique risks. The project design features identified in the attached EA would assure that no significant site specific nor cumulative impacts would occur to the human environment other than those already addressed in the Medford District Record of Decision/Resource Management Plan and the Record of Decision/Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards & Guidelines.

FONSI Determination

On the basis of the information contained in the attached EA and all other information available to me as summarized above, it is my determination that the proposed action Alternative does not constitute a significant impact as defined by 40 CFR § 1508.27, beyond those previously identified in the tiered Medford District RMP Environmental Impact Statement (EIS). For this reason, a new EIS will not be prepared.


Ashland Field Manager

09-04-02
Date

Decision Record
for the
Bristol Silica EA No. OR-110-02-035

Decision Record & Rationale

It is my decision to implement the proposal by Magma Gold Incorporated (MGI) as described in this decision and the attached Bristol Silica Quarry EA No. OR-110-02-035. Implementation of renewed quarrying will involve periodic drilling and blasting of rock, and the use of an excavator and front-end loader to move and load the silica. The existing steep quarry walls will be reduced to allow for more orderly quarry development. Rock waste would be disposed of and reclaimed in the existing quarry located on private lands. Any topsoil removed would be stockpiled for future reclamation operations. The quarry is expected to be in production for two to four months out of the year, over a 10-year period.

I have decided *not* to require the implementation of proposed mitigation measures on portions of the quarry located on adjacent private lands. As described in the EA, the acceptance and implementation of these mitigation measures would likely result in more timely improvement of water quality (sediment delivery from private lands) downstream of the quarry; however, I will not require the implementation of mitigation on private lands. The analysis contained in the EA describes a slight potential for short-term accelerated sediment resulting from authorizing quarry renewal on BLM lands: "More rapid runoff from the project area is a possibility, and would slightly increase the risk of additional erosion occurring downslope" (EA p. 11). The proposed mitigation measures would have reduced the potential effects should this actually occur. However, the quarry-related sedimentation occurring downstream in Millers Gulch and its tributaries is not the result of the quarry itself, but the result of old, poorly designed or damaged roads and road drainage facilities (EA p. 11). The EA further describes that slight increases in peak flows could be expected, but these would probably be intercepted and held on site by the benched faces of the quarry during the operational life of the quarry" (EA p. 12). Based on the analysis documented in the EA, I have determined that implementation of the proposed action would have a low potential for increasing down slope sedimentation effects to water quality. Although not required as part of my decision, there is an opportunity identified by the IDT, for MGI to improve road facilities on their privately owned lands for the purpose of improving downstream water quality.

Under the 1872 mining law, a person has statutory right consistent with other laws to go upon open public lands for the purpose of mineral prospecting, exploration, development and extraction. As part of BLMs multiple use mandate legislated in the Federal Land Policy and Management Act of 1976, it is BLMs responsibility to process mineral material applications on public land open to mineral entry, while ensuring that unnecessary and undue resource degradation is prevented. My decision to authorize MGIs proposal to renew quarry operations, fulfils BLM's responsibility to process mineral material applications. Project design features as described in the EA are required as part of my decision to prevent and/or minimize adverse effects of implementation. Based on the analysis documented in the EA, I have determined this action is in conformance with the Medford District Resource Management Plan, and that unnecessary and undue resource degradation will be prevented.


Ashland Field Manager

09-04-02
Date