United States Department of the Interior

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FINDING OF NO SIGNIFICANT IMPACT (FONSI)
for
Proposal to amend Right-of-Way and Road Use Agreement C-599 Environmental Assessment
OR128-01-03

I. Introduction

An Interdisciplinary Team analyzed a proposal to amendment Right-of-Way and Road Use Agreement C-599 EA within the Myrtlewood Resource Area, Coos Bay District, Bureau of Land Management. The analysis consisted of two alternatives: a no action alternative and a proposed action alternative. Alternative 1, (no action) would confine the permittee's existing access rights to an abandoned road system paralleling China Creek. This would force the applicant to harvest their timber downhill. Alternative 2 (proposed action) proposes to amend the Right-of-Way and Road Use Agreement to include the use of 0.15 mile of existing road and the right to construct 2380 feet of new road across BLM managed land. The project area is located in Sections 32 and 33, T.27 S., R. 10 W. and Section 5, T. 28 S., R 10 W., Willamette Meridian.

II. Background

The Coos Bay District (CBD) of the Bureau of Land Management (BLM) is under the direction of the Coos Bay District Resource Management Plan (RMP) and Environmental Impact Statement (EIS) and its Record of Decision (ROD)(BLM, 1995). The RMP and its ROD are in conformance with the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the range of the Northern Spotted Owl and its ROD (Northwest Forest Plan [NFP]) (Interagency, 1994). Through these documents, the BLM, in conjunction with other Federal land agencies, is directed to conduct watershed analysis (WA), and to implement restoration projects to aid in the recovery of water quality and aquatic, riparian, and terrestrial habitats.

As stated in the ROD for the NFP, the Aquatic Conservation Strategy (ACS) was developed to maintain the ecological health of watersheds and aquatic ecosystems on public lands within the range of Pacific Ocean anadromy. The Environmental Consequences section of the EA describes the consistency of the proposed alternative with the ACS.

All Federal agencies are charged with managing programs to enhance the recovery of Federally listed endangered and threatened species and their habitats (Section 7(a)(1) of the Endangered Species Act). Implementing the proposed actions are expected to benefit numerous Endangered, Threatened, and Candidate species.

III. Finding of No Significant Impact

A careful review of the EA, which I herein adopt, indicates that there would not be a significant impact on the quality of the human environment from the implementation of the proposed action. I agree with this conclusion and determined that an Environmental Impact Statement (EIS) will not be prepared. This determination is based on consideration of the following factors:

1. The proposed activities are not national or regional in scope.

2. The proposed activities would not significantly affect public health and safety. Best Management Practices incorporating spill kits and containment plans as described in the EA would minimize the risk. In addition, notifications in the event of a release threatening waterways are to be made in accordance with the BLM Coos Bay District Riparian Spill Plan, and Oregon DEQ Administrative Rule (OAR) 340-108, *Oil and Hazardous Materials Spills and Releases.*

3. The proposed activities would not have an impact on unique characteristics of the geographic area such as historical or cultural resources, park lands, prime farmlands, Port-Orford Cedar, wild and scenic rivers, ecological critical areas, or energy development. The proposed road construction is located on a previously disturbed site and is located in a more favorable location than the old road system paralleling China Creek.

4. The effects on the quality of the human environment of the proposed activities are not highly controversial.

5. The possible effects of the proposed activities on the quality of the human environment are not highly uncertain and do not involve unique or unknown risk.

6. The proposed projects do not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant effects.

7. There are no significant cumulative effects identified by this assessment. Although there would be road construction within a riparian reserve, the potential impacts are considerably less than the reconstruction of the old road system and down hill logging under the no action alternative.

8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in, or eligible for listing in, the National Register of Historic Places, nor would they cause a loss or destruction of significant scientific, cultural, or historical resources.

9. The proposed project will fully comply with the Endangered Species Act (ESA) of 1973, as amended.

The proposed activities that may affect listed species within the project area were submitted for consultation with the National Marine Fisheries Service in accordance with Section 7(A)(4) of the Endangered Species Act of 1973 [16 U.S.C. 1536(A)(2) and (A)(4) as amended]. The National Marine Fisheries Service will be issuing a Biological Opinion in the near future.

Based on analysis by the Wildlife Biologist, it has been concluded that the proposed action, with seasonal timing restrictions for murrelets and adequate dispersal habitat for spotted owls, is covered by existing consultation with the United States Fish and Wildlife Service.

10. There are no irreversible or irretrievable resource commitments identified by this assessment.

11. The proposed activities will not violate Federal, State, or local laws imposed for the protection of the environment.

_____ Date: July 16, 2002

Richard Conrad
Myrtlewood Field Manager