

FINDING OF NO SIGNIFICANT IMPACT

Project Title: Pacific City Joint Water Sanitary Authority Recreation and Public Purposes Lease

EA Number: DOI-BLM-OR-S060-2013-0006-EA

Type of Project: New Recreation and Public Purposes (R&PP) Lease, New Communication Site Lease, Right of Way (ROW) Grant Amendment, and Classifying the Lands

Date: April 30, 2014

Location of Proposed Action: T. 4 S., R. 10 W., section 19, Lots 1, 17, and 18, W.M. Tillamook County, Oregon

Name and Location of Preparing Office: USDI - Bureau of Land Management
Salem District – Tillamook Field Office
4610 Third St
Tillamook, OR 97141

Applicant Name: Pacific City Joint Water Sanitary Authority

Responsible Official: Karen Schank, Tillamook Field Manager at (503) 815-1127

For further information, contact: Traci Meredith at (503) 315-5991; tmeredit@blm.gov



Finding of No Significant Impact

Based upon my review of the Pacific City Joint Water Sanitary Authority R&PP Lease EA and supporting documents, I have determined that the proposed action is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed. This finding is based on the following discussion:

Context [40 CFR 1508.27(a)]: Potential effects resulting from the implementation of the proposed action have been analyzed within the context of the project area boundaries, and the following 5th field watersheds: Nestucca River-Frontal Pacific Ocean and Sand Lake-Frontal Pacific Ocean. This project would affect less than 0.0004 percent of the 218,806 acre combined 5th field watersheds listed above.

Intensity refers to severity of impact [40 CFR 1508.27(b)]. The following text shows how the proposed project would not have significant impacts with regard to ten considerations for evaluating intensity, as described in 40 CFR 1508.27(b).

1. [40 CFR 1508.27(b) (1)] – *Impacts that may be both beneficial and adverse.* The effects of issuing a Recreation and Public Purposes Lease and authorized management activities and actions are unlikely to have significant (beneficial and adverse) impacts (EA section 4.0) for the following reasons:
 - Project design features described in EA section 2.2.4 would reduce the risk of effects to affected resources to be within RMP standards and guidelines and to be within the effects described in the RMP/EIS.
 - *Recreation/Visual Resources (EA section 4.1):* Effects to this resource are not significant because the proposed action would comply with VRM class 4 management objectives. Trail development would provide additional recreation opportunities.
 - *Vegetation and Botany (EA section 4.2):* Effects to this resource are not significant because the parcel would continue to provide habitat conditions. Intensive weed management on the parcel would continue. Final trail location and design would reduce potential impacts to botanical species.
 - *Wildlife (EA section 4.3):* Effects to this resource are not significant because the parcel generally would retain its natural character and habitat condition, design features have been incorporated to minimize impacts, and all identified impacts are considered minor.
 - *Water Resources (EA section 4.4):* The proposed action would not significantly affect surface water resources because it would have no mechanism to affect stream temperature nor would it deliver any sediment to adjacent surface water bodies or increase surface flows beyond the footprint of the disturbed area.

Incorporated project design features would reduce the potential for groundwater contamination as a result of the Lessee's activities on the leased parcel and therefore no significant affects to groundwater quality are anticipated.

- *Fisheries (EA section 4.5)*: Effects to this resource are not significant due to distance (over 300 feet) of streams from the parcel.
 - *Soils (EA section 4.6)*: Effects to this resource are not significant because the parcel would retain its natural character and habitat condition. Development on the parcel would follow project design features.
 - *Fuels (EA section 4.7)*: Effects to this resource are not significant because slash would be removed from the parcel and development would follow project design features.
 - *Cultural Resources (EA section 4.8)*: Effects to this resource are not significant because site surveys found no evidence of cultural resources and development would follow project design features.
 - *Energy and Mineral Resources (EA section 4.9)*: Effects to this resource are not significant because mineral leasing and sales could still occur at the discretion of BLM under the proposed action. The parcel would be closed locatable mineral entry for the duration of the lease and mining claims could not be located.
2. *[40 CFR 1508.27(b) (2)] – The degree to which the proposed action affects public health or safety.* The proposed project would not adversely affect public health or safety because additional development of the evacuation area and trail would comply with project design features to protect resources or reduce affects to resources (EA section 4.10).
 3. *[40 CFR 1508.27(b) (3)] – Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.* The proposed project would not affect historical or cultural resources because no cultural resources were found during surveys of the parcel. The proposed project would not affect parklands, prime farmlands, wild and scenic rivers, wilderness, or ecologically critical areas because these resources are not located within the project area. Additional recreation opportunities would be provided for through the lease agreement by PCJWSA, increasing and adding to the existing recreation nearby on county and Forest Service lands (EA sections 4.1, 4.8, and 4.10).
 4. *[40 CFR 1508.27(b) (4)] – The degree to which the effects on the quality of the human environment are likely to be highly controversial.* The proposed project is not unique or unusual. The BLM has experience implementing similar actions in similar areas without highly controversial effects. The parcel is adjacent to PCJWSA's wastewater treatment facility in the southwest corner on land patented to them by the BLM under Patent 368100006. Associated with PCJWSA's facility is a ROW Grant, OR28019 on lots 1, 17, and 18, for drinking water wells, power line, wellhead buildings, security fence, and access road.

5. *[40 CFR 1508.27(b) (5)] – The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.* The effects associated with the project do not have uncertain, unique or unknown risks because the BLM has experience implementing similar actions in similar areas without these risks and project design features would minimize the risks associated with the project (EA section 4.10). See number 4 above.
6. *[40 CFR 1508.27(b) (6)] – The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.* The proposed action would not establish a precedent for future actions nor would it represent a decision in principle about a further consideration for the following reasons: 1/ The project is in the scope of proposed activities document in the RMP EIS. 2/ the BLM has experience implementing similar actions in similar areas without setting a precedent for future actions or representing a decision about a further consideration. 3/ Additional actions not analyzed in this EA would require additional analysis in future environmental documents. See number 4 and 5 above.
7. *[40 CFR 1508.27(b) (7)] – Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* The Interdisciplinary Team (IDT) evaluated the project area in context of past, present and reasonably foreseeable actions. Effects are not expected to be significant because the effects to all resources are expected to be minimal due to the nature of the projects that could occur under the lease (EA section 4.0).
8. *[40 CFR 1508.27(b) (8)] – The degree to which the action may adversely affect scientific, cultural, or historical resources including those listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.* The project would not affect these resources because there were no cultural resources located on BLM lands located in Township 4 South, Range 10 West, section 19 during site surveys (EA sections 4.8 and 4.10).
9. *[40 CFR 1508.27(b) (9)] – The degree to which the action may adversely affect species listed under the Endangered Species Act (ESA) of 1973 or their designated critical habitat.* The proposed project is not expected to adversely affect ESA listed species or critical habitat for the following reasons:
 - *ESA Wildlife* – Northern spotted owl and Marbled Murrelet (EA section 4.3): The parcel would generally retain its natural character and habitat condition. Other identified impacts are considered minor (EA section 4.3.1). ESA Consultation is described in EA section 6.1.1.
 - *ESA Fish* – Oregon Coast Coho or Chinook salmon (EA section 4.5): Effects to ESA fish are not significant because the Nestucca River is over 300 feet from

proposed development and no water is within the parcel. ESA Consultation is described in EA section 6.1.2.

10. *[40 CFR 1508.27(b) (10)] – Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*
The proposed project activities have been designed to follow Federal, State, and local laws (EA sections 1.4 and 4.10).

Approved by: _____
Karen Schank, Tillamook Resource Area Field Manager
Date

ENVIRONMENTAL ASSESSMENT

Project Title: Pacific City Joint Water Sanitary Authority Recreation and Public Purposes Lease

EA Number: DOI-BLM-OR-S060-2013-0006-EA

Type of Project: New Recreation and Public Purposes (R&PP) Lease, New Communication Site Lease, Right of Way (ROW) Grant Amendment, and Classifying the Lands

Date: April 30, 2014

Location of Proposed Action: T. 4 S., R. 10 W., section 19, Lots 1, 17, and 18, W.M. Tillamook County, Oregon

Name and Location of Preparing Office: USDI - Bureau of Land Management
Salem District – Tillamook Field Office
4610 Third St
Tillamook, OR 97141

Applicant Name: Pacific City Joint Water Sanitary Authority

Responsible Official: Karen Schank, Tillamook Field Manager at (503) 815-1127

For further information, contact: Traci Meredith at (503) 315-5991; tmeredit@blm.gov



As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/EA-14/016+1792

TABLE OF CONTENTS

1.0	INTRODUCTION	6
1.1	Introduction and Background.....	6
1.2	Purpose of and Need for Action.....	7
1.3	Decisions to be Made	8
1.4	Conformance with Land Use Plan	8
1.4.1	Relevant Statutes/Authorities.....	9
1.5	Scoping.....	13
1.6	Issues	14
1.6.1	Issue 1: Private Property Trespass	14
1.6.2	Issue 2: Recreation/Visual Resources	14
1.6.3	Issue 3: Special Status Botanical Species and Invasive Non-Native Plants	14
1.6.4	Issue 4: Wildlife Species.....	14
1.6.5	Issue 5: Mineral Resource Potential	14
2.0	ALTERNATIVES.....	16
2.1	Alternative Development	16
2.2	Proposed Actions.....	16
2.2.1	New Land Classification and R&PP Lease	16
2.2.2	New Communication Site Lease.....	18
2.2.3	Right of Way (ROW) Grant Amendment.....	19
2.2.4	Project Design Features	19
2.3	No Action Alternative	23
3.0	RESOURCE CONDITIONS AND AFFECTED ENVIRONMENT	24
3.1	Recreation/Visual Resources.....	24
3.2	Vegetation and Botanical Resources	26
3.3	Wildlife Resources	27
3.4	Water Resources.....	31
3.5	Fisheries Resources	32
3.6	Soils Resources	32
3.7	Fuels Resources.....	32
3.8	Cultural Resources	33
3.9	Energy and Mineral Resource Potential.....	33
4.0	ENVIRONMENTAL EFFECTS	34
4.1	Recreation/Visual Resources.....	34
4.1.1	Proposed Action.....	34
4.1.2	Cumulative Effects.....	36
4.1.3	No Action Alternative.....	36
4.2	Vegetation and Botany Resources.....	36
4.2.1	Proposed Action.....	36
4.2.2	Cumulative Effects.....	37
4.2.3	No Action Alternative.....	38
4.3	Wildlife Resources	38
4.3.1	Proposed Action.....	38
4.3.2	Cumulative Effects.....	42
4.3.3	No Action Alternative.....	43

4.4	Water Resources.....	43
4.4.1	Proposed Action.....	43
4.4.2	Cumulative Effects.....	44
4.4.3	No Action Alternative.....	44
4.5	Fisheries Resources.....	44
4.5.1	Proposed Action.....	44
4.5.2	Cumulative Effects.....	44
4.5.3	No Action Alternative.....	44
4.6	Soils Resources.....	44
4.6.1	Proposed Action.....	44
4.6.2	Cumulative Effects.....	45
4.6.3	No Action Alternative.....	45
4.7	Fuels Resources.....	45
4.7.1	Proposed Action.....	45
4.7.2	Cumulative Effects.....	46
4.7.3	No Action Alternative.....	46
4.8	Cultural Resources.....	46
4.8.1	All Actions.....	46
4.9	Energy and Mineral Resource Potential.....	47
4.9.1	Proposed Action.....	47
4.9.2	Cumulative Effects.....	47
4.9.3	No Action Alternative.....	47
4.10	Review of Elements of the Environment Based on Authorities and Management Direction.....	47
4.10.1	Compliance with the Aquatic Conservation Strategy (ACS).....	49
5.0	LIST OF PREPARERS.....	52
6.0	CONSULTATION AND EA COMMENT PERIOD.....	52
6.1	Consultation.....	52
6.1.1	US Fish and Wildlife Service (USFWS).....	52
6.1.2	National Marine Fisheries Service (NMFS).....	52
6.1.3	Section 106 Consultation with State Historical Preservation Office.....	52
6.1.4	Tribes Consulted.....	53
6.2	EA Public Comment Period.....	53
7.0	REFERENCES AND CITATIONS.....	53
8.0	ADDITIONAL INFORMATION.....	55
8.1	Special Status, Survey and Manage, Endangered Species Act, and Migratory Bird Treaty Act wildlife species that could occur within Tillamook Resource Area.....	55
8.2	Plan of Development Timeline.....	57
8.2.1	Goal A: PCJWSA’s emergency response evacuation area and expansion.....	57
8.2.2	Goal B: Recreation Development for the Community.....	58
9.0	SUMMARY OF SCOPING COMMENTS AND BLM RESPONSES.....	59
9.1	Board of Commissioners for Tillamook County, Oregon.....	59
9.2	Dory Pointe Homeowner’s Association HOA.....	59
9.3	MacDonald Family.....	61
9.4	Nestucca Valley Community Alliance, NVCA.....	62
9.5	Oregon Coast Visitors Association.....	62

9.6	Pacific City/Woods Citizen Advisory Committee	62
9.7	Tillamook Lightwave IGA	63
9.8	USFS Hebo Ranger District	63

Environmental Assessment

1.0 INTRODUCTION

1.1 Introduction and Background

Pacific City Joint Water Sanitary Authority¹ (PCJWSA) has applied for a Recreation and Public Purposes Lease (R&PP) on 77.75 acres of Bureau of Land Management (BLM)-administered Public Domain lands approximately 1 mile northwest of Pacific City, Tillamook County. The parcel is located just east of Cape Kiwanda Drive in Township 4 South, Range 10 West, section 19, Lots 1, 17, and 18 (Figure 1). The parcel is adjacent to PCJWSA's wastewater treatment facility serving the unincorporated communities of Pacific City and Woods, which is on land patented to them by the BLM under Patent 368100006. Associated with PCJWSA's facility is a Title V Right of Way (ROW) Grant, OR28019 on lots 1, 17, and 18, for drinking water wells, power line, wellhead buildings, security fence, and access road.

The proposed action is within Adaptive Management Area (AMA) and Late Successional Reserve (LSR) land use allocations. The parcel is located adjacent to private lands, which facilitate frequent access by the public on the lower lying portions of the parcel. Housing developments border the parcel to the south and west (see Figures 1 and 3). Undeveloped private land lies to the east and US Forest Service (USFS) land immediately to the north. The Pacific City State Airport is located approximately 0.57 miles south of the BLM parcel.

Accompanying the lease application was a plan of development (POD) describing construction projects and outlining a timeline for implementation; Environmental Assessment (EA) section 8.2, provides an abbreviated table of the potential development over the 25-year life of the lease. This EA analyzes only the proposed development and actions, which PCJWSA has determined reasonable to implement within the first 10 years and containing sufficient information for specialists to analyze. Subsequent environmental assessment documents would analyze additional development and actions beyond 10 years from issuance of the lease **or** those proposed projects without sufficient detail. The decision not to analyze planned development or construction beyond 10 years is due to the likelihood of changing conditions or technology of wastewater treatment facilities.

The growth of Pacific City has been increasing and is expected to continue increasing as the available land and community growth boundary allows, thus removing potential lands available to PCJWSA for expanding the community's drinking water and wastewater treatment facilities necessary to meet the demands of a growing population. Within the 2.7 square mile area, PCJWSA serves an approximate permanent population of 1,000, with seasonal peaks up to an estimated 3,000. The PCJWSA is required to develop water and wastewater treatment plans for facilities they operate, maintain, and manage. The 2004 versions of the Pacific City

¹ Pacific City Joint Water Sanitary Authority's website: <http://www.pcjwsa.com/>

Water Master and Pacific City Wastewater Master plans² were prepared to meet the requirement and identify the existing capacity for treatment, storage, and distribution system facilities, future system requirements based on population estimates, facility or process improvement recommendations, as well as a budget to accomplish changes within those plans. The treatment facilities should move to higher ground and incorporate current technology such as a communication tower that would allow for continuing facility operations in time of emergency. Additionally, a perimeter fence around wellheads would exclude potential contamination to the community's backup water source.

The Pacific City/Woods Community Plan³ provides a vital guide for the unincorporated communities' future development while maintaining a rural atmosphere. The community plan mentions creating an interconnected bicycle/pedestrian trail system with loops throughout the Pacific City/Woods area. The BLM-administered lands immediately to the north and east of the existing patent offer an invaluable resource that could allow for the Pacific City/Woods communities' water and wastewater treatment facility expansion and required facility protection, the construction and use of a communication tower and evacuation area outside the flood zone for continued operations, and provide for increased recreation.

1.2 Purpose of and Need for Action

The proposed action would grant an R&PP Lease, a Communication Site Lease, and amend a ROW Grant to enable PCJWSA to provide continued drinking water and wastewater treatment services to residents and visitors of Pacific City/Woods commensurate with population growth, during emergencies, and in compliance with Oregon Drinking Water Program regulations. In addition, the proposed action would enable PCJWSA to provide recreational opportunities, protect water treatment facilities, and remotely operate the water and wastewater treatment facilities. Under the proposed action, the BLM would classify the parcel suitable for lease and authorize PCJWSA to rebuild or replace existing well buildings, construct a fence around existing municipal wellheads, a hiking trail with interpretation signage, an evacuation area, and a communications tower.

The Recreation and Public Purposes Act of 1954, revised in 1996, authorizes the sale or lease of public lands for recreational or public purposes to State and local governments and to qualified non-profit organizations. The BLM proposed action is in response to a Federal Land Policy and Management Act (FLPMA) R&PP Lease, future Communication Site Lease, and ROW Grant application submitted by PCJWSA for new leases and amending an existing ROW Grant. Leases provide recreation opportunities and facilities or services for public benefit.

² These plans are not available online. The Pacific City Water Master Plan and Pacific City Wastewater Master Plan are available by contacting Pacific City Joint Water Sanitary Authority directly.

³ The Pacific City/Woods Community Plan is available online at:
http://www.co.tillamook.or.us/gov/ComDev/documents/community/pcw_plan.pdf.

1.3 Decisions to be Made

Through this analysis, the BLM will make the following decisions:

- Whether or not the BLM would issue an R&PP Lease and if so, to determine at what level, where, and how to allow proposed development given the project design features
- Whether or not the BLM would issue a Communication Site Lease, and if so, to determine at what level, where, and how to allow proposed development given the project design features
- Whether or not the BLM would modify an existing ROW Grant and if so, to determine at what level, where, and how to allow modifications given the project design features

1.4 Conformance with Land Use Plan

The proposed action is in conformance with the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP) which contains the following objectives:

- Recreation p. 41: Provide a wide range of developed and dispersed recreation opportunities and manage scenic, natural, and cultural resources to enhance visitor recreation experiences and satisfy public land users;
- Land Tenure Adjustment pp. 53-55: Make BLM-administered lands in tenure zones 1, 2, and 3 available for a variety of uses as authorized by section 302 of the Federal Land Policy and Management Act, the Recreation and Public Purposes Act, and special recreation permits, eliminate unauthorized use of BLM-administered lands;
- Rights of Way pp. 55-56: Continue to make BLM-administered lands available to rights-of way – utility corridors and electronic sites;

The Salem District RMP incorporated the standards found in 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 Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl*, April 1994 (the Northwest Forest Plan, or NWFP); and is amended by the *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, January 2001 (S&M ROD).

The analysis in the PCJWSA R&PP Lease EA is site-specific and tiers to the analyses found in the *Salem District /Final Environmental Impact Statement*, September 1994 (RMP/FEIS). The RMP/FEIS incorporates the analysis from 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*, February 1994 (NWFP/FSEIS). The RMP/FEIS is amended by the *Final Supplemental Environmental Impact Statement for*

Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines, November 2000.

The above documents are available for review in the Tillamook Field Office. Additional information about the proposed activities is available in the PCJWSA R&PP Lease EA Analysis File and available at the Tillamook Field Office.

Survey and Manage Review: Per the current court direction, the PCJWSA R&PP Lease Project meets the provisions of the last valid Record of Decision, specifically the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (not including subsequent Annual Species Reviews). Details of the project surveys are described below:

No wildlife pre-clearance S&M surveys are needed since the proposed actions/development activities affect such a small portion of habitat that it would not be significant enough to change the persistence of the species at the site. The evacuation area and road construction sites do not contain habitat for any S&M wildlife species. Botanical surveys for Lichens, bryophytes, and vascular plants were completed on March 14, 2014. The area surveyed consisted of the 4.5-acre footprint for the evacuation area and the access rd. to the evacuation area. No Survey and manage or Special Status Plant species were found. Surveys were not completed throughout the remaining 70 acres based on design features that would protect already known sites of *Carex macrocephala* (big head sedge). BLM botanist would assist the PCJWSA in trail location to prevent damage to existing populations of *Carex macrocephala* and additional plant surveys of the trail system would occur at that time.

1.4.1 Relevant Statutes/Authorities

This section is a summary of the relevant statutes/authorities that apply to this project.

- **National Environmental Policy Act (NEPA) 1969** – Requires the preparation of EAs or EISs on federal actions. These documents describe the environmental effects of these actions and determine whether the actions have a significant effect on the human environment.
- **Endangered Species Act (ESA) 1973** – Directs Federal agencies to conserve threatened and endangered species.
- **Federal Land Policy and Management Act (FLPMA) 1976** – Defines BLM’s organization and provides the basic policy guidance for BLM’s management of public lands.
- **Archaeological Resources Protection Act (ARPA) 1979** – Protects archeological resources and sites on federally-administered lands. Imposes criminal and civil penalties for removing archaeological items from federal lands without a permit.
- **National Historic Preservation Act (NHPA) 1966** – Requires federal agencies to identify and consider impacts to historic properties on federal lands.
- **Clean Water Act (CWA) 1987** – Establishes objectives to restore and maintain the chemical, physical, and biological integrity of the nation’s water.
- **Clean Air Act (CAA) 1990** – Provides the principal framework for national, state, and local efforts to protect air quality.

- **Migratory Bird Treaty Act of 1918** – Establishment of a Federal prohibition, unless permitted by regulations, to take any migratory bird included in the terms of this Convention.
- **Magnuson-Stevens Fishery Conservation and Management Act of 1996** – Offers protection to economically and socially important fish species and their habitat.

Additional authorities and management direction are described in EA section 4.10 Table 5.

Figure 1: Lease Location Map

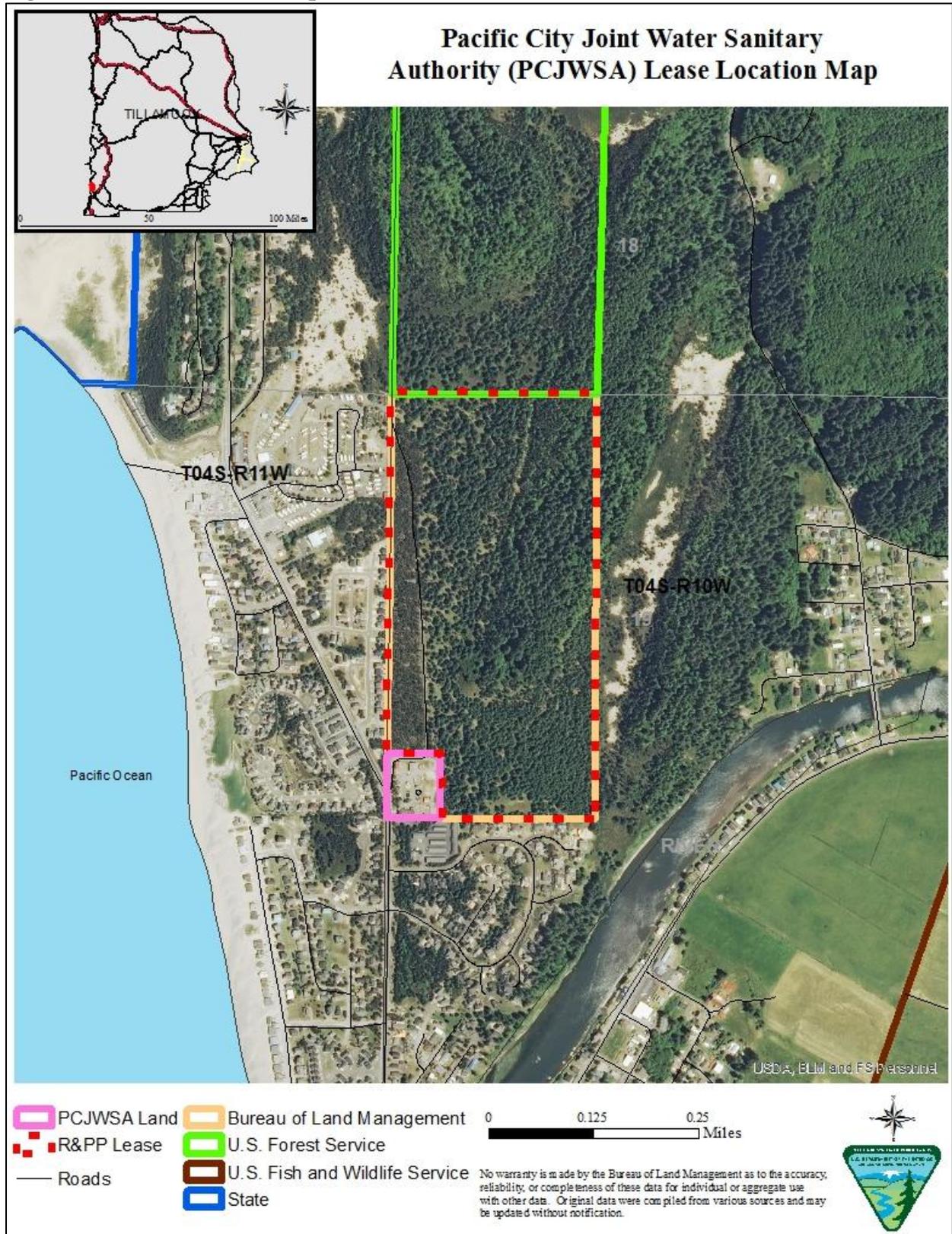
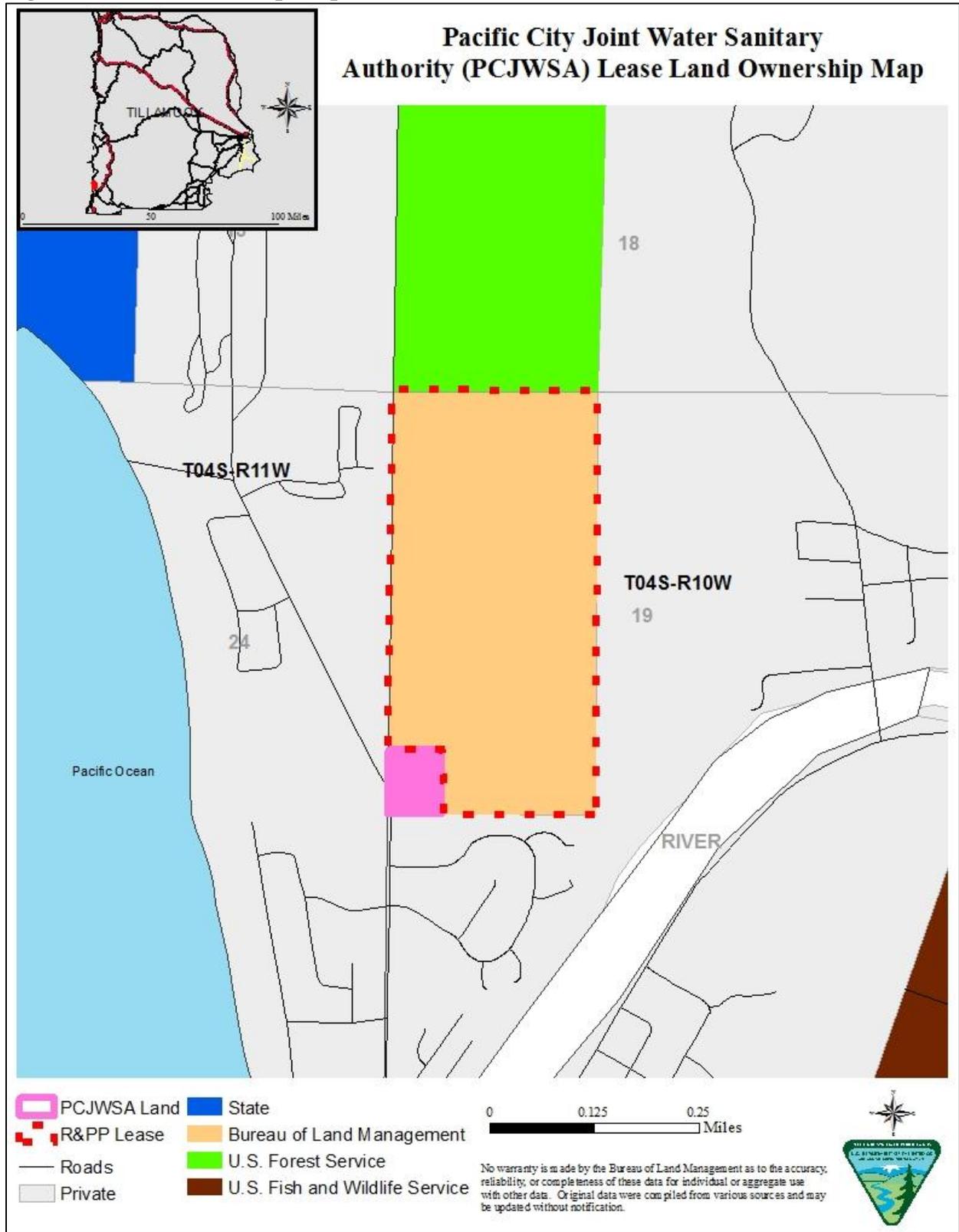


Figure 2: Land Ownership Map



1.5 Scoping

Description of Prior Planning and Public Input Processes:

On April 17, 2009, PCJWSA submitted a formal application to the BLM for procurement of a lease for the land after the community began to engage in the discussion of the future of the BLM property.

Since 2010, PCJWSA, Nestucca Valley Community Alliance (NVCA), and Nestucca Valley Chamber of Commerce have shared concepts and drafts of this Recreation and Management Plan (plan of development - POD) with local community groups at their regular meetings. In addition, they sent letters to the local homeowners associations inviting their attendance to these local meetings and their comments on this plan.

On September 6, 2011, PCJWSA discussed the plan with the Nestucca Valley Chamber of Commerce and PCJWSA's Board of Directors.

On September 20, 2011, Pacific City/Woods Community Advisory Committee (PC/W CAC) and PCJWSA held a public meeting at Kiwanda Community Center to discuss the proposed POD for the parcel. Thirty people attended, including residents of Dory Pointe and Nestucca Ridge subdivisions, Cape Kiwanda RV Park, the Tillamook Lightwave property, the Perrine property owner, and the BLM. Summary notes and a list of attendees are contained in Appendix C of the April 2012 POD.

Current Scoping:

Scoping for this project was conducted by means of a letter sent out to approximately 44 federal, state and municipal government agencies, nearby landowners, tribal authorities, and interested parties on May 31, 2013. The local Pacific City Sun ran an article in May 31, 2013 (Vol. 5, No. 160) with the same information. An electronic version of the letter was sent to individuals and interested parties on June 4, 2013. In that letter, a request was made to forward this information to additional individuals, interested parties, or recipients they felt would have interest in this project. In addition, the scoping letter was posted on the Salem District internet and announced in Project Update mailings. The BLM received eight comments during the scoping period, which generally support the proposed action; EA section 10 provides responses to those comments.

The scoping letter summarized PCJWSA's proposed development actions planned over the 25-year life of the lease. However, this EA only analyzes proposed actions within the first 10 years. Some development actions would not occur within the first 10 years such as the wastewater treatment facility expansion and/or relocation, installing of a new water reservoir, and additional recreation amenities. A new environmental analysis and decision would occur at that time when PCJWSA wants to implement actions not covered under this EA. Proposed development actions analyzed within this EA meet requirements of obtaining an R&PP Lease. Issuing a lease does not preclude the need for further environmental analysis.

Two comment letters received from residents of Dory Pointe subdivision led to a meeting at the BLM Tillamook Office on November 2, 2013, to discuss proposed development actions. The BLM attended a public meeting at the Kiwanda Community Center on September 12, 2013 to hear the public's proposed plans for a large picture effort to increase livability in the Pacific City/Woods communities. Those residents attending the meeting had a better understanding of the proposed action and specific locations of development.

Internal scoping was conducted through Interdisciplinary Team (IDT) meetings, record searches, field reviews and the project planning process.

1.6 Issues

Based on input from the public and the Interdisciplinary Team meetings, the issues listed below were identified and used in the development of appropriate project design features and to analyze environmental effects to affected resources. See below:

1.6.1 Issue 1: Private Property Trespass

Would the proposed action increase trespass onto private lands including other issues associated with dispersed recreation use? Would the proposed action result in increased foot traffic and if so, how would it affect adjacent landowners? (EA section 4.1)

1.6.2 Issue 2: Recreation/Visual Resources

How would the proposed action affect recreation and visual resource management? Would continued hunting within the parcel affect trail use by recreationalists and would the presence of recreationalist affect hunting within the parcel? (EA section 4.1)

1.6.3 Issue 3: Special Status Botanical Species and Invasive Non-Native Plants

How would the proposed action affect Special Status botanical species? How would disturbance to botanical species be minimized? How would the proposed action affect the management of invasive non-native plant species found on the parcel? (EA section 4.2)

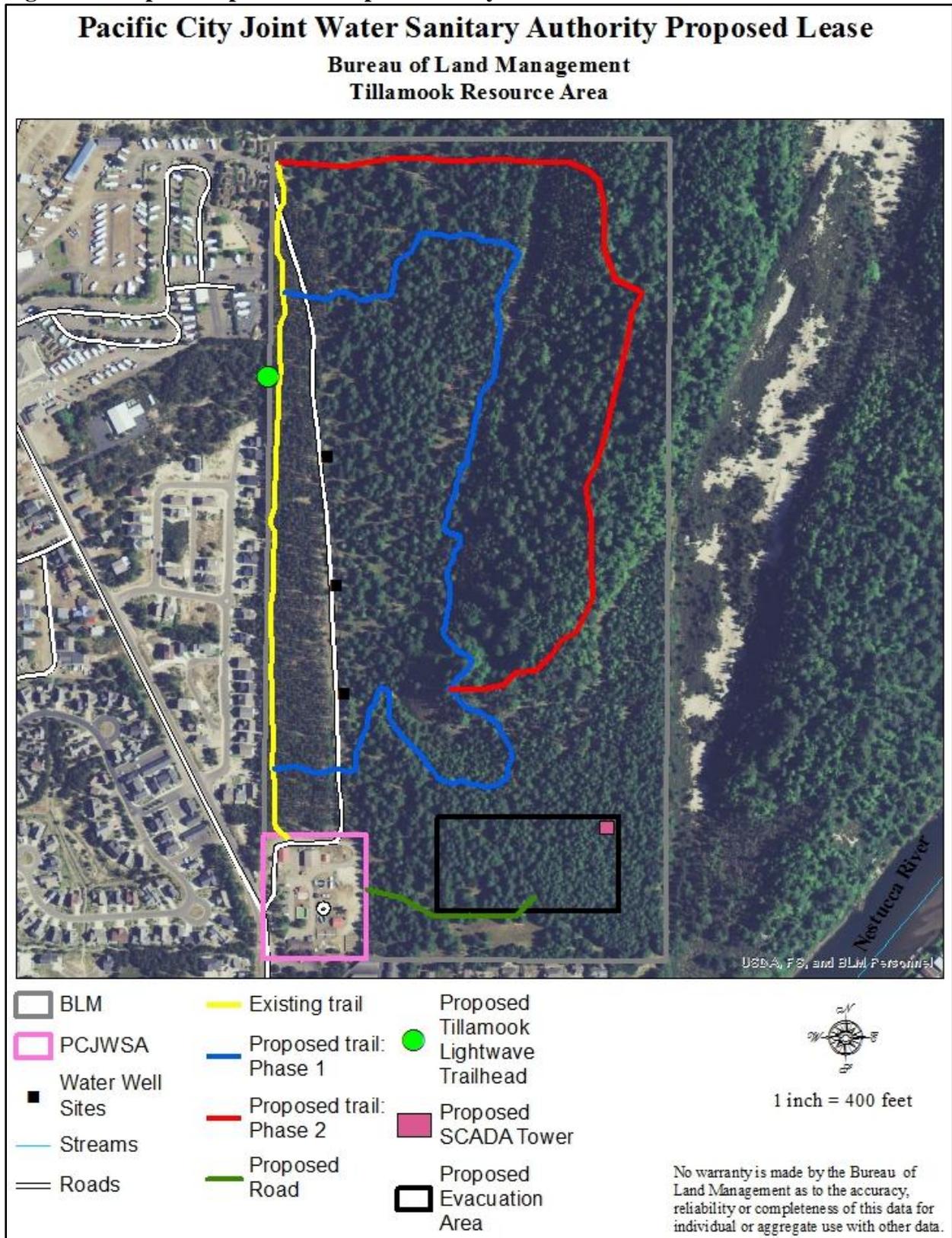
1.6.4 Issue 4: Wildlife Species

How would the proposed action affect BLM Special Status, Endangered Species Act (ESA) Threatened and Endangered, and Migratory Bird Treaty Act wildlife species? (EA section 4.3)

1.6.5 Issue 5: Mineral Resource Potential

How would the proposed action influence the energy and mineral resource potential present within the parcel? (EA section 4.9)

Figure 3: Map of Proposed Development Analyzed within this Environmental Assessment



2.0 ALTERNATIVES

2.1 Alternative Development

Pursuant to Section 102 (2) (E) of the National Environmental Policy Act (NEPA) of 1969, as amended, Federal agencies shall "...study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources."

The IDT developed Project Design Features (EA section 2.2.4) that would minimize or eliminate many of the potential adverse effects of the Proposed Action. Because there were no unresolved conflicts, the EA presents 2 alternatives, the Proposed Action and the No Action.

2.2 Proposed Actions

The BLM proposes to approve an R&PP Lease, a Communication Site Lease, and a ROW Grant amendment that would allow Pacific City Joint Water Sanitary Authority to develop, construct, maintain, and manage the 77.75 acres parcel in Pacific City. Proposed actions fall into three categories: 1) classify the parcel suitable for lease then issue an R&PP Lease authorizing only those development actions within the first 10 years, 2) issue a Communication Site Lease, and 3) amend an existing ROW Grant based on the POD attached to their lease application. Total surface disturbance is approximately 5 to 6 acres or 8 percent of the parcel, based on the maximum sized footprint for all development projects within the first 10 years.

This R&PP Lease would authorize PCJWSA to conduct the following development actions and management activities within 7 to 10 years after issuance of the lease and contingent upon PCJWSA receiving funding. Any change to the POD or failure to receive funding for project implementation requires PCJWSA to submit an R&PP Lease amendment and may require new environmental analysis. Project Design Features would become R&PP Lease stipulations.

2.2.1 New Land Classification and R&PP Lease

Prior to issuing an R&PP Lease, the land would need to be classified as suitable for lease under the provisions of the Recreation and Public Purposes Act, as amended, through a Notice of Realty Action placed in the Federal Register. If classified as suitable, the BLM would offer an R&PP Lease to PCJWSA for only those development actions analyzed within this EA, not actions beyond 10 years.

Specialists would analyze proposed actions identified within the first 10 years associated with the lease to determine environmental effects and the appropriateness of development actions contained within the POD (see Figure 3 and Table 1). The R&PP Lease would provide an emergency evacuation area for PCJWSA's continued operations of their wastewater and water treatment facilities and provide residents of and visitors to the Pacific City/Woods community recreational opportunities.

Table 1: Sizes of Proposed R&PP Lease Developments

Development Action	Length in Miles	Length in Feet	Width in Feet	Square Feet	Acres	Subtotal (acres)
New Road	0.11	600	24	14,400	0.32	
Evacuation Area	-	600	300	180,000	4.13	4.45
Trail Phase 1	0.81	4,300	3	12,900	0.30	
Trail Phase 2	0.63	3,300	3	9,900	0.23	0.53
Existing Trail	0.44	2,300	3	6,900	0.16	0.16
Total Disturbance	1.99	10,500*	-	224,100	5.14	5.14

Lengths were rounded up to the next hundred feet. All calculations were done using online conversion website: <http://www.onlineconversion.com/>
 *Total length does not include the evacuation area since this is an area not a length.

Evacuation Area Developments:

Within the southern portion of the proposed lease area and east of the existing wastewater treatment facility, using heavy machinery, construction of an evacuation area would enable continued operations of the wastewater treatment system in times of emergency. A newly constructed gravel road, built from the existing wastewater treatment facility to the evacuation area, would provide access. The evacuation area would provide PCJWSA an escape location to mobilize equipment and vehicles to higher ground quickly in the event of an emergency. The area would be located in the southeastern part of the lease parcel on a flat bench above the high water level, and no closer than within 100 feet of the southern property line. To reduce conflicts, no recreation developments are proposed within this area.

The evacuation area would be approximately 300 feet wide by 600 feet long and accessed by the new gravel road approximately 600 feet long by 24 feet wide. An operations/evacuation shelter, approximately 240 square feet, constructed for PCJWSA would house an office, shelter vehicles, and potentially the communications system equipment. Within the evacuation area there would be a large parking area, potentially an additional building for communication system equipment, and the communication supervisory control and data acquisition (SCADA) system tower (see section 2.2.2 for further information). Estimated ground disturbance for the road and evacuation area would be less than 4.5 acres. Trenches along the new road would hold required utilities. Timber and vegetation would be removed from the entire footprint of the evacuation area.

Recreation Developments:

Recreation developments described and illustrated in the POD are generally within the parcel's northern portion. Proposed development within this area would include construction of less than two miles of hiking trail with potential future connections (not analyzed in this EA) to community trails and USFS lands directly to the north. Trails would be constructed using small hand and power tools to minimize disturbance. The hiking only trail would follow close to an existing social trail (0.44 miles/2,300 feet), one that is not designated but overtime with use became established, looping throughout the northern portion then to the south. Proposed hiking trails are mapped in locations where affects to resources would be

minimized. Trail design is not complete at this time; however, design features for trail construction (EA section 2.2.4) would reduce potential resource disturbance. These natural surfaced trails would range from 18 to 36 inches wide, and sloped to reduce or prevent drainage and stability problems. Estimated ground disturbance from vegetation removal for phase 1 and 2 hiking trails would be 0.53 acres (1.44 miles/7,600 feet). Minor variances from the mapped trails would prevent environmental affects to botanical species of concern or special status species. Socially created or game trails would be utilized as much as possible thus reducing resource disturbance.

Although the lease and maintenance responsibility lies solely with PCJWSA, they would build and maintain the new hiking trails and its associated developments such as signage or displays for environmental education, and benches to provide areas for rest and scenic viewpoints through a joint and cooperative agreement with Pacific City (PC) Pathways and NVCA. The POD outlines general guidelines for a park type agency to manage the hiking trail system with community volunteer support.

Tillamook Lightwave Property Trailhead Development:

Tillamook Lightwave (TLW) private property development has a direct connection with recreation development planned within the adjacent BLM parcel. Public access and community utilization of the hiking trails and environmental education/interpretation on leased land is secured through the PC Pathways and NVCA agreement. The agreement allows for the construction of a trailhead, access road, and 5 parking spaces on the private TLW property. Impacts associated with the private TLW property development as a connected action would be analyzed in conjunction with the direct, indirect and cumulative impacts of the BLM proposed action.

Other Management Actions:

Manual and mechanical removal of invasive weeds would continue per their POD. The BLM would continue to be an active participant helping PCJWSA establish weed management programs for two years.

2.2.2 New Communication Site Lease

The new Communications Site Lease would allow PCJWSA to construct a SCADA tower within the evacuation area (refer to EA section 2.2.1) for PCJWSA's continued operations during emergency events. SCADA systems control and monitor infrastructure processes such as water and wastewater treatment facilities and their remote operations. The SCADA system equipment and generator would be located within the operations/evacuation shelter or in a second building attached to or in close proximity to the SCADA tower using heavy machinery. Exact parameters of the tower are unknown until a radio analysis is complete through a PCJWSA contractor. Based on current tree heights, tower height is likely between 120 to 150 feet, which may require lighting at the highest point. The tower generally would be located in the northeast corner of the evacuation area shown on Figure 3; however, the final location depends on the radio analysis and BLM input. Resource specialists may need

to revisit the environmental analysis if final tower design and/or location differ from BLM's expected design mentioned above and in the project design features.

2.2.3 Right of Way (ROW) Grant Amendment

The ROW Grant amendment, OR28019, would allow PCJWSA to fence existing municipal wellheads to protect the communities' water source as required by Oregon Drinking Water Program. Fencing construction would occur within 100 feet of each wellhead either in a rectangular placement around all three wells or separate enclosures using heavy machinery and/or small hand and power tools. The split rail fence would be three to four feet high to accommodate wildlife movement and migration. Disturbance is minimal where posts contact the ground, approximately 240 to 318 square feet based on 8 and 6 foot post spacing and rounded up. Vehicle gates would be installed to allow administrative maintenance access. Existing well buildings would be rebuilt or replaced in the same locations and may increase in square footage.

2.2.4 Project Design Features

The following is a list of the project design features to help protect resources and ensure compliance with the RMP. These project design features would become Additional Lease Terms and Conditions attached to the final R&PP Lease, ROW Grant amendment, and Communication Site Lease agreements. The BLM would require PCJWSA to:

- Erect within one year from the date of lease issuance, a sign informing the public of the cooperative arrangements between PCJWSA and the BLM for the management of the land. Obtain approval of sign design from the BLM Tillamook Resource Area Field Manager. Locate the sign at the trailhead on private TLW property alerting residents and visitors to the trail systems only access point.
- Existing Law Enforcement patrols of the parcel would continue.
- New trails would be hiking only. No equestrian, mountain bikes, or motorized use would occur on the trails.
- Vary mapped trails as needed to prevent environmental affects to botanical and wildlife species of concern or special status species and/or their habitats.
- Reduce potential damage to and protect BLM at-risk species habitat by encouraging users, through signage, to stay on designated trails and to respect the "Pack It In, Pack It Out" approach in order to control litter and food scraps. Domesticated animals would be under control or leashed.
- If garbage cans are needed in the future to properly manage the lease area, including recreational use, then animal-proof garbage cans would be installed, monitored sufficiently, and timely emptied to prevent overflowing garbage. If non-animal-proof garbage cans are installed on private land at the trailhead, then PCJWSA must also install animal proof garbage cans on BLM land in close proximity to the trailhead, monitored

sufficiently, and emptied in a timely manner to prevent overflowing garbage. Additionally, installation of signage encouraging users to avoid littering and to use animal proof garbage cans is required.

- Activities associated with leashed development (including road construction, tree felling, and other disturbances) within ¼ mile of unsurveyed suitable murrelet habitat or unsurveyed nesting structures occurring between April 1 and September 15, is restricted to the daylight hours beginning 2 hours after sunrise and ending 2 hours before sunset.
- Retain and protect existing coarse woody debris (CWD) to the extent possible. Any existing CWD and snags cut for reasons of safety or knocked down during construction activities would remain on site.
- Construct buildings and other structures to blend into the natural environment as much as possible using designs and colors approved by BLM. Locate the evacuation area at least 100 feet from the southern property line. Plant native trees or shrub species as needed to block the view of buildings and other structures from residential development.
- Build the supervisory control and data acquisition (SCADA) operation system tower at a range of 120 to 150 feet high.
- In the case that tower lighting is required: the minimum amount of pilot warning and obstruction avoidance lighting required for safe operation by the FAA should be used. Unless otherwise required by the FAA, only white (preferable) or red strobe lights should be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (longest duration between flashes) allowable by the FAA for safe operation. The use of solid red or pulsating red warning lights at night should be avoided. Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied (USFWS, as updated in 2012).
- Towers and appending facilities should be sited, designed, and constructed so as to avoid or minimize habitat loss within and adjacent to the tower “footprint”. A larger tower footprint is preferable to the use of guy wires in construction as birds are susceptible to collisions with wires like this. If stabilizing wires are subsequently added to the tower design, re-initiation of consultation would be required. Road access and fencing should be minimized to reduce or prevent habitat fragmentation and disturbance, and to reduce above ground obstacles to birds in flight (USFWS, as updated 2012).
- Minimize road access and fencing to reduce or prevent habitat fragmentation and disturbance, and to reduce above ground obstacles to birds in flight (USDI, 2000 as updated in 2012).
- Bury utilities needed for the buildings and structures within the road prism of the new access road. Avoid overhead utilities as much as possible.

- Work with BLM to control the spread of invasive species for the first two years. Assume sole responsibility after two years, at which time and within six months, submit an approved Weed Management Plan to the BLM.
- Wash construction equipment prior to entering leased land to prevent spread of invasive non-native plants.
- Report any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by PCJWSA, or any person working on their behalf, on public or Federal land to the BLM Authorized Officer. Suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the BLM Authorized Officer.
- Only the minimum amount of vegetation necessary for the construction of trails, structures, and facilities would be removed. Construction and authorized management activities of leased lands would not remove any trees over eight inches in diameter at breast height, live or dead (snags), without concurrence of the wildlife biologist and botanist to minimize adverse effects to listed, threatened, or special status species or habitat.
- Haul removed trees, stumps, vegetation, and slash not utilized as part of trail construction off site for disposal within 30 days of the completion of clearing and grubbing activities.
- Conserve topsoil during excavation and reuse to cover disturbed areas and facilitate reseedling of vegetation. Limit excavation to the areas of construction and development. No borrow areas for fill material would be permitted on the site. Remove all waste material resulting from construction or use of the site by PCJWSA.
- Revegetate all disturbed areas to native grasses or other suitable coastal native vegetation (i.e. shore pine, Sitka spruce, evergreen huckleberry, salal, etc.). All seed or straw would meet certified weed free standards. Seed or plant disturbed areas at a time of the year, in a manner, and with species approved by the BLM.
- Merchantable timber would be sold by the BLM.
- Prevent and suppress fires on or near the lands under this lease by contacting Oregon Department of Forestry (ODF) and BLM immediately. No material would be disposed of by burning on the parcel.
- Follow and track Oregon Department of Forestry's Industrial Fire Precaution Levels and use to close the area during fire season as necessary.
- Place no campfire signs informing the public of this restriction at the trailhead and other public access points.

- Trail construction should not remove any trees over eight inches in diameter at breast height, live or dead (snags), without approval from the BLM Authorized Officer to minimize adverse effects to listed, threatened, or special status species or habitat.
- Construct all trails to provide drainage, minimize soil erosion, and reduce channelization. Trail drainage devices may include water bars, culverts, dips, gutters, or rocks to prevent channelization of tread surfaces. Utilize natural material removed during construction activities as feasible.
- Limit trail tread width to a maximum of 36 inches, slope to a maximum of 15 percent, and cross slope to a maximum of 15 percent depending on topography and soil type. The BLM Authorized Officer may allow some short increases over maximums.
- Install retaining wall type structures or in steeper locations, install steps to provide safe descent, maintain trail tread, and prevent erosion.
- Install directional signs at trail intersections to orient visitors. Coordinate with BLM recreation staff for approval of signage design.
- Maintain trails annually through tread and vegetation inspections and maintenance to prevent resource damage. Treat encroaching vegetation by pruning to tread width.
- Re-plant vegetative material removed during trail construction where feasible, along trail edges to minimize the trail footprint and blend trail into surrounding environment.
- Annually assess standing hazard trees to remove the hazard by felling or topping. The BLM Authorized Officer would review and approve all proposed hazard tree treatments. Felled hazard trees or tops would remain onsite as CWD.
- Avoid loading, or storing chemical, fuel, or fertilizer in sensitive zones in municipal water source areas.
- Store equipment containing toxic fluids outside of known groundwater infiltration locations.
- Conduct equipment maintenance outside site- specific sensitive zones in municipal water source areas.
- Inspect hydraulic fluid and fuel lines on mechanized equipment for proper working condition.
- Where possible, maintain and refuel equipment a minimum of 100 feet away from wells or other known groundwater infiltration locations.
- In the event of a spill or release, all reasonable and safe actions to contain the material would be taken. Specific actions are dependent on the nature of the material spilled.

- Immediately remove waste or spilled hazardous materials (including but not limited to diesel, oil, hydraulic fluid) and contaminated soils, and dispose of it/them in accordance with the applicable regulatory standard. Notify Oregon Emergency Response System of any spill over the material reportable quantities, and any spill not totally cleaned up after 24 hours.
- Ensure a spill containment kit that can absorb and contain petroleum products or chemical substances is readily available.
- Provide for immediate notification to Oregon Emergency Response System in the event of a spill.
- Assemble a spill notification list.
- Lessee shall be responsible for the clean-up, removal, and proper disposal of contaminated materials from the site.

2.3 No Action Alternative

The “No Action alternative” means the issuance of an R&PP Lease and associated development actions, ROW Grant amendment, and issuance of a Communication Site Lease would not occur. The No Action alternative describes the baseline, against which the effects of the proposed action can be compared, i.e. the existing conditions in the proposed area and the continuing trends in those conditions if the BLM does not implement the proposed project.

The lands would be open to surface occupancy for mineral entry and all other forms of allowable uses under the current laws. Due to The parcel’s classification as Land Tenure Adjustment Zone 3 in the Salem District RMP, it may be disposed. Developing an evacuation area with emergency shelter to move operation of PCJWSA’s water and wastewater treatment facilities to higher ground during emergencies would not occur. There would be no construction of trails to increase developed recreation opportunities within the communities. Construction of a SCADA tower for remote operations of the treatment facilities would not occur.

Consequences of not issuing the lease: during an emergency the community would not have adequate water and wastewater treatment ability, remote operation of those facilities would be infeasible, uncontrolled dispersed recreation use on public land would continue to be user driven and could result in continued degradation of habitat and would not result in protection of special status species.

3.0 RESOURCE CONDITIONS AND AFFECTED ENVIRONMENT

This section of the EA describes the current condition of resources found within or near the parcel and trend of the affected resources. The resources potentially affected by the proposed project are Recreation and Visual, Vegetation and Botany, Wildlife, Water, Fisheries, Soils, Fuels, Cultural and Energy and Mineral Resources.

3.1 Recreation/Visual Resources

Recreation:

Recreational use within Pacific City and Cape Kiwanda focuses primarily on beach and oceanfront activities. During the summer months, June through September, beaches are very busy with people walking, picnicking, surfing, and enjoying beachfront motorized activities. Dispersed recreation, consisting primarily of day use with occasional overnight camping occurring near the Cape Kiwanda RV Resort and along the western boundaries near private residences, is currently taking place on this parcel. The parcel offers big game hunting opportunities within upper elevations. Use from hunting is minimal, primarily by neighboring property owners crossing the parcel to access the larger blocks of USFS lands.

Environmental education opportunities within the vicinity of the BLM parcel is limited to schools and wayside exhibits along the main roads. Additional recreation opportunities near the parcel include the Cape Kiwanda wayside (approximately 1,500 feet away) and Webb County Park (approximate of 1,650 feet away) following public access routes; both contain restroom facilities available to the public.

The parcel is located adjacent to private lands, which facilitate frequent access by the public on the lower lying portions of the parcel. Housing developments border the parcel to the south and west (see Figures 1 and 3). However, access for the visiting public to the BLM parcel is limited, attained through PCJWSA's previously patented land in the southwest corner of the parcel, the neighboring housing developments, or the RV Resort. Parking for use of this parcel is further limited due to permit parking signs posted in the westerly development and minimal roadside availability within Pacific City. With the exception of visitors at the RV Resort, the user group for this parcel consists of local residents. Localized use in conjunction with the RV Resort occurs within a small area around the RV Resort.

Social trails, user created trails showing signs of continued use, compaction and vegetation loss, throughout the parcel provide visitors with a walking-area free of vehicle traffic. The western portion of the parcel currently has a social trail in which compaction and vegetation loss provide evidence of long-term use. A number of social trails cross between the BLM-USFS boundary. The landscape within this area is relatively flat and provides a casual walking experience. As a person moves their way east additional trails are evident and the terrain gets steeper providing for a more vigorous walking experience. Moving further up the hillside, panoramic views of the Pacific Ocean, the community, and the Nestucca River where it feeds into Nestucca Bay award hikers.

In the southeastern portion of the parcel, social trails are evident near the housing development along the southern border. Trail use is less apparent than in the northern portion of the parcel with picnicking as the more prevalent day use activity within this portion.

Garbage is noticeable in the parcel's lower elevation portions. Winds often pick up in the late morning to early afternoon along the coastal waters blowing much of this garbage onto the parcel. There is evidence of users occasionally leaving aluminum cans and bottles along the social trails; however, this accumulation could be a result of stronger winds and storm events. No garbage control occurs on this parcel. There has been no immediate history involving dumping of household goods or garbage.

No authorized off-highway vehicle use occurs within the parcel (RMP 1995). No wilderness, lands with wilderness character, or designated, suitable, or eligible wild and scenic rivers are within or adjacent to the parcel.

Visual Resources:

The 77.75-acre parcel is within Visual Resource Management (VRM) Class 4 managed for moderate levels of change to the characteristic landscape. Management activities may dominate the view and be the major focus of the viewer attention. However, every attempt should be made to minimize the effect of these activities through careful location, minimal disturbance, and repeating the basic elements of form, line, color, and texture (RMP p. 37). VRM Class 4 areas allow for major modifications of existing character of landscapes.

The Pacific City and Cape Kiwanda communities are defined by the Nestucca River, Nestucca Bay, and Pacific Ocean. These waterways draw the attention of the casual traveler. Visitors traveling through the vicinity of the community are not likely to consider views of the forested landscape.

Current visual conditions, if accessed from the roadway and the western development, consist of uniformly spaced pine trees, followed by a gravel access road and open grassy areas containing scattered trees. Traveling along the major roadway, the lower elevations of the parcel appear to be associated with the neighboring housing development; the flat landscape and dividing access road seem to separate the lower elevations from the overall parcel. Moving east within the parcel, the elevation rises and trees are relatively scattered with numerous grassy openings. Approximately two thirds of the way into the parcel, the elevation continues to rise and views from the primary roadway are available. The hillside appears forested. Tree dispersal, slope of the landscape and crown development limits views to openings within the parcel.

Views into the parcel from the western housing development consist of relatively small pine trees planted in uniformly spaced rows. The southern housing development's view is primarily scattered young, approximately 40 years old, conifer trees, and large grassy openings.

Along the existing ROW, PCJWSA has an access road and three wellheads for municipal drinking water backup. To ensure the protection of the water source and the wells, the

wellheads have a structure and cyclone fencing to limit access and potential contamination. These structures are not observable from the primary travel routes but are noticeable upon entering the parcel.

3.2 Vegetation and Botanical Resources

The parcel consists of various tree species ranging in age from approximately 40 to 110 years old. Tree heights range from 165 feet up on the ridge top down to 53 feet in the newer planted lowlands. Also found within the parcel are small patches of grassland habitat interspersed throughout the timbered areas. Because of the parcel's location within the community, the parcel has experienced some use by the public specifically substantial denuding of groundcover vegetation adjacent to the Cape Kiwanda RV Resort and residents on the western boundary where camping has occurred.

The southern portion of the parcel consists of pine and Sitka spruce stands approximately 40 years old. The western most portion of the parcel, where PCJWSA's wells are currently located, is composed of a 40-year-old pine stand. The knob in the center of the parcel has a mixed stand of Sitka spruce and Douglas fir that is approximately 80 years old. The remainder of the parcel, in the northeastern corner, is timber-typed in BLM's Forest Operations Inventory (FOI) database as stocked with a 110-year-old shore pine stand.

Development of understory vegetation throughout most of the lower elevations varies in density, primarily dominated by sandy soils vegetated with vascular and non-vascular plant species. Vascular species include Evergreen huckleberry, sword fern, European beach grass, Scotch broom, and a variety of native and non-native grasses and sedges. Non vascular plants consist of a variety of bryophytes (mosses and liverworts) and lichens. Higher elevation portions of the parcel are composed of mineral soil with a duff layer 1 to 2 inches thick. Ground cover species include dense sword fern, kinnikinnick, salal, salmonberry, and evergreen huckleberry. Where conifer tree canopies are closed or have over 80 percent crown closure the presence of European beach grass and Scotch broom are either declining or are not present and native plant communities are more dominate. Where water tables are higher (along existing roads and at the toe of the ridge in the middle of the parcel) there is a dominant development of *Equisetum* (horsetail, snake grass, puzzlegrass).

The Big head sedge (*Carex macrocephala*) is the only known plant species of concern to exist on this parcel in areas where unstable (active) dune habitat is still present. Because the site was planted with the expectation to stabilize the active sand, the unstable sand habitats that currently exist on the site may become stabilized as well over time.

The private TLW property is primarily comprised of 40-year-old shore pine, sandy soils with evergreen huckleberry, sword fern, European beach grass and Scotch broom.

Invasive Non-Native plant Species:

Invasive non-native plant species within this parcel include Scotch broom, European beach grass, Himalayan blackberry, and English holly.

Historically, the parcel has been heavily managed to protect residents from shifting dunes by planting of pine and other plant species. In the early 1960's this parcel was an active dune. As the Pacific City community developed, sand movement became an issue. The community approached BLM to mitigate sand movement on this parcel leading to implementation of a stabilization project. Portions were tilled, scarified, and had trees planted in evenly spaced, straight, parallel rows; this is especially apparent near the west edge of the parcel. Plantings of European beach grass, Scotch broom, and pine promoted stabilization of sand at the site. It is currently unknown but strongly suspected that most of the early planted pine was not the native, coastal subspecies of lodgepole pine referred to as shore pine (*Pinus contorta contorta*) but rather an off-site subspecies of lodgepole pine adapted to drier inland regions (*Pinus contorta murrayana* or *Pinus contorta latifolia*).

Years after the stabilization project began; both European beach grass and Scotch broom were recognized as invasive, non-native plant species. Work began to eradicate the Scotch broom in the late 1990's. Forty-nine acres of this parcel are treated manually and mechanically annually. Where there were openings, native conifer trees were planted in an attempt to overtop the Scotch broom, as it is not shade tolerant and will not persist in shaded conditions.

Scotch broom used to dominate the understory of the proposed lease area; however, through a very aggressive invasive weeds program, it has become controlled on the BLM parcel. Part of the treatment included plantings of shore pine, Sitka spruce, western redcedar, red alder, and evergreen huckleberry. Plantings occurring over several years, 2002 through 2004, as an inter-plant introduced approximately 80 trees per acre. Based on harsh site conditions and being browsed by animals, approximately 40 to 50 trees per acre currently occupy the site.

3.3 Wildlife Resources

Based upon the nature of the vegetation present (see Vegetation and Botany Resources EA section 3.2), little to no habitat (described below) for most Survey and Manage or Bureau 6840 Special Status Species Policy (Bureau Sensitive) wildlife species has been identified within the area of the proposed action (including the private TLW property trailhead development site). A list of Special Status, Survey and Manage, Endangered Species Act, and Migratory Bird Treaty Act wildlife species that could occur within Tillamook Resource Area are in EA section 8.1.

Special Status or Survey and Manage Wildlife Species:

Special Status Mollusk:

Habitat for four Special Status Mollusks (Bureau Sensitive species, two of which are also Survey and Manage) is present along the western slope of the ridge located in the northern half of the parcel. The proposed phase 2 trail would travel through this area. A few mollusk suitable habitat features are present within the southern portion of the BLM parcel including the private TLW property (e.g. abundant moss and adequate canopy closure). However, this area is lacking other key habitat components such as sufficient amounts of coarse woody debris, hardwood leaf litter, sword fern, and a thick duff layer. The lack of these features in addition to the sandy site condition results in this area being non-habitat. The proposed phase

1 trail would travel through this area. Due to the relatively small footprint of the proposed action within areas containing suitable habitat and the fact that trails would be composed of natural soils and/or sand present at the site, no surveys are required.

Hoary Elfin:

Habitat for a Bureau Sensitive butterfly, the hoary elfin is present in the northwest portion of the BLM parcel. Surveys for the hoary elfin have not been conducted, nor is there any documented presence within the Regional USFS and BLM Special Status Species database. The area containing the kinnikinnick host plant within the northwest portion of the parcel would be avoided during all construction activities.

Table 2: Habitat Definitions for Red Tree Vole used in this EA

1) Mature and Old-growth conifer forests and those older mixed age conifer forests containing Douglas fir (*Pseudotsuga menziesii*), grand fir (*Abies grandis*), Sitka spruce (*Picea sitchensis*), western hemlock (*Tsuga heterophylla*) (Johnson and George 1991), or white fir (*Abies concolor*) (Manning and Maguire 1999) with multi-layered canopies and large branches capable of supporting nests and providing travel routes for red tree voles. (See the glossary in the 2001 Survey and Manage Record of Decision for definitions of “mature” and “old-growth”).

OR

2) Conifer forest stands with a canopy closure of 60 percent or greater of the intermediate, co-dominant, and dominant trees and with two or more predominant conifer trees per acres. Predominant trees should have one or more of the following characteristics: large limbs, well developed crowns, cavities, broken tops, or mistletoe, which may provide structure for suitable platforms for red tree vole nests. Predominant trees are overstory trees remaining from an earlier cohort, which should have a portion of their crowns above the dominant canopy. Synonyms for predominant trees include remnant, relict, and residual.

In some higher site class (1,2) stands, particularly within the Mesic zone in the coast range, a stand may exceed the minimum stand Quadratic Mean Diameter (QMD)/Annual Mean Diameter (AMD) but not meet the minimum stand age associated with a mature stand. In these instances, the determination for the need to implement a protocol survey should include an assessment of the dominant trees within the stand. If the dominant trees within the stand have similar characteristics as stated above for predominant trees, a protocol survey should be considered. The determination to conduct the survey is to be made by the line officer, based on recommendations from the biologist.

Red Tree Vole:

US Fish and Wildlife Service (USFWS) has determined the North Oregon Coast Distinct Population Segment (DPS) of red tree voles to be warranted but currently precluded from listing under the Endangered Species Act by higher priority actions. As such, the North Oregon Coast DPS of the red tree vole was added to the USFWS list of candidate species meaning in the future, the USFWS may propose to list this population under the Endangered Species Act. The North Oregon Coast DPS of red tree voles is managed as Bureau Sensitive under the BLM’s Manual 6840 Special Status Species Policy as well as a Survey and Manage Species (SEIS Special Attention Species) as identified within the 2001 S&M ROD without Annual Species Review. The range of this population segment includes areas located in the parcel although there are no known sites within or near the proposed action area.

The parcel is located within the North Mesic Survey Zone for the red tree vole. The northern portion of the parcel, which is stocked with a mix of 80 to 110 year old Sitka spruce, Douglas

fir, and pine may contain suitable habitat for the red tree vole (see Table 2). Because no potentially suitable habitat would be removed and/or altered as a result of the proposed action, red tree vole surveys are not required and will not be conducted within the project area. The remainder of the parcel (including the private TLW property) does not contain red tree vole suitable habitat; no red tree voles are expected to inhabit these other areas.

Bureau Sensitive bird species:

The parcel contains habitat that could function as foraging and/or roosting areas for several Bureau Sensitive bird species such as bald eagle, peregrine falcon, and purple martin. The northern portion of the parcel contains habitat that could function as nesting habitat for bald eagles however, because of the high visibility of bald eagles and bald eagle nests, it is unlikely that undiscovered bald eagle nests or roosts are located within the project area. Peregrine Falcons could use the parcel for foraging and hunting. Purple martin nesting habitat such as cavities within dead or dying trees may be scattered throughout the parcel where large trees are present.

The southeastern portion of the parcel is currently dominated by a 40-year-old pine and Sitka spruce stand is not habitat for any Bureau Sensitive bird species.

The Migratory Bird Treaty Act (MBTA):

The BLM parcel as well as the private TLW property contains habitats that could function as nest site locations and/or foraging areas for a number of MBTA bird species such as Rufous Hummingbird, Purple Finch, and Olive-sided Flycatcher. However, its close proximity to residential housing complexes, and the presence of feral and/or domestic cats compromise the quality of MBTA bird species habitats.

Threatened/Endangered (T/E) Wildlife:

Northern Spotted Owl:

The parcel is not located within or near spotted owl Designated Critical Habitat. Although the area has not been surveyed, there is no known spotted owl occupied, historic nest sites, or predicted owls sites within the analysis area according to USFS and BLM Special Status Species databases. The nearest known spotted owl site (Salal Point) is located 5 miles away on land administered by the USFS; this site is thought to be inactive since the early 1990's. The parcel is not located within a Spotted Owl Reserve Pair Area (RPA) as delineated within the document titled *Delineation and Management of Reserve Pair Areas within Oregon's Northern Coast Range Adaptive Management Area* (dated June 1, 2000).

The analysis area used in the impact analysis of the spotted owl is defined as a quarter township (5,760 acres) which is roughly centered on the parcel proposed for lease. For the purpose of this analysis and the associated ESA consultation, the analysis area includes sections: 16 to 21 and 28 to 30 within Township 4 South, Range 10 West (Willamette Meridian).

Table 3: Ownership within the Spotted Owl Analysis Area

Ownership	Acreage of Analysis Area	Percentage of Analysis Area
BLM	80	1
USFS	1,000	17
USFWS	100	2
Private	4,600	80

Based on photo interpretation and LiDAR (Light Detection and Ranging remote sensing used to examine the surface of the Earth) it is estimated that the analysis area contains approximately 1,000 acres (18 percent) of suitable spotted owl habitat, approximately 1,100 acres (18 percent) of dispersal spotted owl habitat, and approximately 3,700 acres (64 percent) of non-habitat (pastures, lakes, residential).

Suitable spotted owl habitat is present within the older stands on the BLM parcel as well as a 200-acre strip of USFS land immediately to the north of the BLM parcel, which may contribute to a larger continuous patch of suitable habitat. The southern portion of the parcel consists of a pine and Sitka spruce stand approximately 40 years of age with a QMD of 13.6 inches. Specific to the southern portion of the BLM parcel, the largest spruce have DBHs up to approximately 28 inches, and the majority have very full crowns with branches that extend to the ground. This area meets the definition of dispersal habitat for spotted owls, albeit of marginal quality (Table 4).

The private TLW property development site does not contain any spotted owl habitat.

Table 4: Habitat Definitions for ESA Listed Wildlife Species used in this EA

Designated Critical Habitat: ESA defined Critical Habitat is found in specific geographic areas containing features essential to the conservation of a threatened or endangered species. USFWS designates areas to provide for the conservation and eventual recovery of listed species and may require special management considerations or protection.

Marbled Murrelet Suitable Habitat: Conifer-dominated stands generally 80 years old or older and/or have trees greater than or equal to 18 inches mean diameter at breast height (DBH). Suitable habitat generally contains six or more trees with potential nesting structure(s) within a 5-acre area as described in the March 26, 2004 policy by the Level 2 Team for the North Coast Planning Province.

Northern Spotted Owl Suitable Habitat: Generally conifer-dominated, 80 years old or older, multi-storied in structure, and have sufficient snags and downed wood to provide opportunities for owl nesting, roosting and foraging. Mean tree diameter generally exceeds 18 inches DBH and canopy closure generally exceeds 60 percent. At the project area scale, the local biologist evaluates the habitat to make a final determination of whether the features associated with functioning nesting, roosting, and/or foraging habitat are present and the stand meets this.

Northern Spotted Owl Dispersal Habitat: Conifer and mixed conifer-hardwood habitats with a canopy cover greater than or equal to 40 percent and conifer trees usually greater than or equal to 11 inches average DBH. Within the PCJWSA R&PP Lease Project Areas, this generally equates to stands greater than approximately 30 years old.

Marbled Murrelet:

The parcel is located approximately a quarter mile from the ocean. Therefore, it is located within Marbled Murrelet Zone 1 (NWFP-C-10). In Oregon, Zone 1 is located in a band of land extending up to 35 miles inland from the sea, which holds a higher likelihood for murrelet occupancy.

The parcel is not designated within or near Marbled Murrelet Designated Critical Habitat. Although the area has not been surveyed, there are no known Marbled Murrelet occupied nest sites within the vicinity of the parcel according to USFS and BLM Special Status Species databases. The nearest known Marbled Murrelet site is located to the north, approximately 2 miles away on land administered by the USFS. This site was detected in the early 1990's. Suitable Marbled Murrelet habitat is present within the older stands located within the BLM parcel as well as a 200 acre strip of USFS land, adjacent to the BLM parcel to the north, that may contribute to a larger continuous patch of suitable habitat. However, it is in close proximity to residential housing complexes, and the associated presence of corvids⁴ (one of the most common nest predators of the murrelet) likely compromises the quality of some of this murrelet habitat. The private TLW property development site does not currently contain any Marbled Murrelet habitat.

3.4 Water Resources

No streams or other surface water bodies exist within the parcel. Situated on the coastal front, the area gets around 100 inches of precipitation, essentially all rain, per year. Nearly all precipitation occurs between October and June, nearly half of that between December and February. Based on climate data from 1948 to 2009 from nearby Tillamook, Oregon, the 99th percentile of inches of precipitation within 24 hours is greater than 2.10 inches (Sharp et al. 2012). Given its location at the toe of a slope, the relatively low gradient and sandy soils, the project area probably has a high rate of water infiltration.

The lower, tidal portion of the Nestucca River (the Nestucca River-Frontal Pacific Ocean 5th field watershed #1710020302; the Nestucca watershed) is approximately 300 feet from the southeastern corner of the parcel and about 500 feet from the proposed location of the evacuation area. Most of the area covered by the R&PP Lease is within the Sand Lake-Frontal Pacific Ocean 5th field (#1710020309). Surface water on the Sand Lake portion of the parcel drains towards the Pacific Ocean and not into Sand Lake itself. The western edge of the parcel is about 1,200 feet from the Pacific Ocean, over about a 3 percent grade, with roads and residential development in between.

Designated beneficial uses for the North Coast Basin including the Nestucca River include public and private domestic water supply, industrial water supply, irrigation, livestock watering, fish and aquatic life, wildlife and hunting, fishing, boating, water contact recreation, aesthetic quality, and commercial navigation (<http://www.deq.state.or.us/wq/rules/div041/dbutables/table230a.pdf>).

⁴ A family of birds containing crows, ravens and jays.

In 2002, the Oregon Department of Environmental Quality established Total Maximum Daily Loads (TMDLs) for the Nestucca 5th field watershed (DEQ 2002). Nestucca Bay is listed for bacteria, temperature, and sedimentation. The lower Nestucca River, from Powder Creek down to the Pacific Ocean, the reach nearest the proposed lease, is listed for temperature and flow modification.

PCJWSA is a supplier of municipal drinking water to about 1,000 local residents. Three very shallow wells are located on the western edge of the parcel for lease under an existing ROW Grant (the Dune Wells; specifics for each well can be found at <http://www.pcjwsa.com>).

3.5 Fisheries Resources

No fish habitat exists within the parcel (see Water Resources section 3.4) and no streams connect the parcel to fish habitat in the Nestucca River. The lower, tidal portion of the Nestucca River is approximately 300 feet from the southeastern corner of the parcel. The Nestucca River provides habitat for Endangered Species Act (ESA) Threatened Oregon Coast Coho Salmon (*Oncorhynchus kisutch*) and Oregon Coast Chinook Salmon (*O. tshawytscha*: not ESA-listed). The Nestucca River contains Critical Habitat (ESA) for Oregon Coast Coho Salmon. Both salmon species are included under the provisions of the Magnusson-Stevens Act and the Nestucca River includes Essential Fish Habitat protected under that act. Critical Habitat for Threatened Pacific Eulachon (*Thaleichthys pacificus*) and Threatened Green Sturgeon (*Acipenser medirostris*) is present within the Nestucca River approximately 300 feet from the southeast corner of the parcel. Steelhead Trout (*O. mykiss*) is a Bureau of Land Management Sensitive Species also found in the Nestucca River.

The native fish community also includes Coastal Cutthroat trout (*O. clarkii clarkii*), Pacific Lamprey (*Entosphenus tridentata*), and several sculpin species (family Cottidae), among others.

3.6 Soils Resources

The soils in the project area have formed on recently stabilized sand dunes with slopes of 0 to 70 percent and are classified as the Waldport series by the National Cooperative Soil Survey. The parent material of the Waldport soils is from eolian sands of mixed mineralogy. These soils are very deep, have a high infiltration rate, have a moderate resistance to soil compaction, and have a high soil restoration potential making them very resilient. On-site inspection of the areas that were planted to pine show that the vegetation was planted in rows and the area was most likely treated with standard mechanical site preparation techniques such as scarification, tilling and smoothing. Review of LiDAR coverage of the area appears to show that this is the case.

3.7 Fuels Resources

The vegetation within the parcel is discussed above in the Vegetation and Botany section, 3.2. Oregon Department of Forestry (ODF) provides fire protection on BLM-administered lands with initial attack. The parcel was originally a shifting sand dune that was planted over the last 50 to 60 years to help stabilize the ground. There are no records of any fire activity in this

parcel. Currently there is not enough ground cover throughout most of the unit to sustain a ground fire but the tight crowns throughout the parcel would support a crown fire under the right conditions.

3.8 Cultural Resources

The parcel is located in the Coast Range physiographic province and appeared to have medium to high probability of yielding cultural resources. Record searches found no historic or pre-historic sites previously identified within the parcel or within ¼ mile of the survey area. Field reconnaissance confirmed the absence of cultural resources within the parcel at the locations of the proposed development. The project location is on a previously shifting sand dune and the high deposition of sand within the parcel would require sub-surface testing in order to reach any potential subsurface archaeological deposits. Field reconnaissance also revealed the project location to be highly disturbed from past management and pine planting. These factors contribute to the finding that the project area has low probability of identifying cultural resources contradictory to what was initially determined. No cultural resources were identified during the field inventory.

3.9 Energy and Mineral Resource Potential

Mineral resources are categorized as locatable, leasable, or salable. Locatable minerals are claimable under the 1872 Mining Law, as amended, and include uncommon minerals as well as many metal ores. The Federal Government reserves the right to dispose through mineral leasing certain minerals, such as coal, oil, and gas. The Federal Government may dispose of other minerals not locatable or leasable by mineral material sales or issuance of a free use permit.

There is potential for locatable, leasable, and salable minerals to occur on or underlie the parcel. Sand dunes are widespread along coastal Oregon and one or more sand dunes occur on the parcel. Dune sand may be a locatable mineral due to its classification as an uncommon variety. It would first be necessary to prove through validity that the sands had unique and special characteristics not found in other dune sands. Dune sand may also be classified as common and therefore be a salable mineral. There is potential for leasable coal and gas to occur within geologic formations inferred to underlie the parcel. Any mineral material sale, free use permit, or mineral lease on BLM administered lands is at the discretion of BLM.

4.0 ENVIRONMENTAL EFFECTS

This section of the EA describes the environmental effects of the alternatives on those resources. The interdisciplinary team of resource specialists (IDT) reviewed the elements of the human environment, required by law, regulation, Executive Order, and policy, to determine if they would be affected by the proposed action (BLM Handbook H-1790-1, p. 81), (40 CFR 1508.27), (EA section 4.10), as well as the issues raised in scoping (EA section 1.6).

4.1 Recreation/Visual Resources

4.1.1 Proposed Action

Recreation:

Recreation use would not occur within the evacuation area, in the area of the SCADA tower, or ROW Grant area. Within the northern portion of the parcel, recreational use would be promoted through signage directing visitors to developed trails. Trail development analyzed within this EA would consider the BLM parcel identified for recreational opportunities within the lease request, TLW's trailhead development, and a short section of trail across private TLW property to access the lease area.

The R&PP Lease would facilitate additional recreation opportunities and provide a non-motorized recreation experience within the community, potentially leading to a community network of non-motorized trails. It would also provide safe educational opportunities for summer youth programs without having to work around vehicular traffic. Trail designation would provide an opportunity for trail activities in an area free of motorized use.

Construction of a trailhead, the connecting trail, and five designated parking spaces on adjacent private TLW property would provide for public access to the parcel during daylight hours only. Informational and directional signs located at the trailhead would identify the new recreational opportunities and likely cause increased use of the area. The increased use would predominately consist of local residents. The beach and oceanfront areas would remain the primary destination for non-residents.

Additional use within the parcel provides increased possibilities of social trails. Social trails entering the parcel from neighboring properties would likely increase the probability of other users accessing private property (i.e. trespass). Well-defined trails, installation of directional and informational signage, and monitoring of the parcel by maintenance staff and residents, have the potential to reduce questionable and undesirable activities. The private TLW property would be the only designated public access point for the R&PP Lease. Incorporating interpretive, educational, and directional signage at the trailhead and key trail locations are all tools to educate visitors and limit users traveling onto private property.

The project proposal does not address incorporating garbage service. Informational signage posted at the trailhead would inform users to practice the "Pack It In, Pack It Out" approach to reduce garbage and food scraps in the area. If garbage cans were deemed necessary in the future for control, predator proof garbage cans would be required. Restroom facilities would not be included at the trailhead or within the parcel. Public restroom facilities are currently

available at the Cape Kiwanda wayside and Webb County Park accessed by following existing public routes.

To meet the challenges of limited parking, designated parking would be available through cooperative efforts between TLW, NVCA, PC Pathways, and PCJWSA. Parking and trailhead use would be day use only.

Hunters, predominately neighboring property owners or local residents living in close proximity of the parcel, would continue accessing this parcel. As recreational use increases, hunting opportunities would likely decrease and over time, end. Although wild game animals may remain within the parcel and become accustomed to trail users, hunters prefer areas where they are less likely to encounter other visitors. Interpretive signs posted at the trailhead would advise trail users of hunting seasons and the potential of encountering hunters on the parcel.

Visual Resources:

All proposed development actions are within the acceptable change limits outlined within the VRM Class 4 management guidelines, which allow for major modifications to the character of the landscape.

Trails within the parcel would have no effects to visual resources. Visual characteristics from the roadway would remain at current conditions. Slight changes to visual character from within the parcel would result from construction of designated trails and benches. The designation of trails would potentially limit the creation of social trails. Social trails currently scattered throughout the area would re-vegetate increasing the visual quality within the parcel. Design criteria such as planting along trail edges, would further minimize the trail footprint to blend into the surrounding environment.

Amending the ROW agreement would install split rail fencing within 100 feet from each wellhead building. Any building modification would blend into the environment, not draw the attention of the casual observer.

Changes to the landscape from building an evacuation area and tower site would be noticeable from the roadway and the southern housing development. The creation of a large opening, approximately 4.5 acres, would be noticeable from the roadway in the regards to changes in the vegetative structure. Location and design of the evacuation area viewed from the roadway has the potential to blend into the southern housing development. Buffering between the southern housing development and the 4.5-acre evacuation area opening would limit impacts to the view quality. With the exception of the access road to the evacuation area, the remainder of the parcel would maintain forest characteristics.

Construction of a SCADA tower would draw the attention of the casual viewer from both the roadway and the housing developments bordering the parcel. The tower would rise above the tree canopy and would potentially have safety lighting at the apex.

4.1.2 Cumulative Effects

The geographical scope for consideration of this proposal consists of Pacific City, Cape Kiwanda, and Woods communities. Non-motorized trail opportunities are currently limited within the geographical area, leasing this parcel to PCJWSA would increase non-motorized trail opportunities and also provide PCJWSA a means to construct an evacuation area to meet community needs during emergency situations.

No past actions within this geographical area that affect recreational use or visual characteristics.

There are no present actions taking place within the geographical area that affect recreational activities or visual characteristics. Reasonably foreseeable actions may include the addition of an amphitheater, a picnic area, and potentially playground equipment with a small skate park developed on the private TLW property. These would enhance interpretation and youth activities within the area. At present these additional actions are still under consideration, no definitive plans have been made. Foreseeable actions would have no affect to visual characteristics while traveling along major travel routes or on BLM lands within the parcel.

4.1.3 No Action Alternative

Under the no action alternative, the site would continue to receive use from local residents. Trail use and further development of social trails would continue, loss of ground cover and unsolicited use would likely increase. There would be no changes to visual character of the parcel from major travel routes. Noticeable changes within the parcel would include the loss of vegetation, garbage, and an increase in the number of trails as use increases and visitors create new paths.

4.2 Vegetation and Botany Resources

4.2.1 Proposed Action

The new evacuation area, road, and communication tower would remove approximately 4.5 acres of planted Sitka spruce and shore pine in the southern portion of the parcel. Minimal to no trees and vegetation would be cut or removed from trail development. Trailhead development (a connected action) on the adjacent private TLW property would remove the majority of vegetation and trees. Even though the BLM has no control over the trailhead development, most or all of the existing vegetation would be replaced by sidewalk or paved parking, invasive non-native species should cease to exist there.

The proposed development actions would have no effects to botanical species of concern considering none were found during surveys of the tower site, evacuation site, and access road. Under the proposed action, the parcel would retain its natural character and habitat conditions on 92 percent of the area. Eight percent of the parcel would be void of trees and vegetation due to construction and development activities associated with the new road, evacuation area and communication tower. This is such a small percentage of the total range of habitats available and no species of concern were found. The proposed action could increase human activities but project design features would reduce the risk of disturbance to

botanical species of concern and their required habitats and the potential for increase of invasive non-native plant species. Trail location and design, washing of equipment, avoiding species of concern habitat, and revegetating disturbed areas with native coastal vegetation would reduce potential risk of disturbance to botanical species of concern and their required habitats and reduce the potential for increase of invasive non-native plant species.

Threatened and Endangered (T&E) Plant Species:

No T&E plant species are known to occur on this parcel. Botanical surveys for lichens and bryophytes were completed on March 14, 2014. The area surveyed consisted of the 4.5-acre evacuation area footprint and access road to the evacuation area; the survey found no T&E plant species. Surveys were not conducted for vascular plant species due to lack of required habitat.

Special Status or Survey and Manage (Botanical) Species:

The Big head sedge (*Carex macrocephala*) and its habitat present within the parcel would continue to be managed under BLM's Special Status Species Policy. No Survey and Manage or Special Status Species were found during surveys in the proposed locations for the tower, evacuation site, and access road. Other than the proposed trail system, no habitat disturbance would occur on the rest of the parcel. BLM botanist would assist the PCJWSA in trail location to prevent damage to existing populations of *Carex macrocephala* and additional plant surveys of the trail system would occur at that time. All new known plant sites encountered during the trail surveys would be managed using management recommendations for that species or protection of the microsite conditions based on environmental influences would be considered.

Invasive Non-Native Plant Species:

Scotch broom and European beach grass occupy approximately 49 acres and have the potential to increase where openings are present and/or ground disturbance occurs. Project design features such as washing equipment prior to entering the construction areas, planting disturbed sites with native plant species, and continued invasive non-native plant species management would control or mitigate existing and new populations.

4.2.2 Cumulative Effects

The parcel is bordered on the East, South and West by private property. The western and southern portions have planned housing developments and the East edge is undeveloped and has open sand areas with Scotch broom and European beach grass adjacent to the BLM property line. The Northern boundary is USFS and has Scotch broom and European beach grass with scattered lodgepole pine and Sitka spruce. Outside of these areas is more housing development, forest zoning and agriculture lands. There have been invasive plant species removal projects throughout the unincorporated community of Pacific City. The invasive species program on the BLM parcel was initiated in concert with some of the other community projects. With the continued assurance that BLM and PCJWSA would work together to continue this work and eventually PCJWSA would provide BLM with an invasive

species management plan ensures the continuation and therefore would have no cumulative effects as to contributing unwanted non-native plant species to the community. The proposed action would have no cumulative effects to botanical species of concern or habitat.

4.2.3 No Action Alternative

No human caused impact to botanical species of concern or habitat would be expected under the no action alternative and with the exception of natural disturbance, the habitat is expected to remain in its current condition. Invasive non-native plant treatments would continue to occur under the management of the BLM.

4.3 Wildlife Resources

4.3.1 Proposed Action

Special Status or Survey and Manage Species:

The analysis below includes species that could occur within the Tillamook Resource Area, have potential to be impacted by the proposed action, and are on the:

- BLM State Director's Special Status Species List (per Instruction Memorandum OR-2012-018),
- Survey and Manage Species (SEIS Special Attention Species within the ROD/RMP) as identified within the 2001 S&M ROD (without Annual Species Review),
- USFWS's 2008 "Birds of Conservation Concern" list for the U.S. portions of the Northern Pacific Forest Bird Conservation Region,
- Threatened or endangered list under the Endangered Species Act or included in the Salem District's ROD/RMP.

Special Status Mollusk:

The trail proposed in phase 2 would travel through less than half a mile of potential Survey and Manage as well as Bureau Sensitive mollusk habitat. The majority of trail proposed in phase 1 would not travel through mollusk habitat. Minor impacts to this small portion of habitat are not enough to change the persistence of any mollusk species within the parcel.

To help minimize ground disturbance, the trails would be constructed of on-site natural materials such as sand or mineral soil and would be restricted to foot traffic only. In addition, all coarse woody debris (down logs and standing dead trees) would remain on site. Human presence as well as domestic pets may increase after trail construction; however, a project design feature would encourage the use of signage to direct users to stay on designated trails.

Hoary Elfin:

Habitat for the Bureau Sensitive butterfly, the hoary elfin, located within the parcel would be avoided during all aspects of parcel development. There is no kinnikinnick within the evacuation area site. The BLM Authorized Officer would review and approve designs and

locations of all trails and facilities to avoid the hoary elfin's host plant, kinnikinnick, thus there are no affects anticipated for the hoary elfin.

Red Tree Vole:

There are no affects anticipated for the red tree vole because no suitable habitat would be removed and/or altered during the proposed project.

Bureau Sensitive bird species:

Purple martin nesting habitat such as cavities within dead or dying trees may be scattered throughout the parcel where large, older trees are present. However, efforts would be made to avoid loss of live and standing dead trees (snags) during trail construction; however, those that pose safety hazards could be felled. The BLM Authorized Officer would assist in trail placement in order to avoid disturbing snags and other key habitat features. No motorcycles, ATV's, or horses would be permitted on the parcel. Construction of the evacuation area is not likely to affect any Bureau Sensitive bird species because the area in which it would be constructed is stocked with younger, smaller trees and contains no large snags; the evacuation area is not habitat for these species.

The Migratory Bird Treaty Act (MBTA):

Construction of the evacuation area would cut and remove current ground vegetation and trees, which have potential to be used as nest site locations and/or foraging areas for a number of MBTA bird species. These impacts to habitat are negligible given the small scale of the project, as well as the fact that any habitat within the parcel is already compromised by the presents of feral and/or domestic cats.

Development of the parcel could temporarily displace individual migratory birds as they react to the disturbance created by project implementation. Depending upon a number of factors, including the timing of the disturbance relative to breeding chronology, intensity and duration of the disturbance, distance to the nest site, and tolerance to disturbance, some activities of the project could result in nest abandonment or failure. However, the failure of a nesting attempt during one nesting season is not expected to reduce the persistence of any one MBTA bird species within the watershed.

Current research indicates that solid or pulsating (beacon) red lights attract night-migrating birds at a much higher rate than white strobe lights. Red strobe lights have not yet been studied (USDI, as updated in 2012). The SCADA tower and possible associated guywires would be installed immediately adjacent to portions of the parcel, which could function as nest site locations and/or foraging areas for a number of MBTA bird species. Presence of the tower would introduce a collision hazard for MBTA bird species; this hazard would be greater if the eventual tower design includes guywires. However, the number of birds that could collide with the tower is so minor that it would not jeopardize any one species' population. In addition, a project design feature, which discourages the use of guywires on the tower, would reduce the chance of MBTA birds colliding with the tower.

Threatened/Endangered (T/E) Species:

Northern Spotted Owl:

The analysis area used in the impact analysis below is defined as a quarter township (5,760 acres) which is roughly centered on the BLM parcel. The Spotted Owl analysis area includes sections 16 to 21 and 28 to 30 within Township 4 South, Range 10 West (Willamette Meridian).

Spotted Owl Critical Habitat and Known Sites

The parcel is not located within or near spotted owl Designated Critical Habitat. No impacts to any known spotted owl sites would be expected, as there is no known spotted owl occupied, historic nest sites, or predicted owl sites within the parcel.

Spotted Owl Suitable Habitat

The trail proposed in phase 2 would travel through less than a half mile of suitable spotted owl habitat (Figure 2). In order to minimize impacts, the trail would be constructed of on-site natural materials such as sand or mineral soil, coarse woody debris would remain on site, and efforts would be made to avoid loss of live and standing dead trees (snags) during trail construction. However, snags that pose a safety hazard could be felled. Based on these design features, impacts to suitable spotted owl habitat as a result of this trail would be negligible.

Spotted Owl Dispersal Habitat

Construction of the evacuation area and access road would involve removal of approximately 4.5 acres (less than 1 percent) of the existing spotted owl dispersal habitat within the analysis area. Although this area qualifies as dispersal habitat, the quality is marginal. Given the current amount of dispersal habitat in the surrounding areas, relatively small scale of the proposal, the low quality of this habitat, and the fact that it is unlikely for owls to disperse through it, removal of 4.5 acres would not be expected to introduce a barrier to owl dispersal.

Disturbance to Spotted Owls

The proposed actions of road construction, site preparation, brushing, tree clearing, piling, and scarification can generate noise levels that may disturb northern spotted owls and interfere with essential foraging or nesting behaviors. Although adult birds can move away from a noise source, nesting adults moving away from disturbance could cause increase predation to young, or missed feedings, which could result in reduced fitness of the young and even death. The above actions could occur within the spotted owl critical breeding season (March 1 through July 7). The “disturbance distance” – the distance from the project boundary outward within which the action is likely to cause a listed species, if present, to be distracted from its normal activity is ¼ mile. Some of these activities (e.g. road construction, tree felling and other disturbances) would occur within the disturbance distance; in fact, 10 acres of unsurveyed spotted owl suitable habitat located in the older stands within the parcel would be within 500 feet.

There are no historic or known occupied spotted owl sites within or near any of the proposed project areas. Activities within or near suitable habitat with no known history of spotted owl

activity have the potential to disrupt unknown active nest sites during the breeding season. However, the potential likelihood of impacts is considerably less than operations occurring within the vicinity of a known nesting pair of spotted owls or in an area with a known history of owl occupancy. Therefore, the proposed action would have minimal potential for impact on spotted owls as a result of disturbance caused by this project.

Marbled Murrelet:

Marbled Murrelet Critical Habitat and Known Sites

The parcel is not located within or near Marbled Murrelet Designated Critical Habitat. No impacts to any known murrelet sites would be expected, as there is no known Marbled Murrelet occupied or historic nest sites within the parcel.

Suitable Murrelet Habitat

A patch of unsurveyed suitable Marbled Murrelet habitat, less than 10 acres in size, is present approximately 500 feet to the north of the proposed SCADA tower. Installation of the SCADA tower and possible associated guywires would introduce a potential hazard to any murrelets occupying the adjacent suitable Marbled Murrelet habitat. Considering that the timber stand surrounding the proposed tower location is currently shorter, the tower would protrude from the existing stand by approximately 100 feet. This could result in a slight chance that during flights between the ocean and their habitat, murrelets could collide with the SCADA tower. Given the elevation of the ground that the tower would be installed upon (80 to 120 feet above sea level) and the elevation that the suitable habitat lays upon (120 to 200 feet above sea level), the majority of the suitable habitat would range between approximately 50 feet below to 80 feet above the top of the SCADA tower.

As specified above, the tower and possible associated guywires introduces a small chance that murrelets could collide with it during their flights, however several factors would reduce this likelihood. It is unknown if the adjacent suitable habitat is occupied by murrelets as it is unsurveyed. The fact that the habitat patch is in close proximity to residential and recreation areas such as beaches and campgrounds, which attract corvids, (one of the most common nest predators of the murrelet) greatly reduces the quality of this habitat (Marzluff & Neatherlin, 2006). In addition, there is a high percentage of edge habitat (transition between different habitat types) near the suitable habitat patch, again increasing the likelihood of corvid presence and diminishing the quality of the habitat (Malt & Lank, 2007). Due to these factors, the quality of this habitat is likely compromised. Therefore, it is less likely that murrelets are currently or would in the future occupy it, decreasing the likelihood that the tower would impede any murrelets from arriving or departing from the habitat. A project design feature that discourages the use of guywires on the tower is in place, which could also reduce the chances of a murrelet colliding with the tower.

Introduction of a new trail, and the associated trail users, within Marbled Murrelet suitable habitat would likely attract more corvids to the area. As stated above, this area already suffers from corvid presence due to neighboring campgrounds and residential homes. Addition of the trail could diminish the quality of the Marbled Murrelet suitable habitat even further. These adverse impacts would be minimized by implementing project design features

which would require animal proof trash cans on BLM if TLW adds trash cans at the trailhead, signage directing users to stay on designated trails, and to respect the “Pack It In, Pack It Out” approach in order to control litter and food scraps.

Disturbance to Marbled Murrelets

The potential for disturbance impacts to murrelets exist where activities that generate noise above the ambient forest level occur near breeding murrelets. Seasonal time restrictions would be in place in order to minimize disturbance during the nesting period. Activities associated with projects (including road construction, tree felling and other disturbances) within the disturbance distance (¼ mile) of unsurveyed suitable murrelet habitat, or unsurveyed nesting structures, and implemented between April 1 and September 15, would not begin until 2 hours after sunrise and would end 2 hours before sunset.

4.3.2 Cumulative Effects

Special Status, Survey and Manage Species and Migratory Bird Treaty Act (MBTA):

As discussed above, the proposed action would have either no impacts or minor impacts to the various Special Status, Survey Manage (wildlife) Species or Migratory Bird Treaty Act (MBTA) species analyzed. For those species with minor impacts identified, there is potential for the proposed action to contribute minor cumulative impacts to these species or their habitats. These cumulative impacts would not be considered substantial enough to contribute to the need to list under the ESA or threaten the viability of the species.

Threatened/Endangered (T/E) Species:

Northern Spotted Owl:

Within the BLM parcel, approximately 32 acres are currently in a condition to facilitate owl dispersal – that is they are either spotted owl suitable or dispersal habitat. The approximate 4.5 acres of dispersal habitat proposed to be removed for construction of the evacuation area, and associated road, equates to about 12 percent of the dispersal habitat within the BLM parcel.

Within the analysis area, private ownership as well as USFS lands may provide approximately 1,100 acres of dispersal habitat; however, there are no known actions that are reasonably foreseeable upon the lands that would contribute to any cumulative effects. The private TLW property that would be developed as a trailhead and parking area does not contain spotted owl habitat. Considering the current habitat condition within and around the parcel, the impacts of the construction of the evacuation area as well as the expected trends on private and USFS lands, there would be minimal adverse cumulative impacts to spotted owl dispersal habitat as a result of the proposed action.

Marbled Murrelet:

There may be murrelet habitat on private and USFS lands in the surrounding area, however there are no known current or reasonably foreseeable actions upon these lands that would contribute to any cumulative effects. The private TLW property adjacent to the BLM parcel does not contain any murrelet habitat. Considering the proposed action, as well as expected

trends on the surrounding lands, there would be minimal adverse cumulative impacts to Marbled Murrelets and their suitable habitat resulting from the proposed action.

4.3.3 No Action Alternative

Special Status Species:

Under the no action alternative, no Survey and Manage or Bureau Sensitive wildlife species would be impacted. This alternative would not result in elevating the status of any of these species to any higher level of concern including the need to list under the Endangered Species Act.

The Migratory Bird Treaty Act (MBTA):

Under the no action alternative, no MBTA species would be impacted.

Threatened/Endangered (T/E) Species:

The no action alternative would have No Effect upon any ESA listed wildlife species or their Designated Critical Habitat(s).

4.4 Water Resources

4.4.1 Proposed Action

The water analysis considered whether planned activities conducted under the renewed R&PP Lease would cause erosion and sediment transport and thereby affect surface water quality. The proposed action has no means to affect water temperature. The proposed action would increase the compacted and/or impervious area of the parcel through new road construction, adding new building(s), and clearing and compacting the evacuation area and SCADA tower/facility. However, given the permeable, sandy soils in the majority of the project area, the low slope (between about 10 and 20 percent), and project design features to avoid and minimize erosion, any increases in surface flow would not be expected to extend beyond the footprint of the disturbed area. The aspect and slope break at the proposed locations of the road and evacuation area lead away from the Nestucca River towards the Pacific Ocean, 1,800 feet distant over a 3 percent grade, with roads and residential development in between, all of which suggest that the proposed action would have no effect on either water body.

The proposed trail locations are at least about 1,200 feet from the Nestucca River and are on ground that slopes away from the Nestucca River and towards the Pacific Ocean at least 1,800 feet away. Any site-scale erosion on a given segment of trail for example would not deliver sediment over 1,000 feet away over permeable and gently sloping ground.

Another issue considered was whether the proposed action would affect groundwater quality. Groundwater tapped by the wells on the leased parcel is close to the land surface and the sandy site is highly permeable, thus a fuel spill, for example, could easily contaminate groundwater. The proposed action includes project design features that incorporate Best

Management Practices related to hazardous material storage and use to protect groundwater quality (adapted from USDI-BLM 2008, Appendix C). No effects to groundwater quality are thus expected.

4.4.2 Cumulative Effects

The proposed action would have no effect to water resources and therefore would not contribute to any cumulative effects.

4.4.3 No Action Alternative

The no action alternative would maintain the current hydrologic function of the parcel.

4.5 Fisheries Resources

4.5.1 Proposed Action

The issue considered was whether the proposed action would permit work that would affect stream habitat elements including temperature, substrates and sedimentation, instream wood, or morphology. The proposed action would not affect stream shade so would not affect stream temperatures. No streams connect the parcel to fish habitat and thus there is no means for the proposed action to contribute sediment to fish habitat. Proposed roadwork, the evacuation area, and trail construction would occur at least about 500 feet from the Nestucca River and on land sloping towards the Pacific Ocean and away from fish habitat in the Nestucca River. Therefore, the proposed action has no means to affect instream wood or channel morphology and any sediment generated for example, would not be delivered into fish habitat in the Nestucca River.

The proposed action would therefore have no effect on fisheries including Critical Habitat or Essential Fish Habitat for listed species and would not contribute to a need to list Steelhead under the ESA.

4.5.2 Cumulative Effects

The proposed action would have no effect on fish or fish habitat and therefore would not contribute to any cumulative effects.

4.5.3 No Action Alternative

The no action alternative would not affect fish habitat.

4.6 Soils Resources

4.6.1 Proposed Action

The proposed ground disturbing development actions including new road, evacuation area, and trail construction, and TLW's connected trailhead development, would affect soil resources. These activities would have direct effects on the soil resource by the removal of existing vegetation and trees as well as the increase of both soil displacement and soil compaction to varying degrees. The indirect effects of the proposed action would be a minor

increase in the potential for soil erosion in some disturbed areas, most notably in areas with excessive slope. A small segment of the proposed phase 1 trail, and most of the length of the proposed phase 2 trail would be constructed in areas where trail building activities are rated as “very limited” due to excessive slope, however, with proper trail design and maintenance, most concerns and limitations would be negated.

These proposed actions would have some level of impact on the soil resource; however, using project design features such as trail slope limits and revegetating disturbed areas combined with the small area of ground disturbance activities would result in minor impacts to the soil resource.

4.6.2 Cumulative Effects

The geographic scope of analysis for cumulative effects on the soil resource is Pacific City community city limits and the temporal scope for cumulative analysis would be for the expected duration of proposed actions analyzed in this EA, approximately 10 years. The Pacific City community city limits encompass roughly 2,700 acres in size with approximately 44 percent of the land in a developed status (residential equals approximately 29 percent and agriculture 15 percent) and 56 percent in an undeveloped status (beach equal approximately 14 percent, river 2 percent, and forest and dune 40 percent).

It is expected that the community of Pacific City would continue to grow and increase in size, although predicting exactly where and how much is impossible to accurately determine. It can reasonably be assumed that the beach and river would remain undeveloped, and that development on USFS managed property directly to the north would be very light (hiking trails). The proposed action would convert approximately 5 acres of land currently in an undeveloped status to varying degrees of development (hiking trails, access road, and constructed evacuation area). These 5 acres would convert less than 0.2 percent of the analysis area from undeveloped to a more developed status.

4.6.3 No Action Alternative

Under the no action alternative, the existing condition of the lands would remain as they currently are, and current conditions and trends would continue.

4.7 Fuels Resources

4.7.1 Proposed Action

The construction of approximately 7,600 feet of hiking trail, 600 feet of new road, and the cleared area (approximately 4.5 acres) to be used as an evacuation area would affect fuel loading and fire risk. Construction and use of the hiking trail would elevate the risk of ignition from a human caused fire. Clearing and grubbing activities in association with the road and evacuation area construction would result in large slash piles. Development of the trailhead and parking spaces on the private TLW property would be expected to have similar impacts although scaled down to represent the scope and scale of the proposed development.

These proposed actions would have some level of impact on the fuel loading and fire risk. Project design features should reduce fuel loads and fire intensity. Using the project design features that prevent fires, any removed trees or vegetation not utilized in trail building would be disposed of within 30 days, and following ODF Industrial Fire Precaution Levels would result in no increase to fuel loading and a manageable fire risk.

4.7.2 Cumulative Effects

The neighboring lands continue to be developed and it is anticipated that there would be a growing amount of visitors in the area. The BLM parcel would likely see an increase in visitors with the development of hiking trails. With increased recreation use there would also be an increased risk for a human caused fire to be ignited on the property. The fuel loading is expected to slowly increase over time as the existing vegetation continues to grow. The cumulative effect of Pacific City's increase in tourism and population coupled with the development of hiking trails and a growing fuel source on the BLM parcel would lead to an increased risk of a human caused fire.

The slash created by clearing vegetation and trees from the new road and evacuation area footprints would temporarily concentrate the fuel from approximately 4.5 acres into a few large piles. The piles would be removed from the property within 30 days. Before the piles are removed, there is a potential for the piles to be lit by visitors to the area and thus pose a fire threat for a short duration. It is not anticipated that any more slash would be generated after the piles are removed from the property. The amount of slash that is generated by neighbors' activities is not expected to amount to any appreciable amounts due to the fact that most of neighbors are private home owners and the fuel they create would be what little is generated by yard care. Once the piles are removed from the property, there would be no cumulative effects on fuel loading created by the proposed activity.

4.7.3 No Action Alternative

Under the no action alternative, the existing condition of the lands would remain as they currently are, and current conditions and trends would continue.

4.8 Cultural Resources

4.8.1 All Actions

Both the proposed action and no action alternatives would have no direct or cumulative effects on cultural resources; no cultural resources were found during field inventory. Project design features of the proposed action would reduce the risk to any resources within the parcel by reporting any cultural and/or paleontological resources (historic or prehistoric site or object) to the BLM and stopping all operations until written authorization to proceed is issued by the BLM.

4.9 Energy and Mineral Resource Potential

4.9.1 Proposed Action

The proposed action would affect locatable minerals and could affect salable minerals. As part of the realty action in designating the R&PP lease, the lands would be withdrawn from mineral entry for the duration of the lease and mining claims could not be located. The sale of mineral materials and the issuance of free use permits for mineral materials would remain discretionary on part of the BLM.

The proposed action would not affect mineral leasing of coal or gas. Mineral leasing could occur with a leaseholder no surface occupancy (NSO) stipulation. Leasable minerals that potentially underlie the parcel could be explored for and developed from outside the parcel surface boundary and not interfere with the R&PP lease.

4.9.2 Cumulative Effects

The proposed action would not contribute to any cumulative effects arising from mineral leasing or mineral sales, which could occur at the discretion of BLM under in addition to but analyzed separate from the proposed action. The parcel would be closed to locatable minerals thus there would be no cumulative effects on the locatable mineral resource.

4.9.3 No Action Alternative

The no action alternative would allow the lands to remain open to mineral entry for locatable minerals. Mineral leasing and mineral sales could occur at the discretion of the Federal Government.

4.10 Review of Elements of the Environment Based on Authorities and Management Direction

Table 5: Elements of the Environment Review based on Authorities and Management Direction

Element of the Environment /Authority	Remarks/Effects
Air Quality (Clean Air Act as amended (42 USC 7401 et seq.))	This project complies with this direction because no burning would be allowed within the parcel.
Cultural Resources (National Historic Preservation Act, as amended (16 USC 470)) [40 CFR 1508.27(b)(3)], [40 CFR 1508.27(b)(8)]	This project complies with this direction. The project would have no effect on this element because no historic or pre-historic sites were identified during record searches or field inventory. Cultural resource inventory surveys were completed according to Appendix A and Appendix D of the <i>Protocol for Managing Cultural Resources on Lands Administered by the Bureau of Land Management in Oregon</i> .
Ecologically critical areas [40 CFR 1508.27(b)(3)]	This project would have no effect on this element because there are no ecologically critical areas present within the project area.
Energy Policy (Executive Order 13212)	This project complies with this direction because this project would not interfere with the Energy Policy.

Element of the Environment /Authority	Remarks/Effects
Environmental Justice (E.O. 12898, "Environmental Justice" February 11, 1994)	This project complies with this direction because the project would have no effect on low income populations. All visitors and residents could utilize the trail system and have access to drinking water and sewer utilities.
Fish Habitat, Essential (Magnuson-Stevens Act Provision: Essential Fish Habitat (EFH): Final Rule (50 CFR Part 600; 67 FR 2376, January 17, 2002)	The proposed action would not affect Essential Fish Habitat for Coho or Chinook Salmon.
Farm Lands, Prime [40 CFR 1508.27(b)(3)]	The project would have no effect on this element because no prime farm lands are present on the proposed lease lands.
Floodplains (E.O. 11988, as amended, Floodplain Management, 5/24/77)	This project complies with this direction because the proposed project would not change or affect floodplain functions.
Hazardous or Solid Wastes (Resource Conservation and Recovery Act of 1976 (43 USC 6901 et seq.)) Comprehensive Environmental Repose Compensation, and Liability Act of 1980, as amended (43 USC 9615)	This project would have no effect on this element because no Hazardous or Solid Waste would be stored or disposed of on BLM lands as a result of development activities analyzed in this EA.
Healthy Forests Restoration Act (Healthy Forests Restoration Act of 2003 (P.L. 108-148))	This project complies with this direction. The forest stands remaining would be monitored for hazard trees, and prior to management actions on lease lands, PCJWSA would notify BLM to determine if any additional terms and conditions are needed for proposed management actions.
Migratory Birds (Migratory Bird Act of 1918, as amended (16 USC 703 et seq))	This project complies with this direction; impacts to Migratory Birds are expected to be minor.
Native American Religious Concerns (American Indian Religious Freedom Act of 1978 (42 USC 1996))	This project complies with this direction because no Native American religious concerns were identified during the scoping period.
Noxious weed or non-Invasive, Species (Federal Noxious Weed Control Act and Executive Order 13112)	This project complies with this direction because weed management would continue on leased land. After 2 years, PCJWSA would manage weeds based on their submitted and approved weed management plan.
Park lands [40 CFR 1508.27(b)(3)]	The lands under this lease would provide recreation opportunities to residents and visitors to Pacific City.
Areas of Critical Environmental Concern (ACEC)	The project would have no effect on this element because there are no ACECs within or adjacent to the project area.
Special Areas outside ACECs (RMP p. 33-35)	The project would have no effect on this element because there are no Special Areas within or adjacent to the project area.
Public Health and Safety [40 CFR 1508.27(b)(2)]	The project would have a small effect on public health and safety because development activities analyzed in this EA increase recreational opportunities allowing for safe travel on developed trails.

Element of the Environment /Authority	Remarks/Effects
Threatened or Endangered Species / Habitat (Endangered Species Act of 1983, as amended (16 USC 1531))	Botany and Fisheries: This project complies with this direction because there would be no effects to Threatened or Endangered plant or fish species. Wildlife: This project complies with this direction. Impacts to spotted owls, Marbled Murrelets or their habitat has been identified, including removal of a small percentage of spotted owl dispersal habitat and installation of a tower, which could compromise the quality of adjacent suitable Marbled Murrelet habitat through introducing a flight hazard; ESA consultation with USFWS has been completed. Should the eventual design of the SCADA tower include guywires, ESA consultation with the USFWS would be reinitiated.
Other Special Status Species / Habitat	This project complies with this direction because there would be no adverse effects on botanical or fish Special Status Species or Habitat. The identified minor adverse effects on wildlife Special Status Species or Habitat are described in section 4.3.1.
Water Quality – Drinking, Ground (Safe Drinking Water Act, as amended (43 USC 300f et seq.) Clean Water Act of 1977 (33 USC 1251 et seq.)	This project complies with this direction because Oregon State water quality standards would be adhered to and area hydrology would not be changed under the proposal.
Wetlands (E.O. 11990 Protection of Wetlands 5/24/77) [40 CFR 1508.27(b)(3)]	This project complies with this direction because no wetlands are within the project area.
Wild and Scenic Rivers (Wild and Scenic Rivers Act, as amended (16 USC 1271)) [40 CFR 1508.27(b)(3)]	This project complies with this direction because there are no Wild and Scenic Rivers within or adjacent to the project area.
Wilderness (Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.); Wilderness Act of 1964 (16 USC 1131 et seq.))	This project complies with this direction because there are no Wilderness Areas or areas being considered for Wilderness Area status in or adjacent to the project area.

4.10.1 Compliance with the Aquatic Conservation Strategy (ACS)

Based on the environmental analysis described in the previous sections of the EA, Tillamook Resource Area Staff have determined that the project complies with the ACS on the project (site) scale. The project complies with the four components of the Aquatic Conservation Strategy, as follows:

- **ACS Component 1 – Riparian Reserves:** The project would comply with Component 1 by not affecting the integrity of Riparian Reserves. There are no Riparian Reserves within the BLM Parcel; the Nestucca River is 300 feet from the parcel.
- **ACS Component 2 – Key Watershed:** The project would comply with Component 2; the PCJWSA R&PP Lease is not within a Key watershed (RMP p. 7).
- **ACS Component 3 – Watershed Analysis:** The project would comply with Component 3 by following direction set forth in the Sand Lake and Nestucca Watershed Analyses. This direction addresses reducing and controlling populations of invasive non-native plants, and protecting snags and down logs within the watershed.
- **ACS Component 4 – Watershed Restoration:** The project would comply with Component 4 through following project design features. These design features include

those that address limiting soil disturbance and the potential for erosion, reducing and controlling populations of invasive non-native plants, and protecting snags within the watershed.

Tillamook Resource Area Staff have reviewed this project against the ACS objectives at the project or site scale with the following results. The no action alternative does not retard or prevent the attainment of any of the nine ACS objectives because this alternative would maintain current conditions. The proposed action does not retard or prevent the attainment of any of the nine ACS objectives for the following reasons.

1. ACSO 1: Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations, and communities are uniquely adapted.

No Action Alternative: The no action alternative would maintain the development of the existing vegetation and associated stand structure at its present rate. The current distribution, diversity, and complexity of watershed and landscape-scale features would be maintained.

Proposed Action: As in the no action alternative, existing vegetation and stand structure within the parcel would develop at its current rate except the acreage taken out for development within the evacuation area and road footprints.

2. ACSO 2: Maintain and restore spatial and temporal connectivity within and between watersheds.

No Action Alternative: The no action alternative would maintain current conditions with regard to spatial and temporal connectivity within and between watersheds because the project would have little effect on forest stand conditions.

Proposed Action: The proposed actions do not retard or prevent the attainment of spatial and temporal connectivity within and between watersheds.

3. ACSO 3: Maintain and restore the physical integrity of the aquatic system, including shorelines, banks, and bottom configurations.

No Action Alternative and Proposed Action: There are no aquatic systems within the parcel.

4. ACSO 4: Maintain and restore water quality necessary to support healthy riparian, aquatic, and wetland ecosystems.

No Action Alternative: Current water quality would be maintained.

Proposed Action: The proposed action would not alter water quality.

5. ACSO 5: Maintain and restore the sediment regime under which aquatic ecosystems evolved.

No Action Alternative: The no action alternative would maintain the current sediment regime.

Proposed Action: The proposed action would not alter the sediment regime in the analysis area.

6. ACSO 6: Maintain and restore in-stream flows sufficient to create and sustain riparian, aquatic, and wetland habitats and to retain patterns of sediment, nutrient, and wood routing.

No Action Alternative: No changes in in-stream flows would be anticipated.

Proposed Action: The proposed action would not affect in-stream flow within the analysis area.

7. ACSO 7: Maintain and restore the timing, variability, and duration of floodplain inundation and water table elevation in meadows and wetlands.

Both the No Action Alternative and Proposed Action alternatives would not affect flood plains or water table elevations in wetlands.

8. ACSO 8: Maintain and restore the species composition and structural diversity of plant communities in riparian areas and wetlands to provide adequate summer and winter thermal regulation, nutrient filtering, appropriate rates of surface erosion, bank erosion, and channel migration and to supply amounts and distributions of coarse woody debris sufficient to sustain physical complexity and stability.

No Action Alternative: The current species composition and structural diversity of plant communities would continue along the current trajectory. Diversification would occur over a longer period. The no action alternative would maintain current rates of stream bank erosion and large wood recruitment to the Nestucca River.

Proposed Action: Current species composition and structural diversity of plant communities would continue along the current trajectory. Diversification would occur over a longer period. The proposed action would not change current rates of stream bank erosion or large wood recruitment to the Nestucca River.

9. ACSO 9: Maintain and restore habitat to support well-distributed populations of native plant, invertebrate and vertebrate riparian-dependent species.

No Action Alternative: Habitats would be maintained over the short-term and continue to develop over the long-term with no known impacts on species currently present.

Proposed Action: Habitats would be maintained over the short-term and continue to develop over the long-term with no known impacts on species currently present.

5.0 LIST OF PREPARERS

Writer/Editor/Team Lead.....	Traci Meredith
NEPA Review.....	Steve Bahe/ Andy Pampush
Botany and Invasive Weeds.....	Kurt Heckeroth
Cultural Resources.....	Heather Ulrich/ Fred Greatorex
Energy and Mineral Resources.....	Richard Chaney
Fisheries and Water Resources.....	R. Clay Ramey
Silviculture and Fuels.....	Clint Gregory
Recreation, Visual Resources Management and Rural Interface.....	Debra Drake
Soils.....	Chris Sween
Wildlife Resources.....	Jessie Mahannah

6.0 CONSULTATION AND EA COMMENT PERIOD

6.1 Consultation

6.1.1 US Fish and Wildlife Service (USFWS)

The proposed actions of issuing an R&PP Lease, amending an existing ROW Grant, and issuing a Communication Site Lease may affect threatened or endangered wildlife species or habitats, including the northern spotted owl and the Marbled Murrelet. The project would remove a small percentage of spotted owl dispersal habitats, compromise the quality of suitable Marbled Murrelet habitat, and introduce a potential flight hazard for murrelets through the construction of the SCADA tower. On January 21, 2014, the project was presented to the Level 1 Team (terrestrial subgroup) for the North Coast Planning Province; ESA consultation with USFWS has been completed (USDI-USFWS. 2014). Per the USFWS Letter of Concurrence, should the eventual design of the SCADA tower include guywires, ESA consultation with the USFWS would need reinitiated.

6.1.2 National Marine Fisheries Service (NMFS)

The proposed actions would not affect fisheries including Critical Habitat or Essential Fish Habitat for listed species therefore no consultation with NMFS is warranted.

6.1.3 Section 106 Consultation with State Historical Preservation Office

Cultural Resource surveys were conducted on the parcel located in Township 4 South, Range 10 West, section 19 according to Appendix A of the *Protocol for Managing Cultural*

Resources on Lands Administered by the Bureau of Land Management in Oregon. No cultural resources were found (Greatorex 2013-2014). An inventory report of findings was completed and mailed to the State Historic Preservation Office as well as filed on District.

6.1.4 Tribes Consulted

A scoping letter was sent to Tribal representatives of both the Confederated Tribes of Grand Ronde Community of Oregon and the Confederated Tribes of Siletz Indians on May 30, 2013. No comments were received from either tribe.

6.2 EA Public Comment Period

For the results of project scoping, see EA section 9.0. The EA and Finding of No Significant Impact (FONSI) will be made available for public review from April 30, 2014 to May 30, 2014 and posted at the Salem District website at <http://www.BLM.gov/or/districts/salem/plans/index.php>. The notice for public comment will be published in a legal notice in the *Headlight Herald* newspaper. Written comments should be addressed to Karen Schank, Field Manager, Tillamook Field Office, 4610 Third Street, Tillamook, Oregon 97141. E-mailed comments may be sent to BLM_OR_SA_Mail@blm.gov Attention: Karen Schank.

7.0 REFERENCES AND CITATIONS

- Chaney, Richard L. 2013. Mineral Potential Report for the Pacific City R&PP Land Lease OR-52171. USDI Bureau of Land Management, Salem District.
- Greatorex, Frederick. 2013-2014. Cultural Resource Inventory Report for Pacific City Water Treatment Facility Road and Trail Construction. USDI Bureau of Land Management, Salem District, Tillamook Resource Area.
- Joshua Malt, David Lank, Temporal dynamics of edge effects on nest predation risk for the Marbled Murrelet, *Biological Conservation*, Volume 140, Issues 1–2, November 2007, Pages 160-173, ISSN 0006-3207, <http://dx.doi.org/10.1016/j.biocon.2007.08.011>.
(<http://www.sciencedirect.com/science/article/pii/S000632070700328X>)
- John M. Marzluff, Erik Neatherlin, Corvid response to human settlements and campgrounds: Causes, consequences, and challenges for conservation, *Biological Conservation*, Volume 130, Issue 2, June 2006, Pages 301-314, ISSN 0006-3207,
<http://dx.doi.org/10.1016/j.biocon.2005.12.026>.
(<http://www.sciencedirect.com/science/article/pii/S0006320706000024>)
- Oregon Department of Environmental Quality (DEQ). 2002. Nestucca Bay Watershed Total Maximum Daily Load (TMDL). [online] URL:
<http://www.deq.state.or.us/WQ/TMDLs/docs/northcoastbasin/wilsontrasknestucca/tmdlwqmp.pdf>

Sharp, D., K. Dello, D. Rupp, and P. Mote. 2012. Climate Change in the Tillamook Bay Watershed. A report prepared by the Oregon Climate Change Research Institute (OCCRI) for the Tillamook Bay Estuaries Partnership, Garibaldi, Oregon.

SRI/SHAPIRO/AGCO, Inc. 1998. Sand Lake Watershed Analysis. Portland, Oregon

USDA – US Forest Service, USDI-Bureau of Land Management. Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning. Documents Within the Range of the Northern Spotted Owl, and Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (NWFP). 1994. Portland, Oregon.

USDA – US Forest Service, USDI-Bureau of Land Management. 1994. Nestucca Watershed Analysis. BLM/OR/WA/PT-95/005+1792

USDI - Bureau of Land Management, 2008. Final Environmental Impact Statement for the Revision of the Resource Management Plans of the Western Oregon Bureau of Land Management. Vol. I-III. (2008 FEIS)

USDI – US Fish and Wildlife Service. Service Guidance on the Siting, Construction, Operation and Decommissioning of Communication Towers. September 14, 2000. Last Updated: April 11, 2012.

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>

USDI – US Fish and Wildlife Service. February 13, 2014. Letter of Concurrence for the lease and proposed improvements by the Pacific City Joint Water and Sanitary Authority. USFWS reference: 01EOFW00-2014-I-0076. Portland, Oregon

8.0 ADDITIONAL INFORMATION

8.1 Special Status, Survey and Manage, Endangered Species Act, and Migratory Bird Treaty Act wildlife species that could occur within Tillamook Resource Area

Special Status Species (BLM 6840 Policy), Survey and Manage Species (SEIS Special Attention Species in Salem ROD/RMP), Endangered Species Act, and Migratory Bird Treaty Act wildlife species that could occur within the Tillamook Resource Area		
Project Name: Pacific City Joint Water Sanitary Authority R&PP Lease – PC 80		
Common Name	Status	Impact Synopsis
Mammals:		
Fringed Myotis	Salem ROD/RMP	Not affected – Negligible potential for impact.
Long-eared Myotis	Salem ROD/RMP	
Long-legged Myotis	Salem ROD/RMP	
Silver-haired Bat	Salem ROD/RMP	
Townsend’s Big-eared Bat	BS, Salem ROD/RMP	
Red Tree Vole (North Oregon Coast DPS)	BS, S&M	Not affected – Habitat excluded from project.
Birds:		
Bald Eagle	BS	Not affected – Negligible potential for impact.
Black Swift	MBTA	Not affected – Negligible potential for impact.
Harlequin Duck	BS	Not affected – No habitat present.
Horned Lark	MBTA	Not affected – Negligible potential for impact.
Lewis’ Woodpecker	BS	Not affected – Negligible potential for impact.
Marbled Murrelet	FT	Affected –Introduction of potential flight obstacle and increased corvid use to suitable habitat.
Northern Spotted Owl	FT	Affected – 4.5 acres of Dispersal habitat removed.
Olive-sided Flycatcher	MBTA	Not affected – Negligible potential for impact.
Oregon Vesper Sparrow	MBTA, BS	Not affected – Negligible potential for impact.
Peregrine Falcon	MBTA, BS	Not affected – Negligible potential for impact.
Purple Finch	MBTA	Not affected – Negligible potential for impact.
Purple Martin	BS	Not affected – Negligible potential for impact.
Rufous Hummingbird	MBTA	Not affected – Negligible potential for impact.
Willow Flycatcher	MBTA	Not affected – Negligible potential for impact.
Reptiles and Amphibians:		
Cope’s Giant Salamander	BS	Not affected – Not within range.
Foothill Yellow-Legged Frog	BS	Not affected – No habitat present; not within expected range.

Special Status Species (BLM 6840 Policy), Survey and Manage Species (SEIS Special Attention Species in Salem ROD/RMP), Endangered Species Act, and Migratory Bird Treaty Act wildlife species that could occur within the Tillamook Resource Area

Project Name: Pacific City Joint Water Sanitary Authority R&PP Lease – PC 80

Common Name	Status	Impact Synopsis
Pacific Pond Turtle	BS	Not affected – No habitat present; not within expected range.
Painted Turtle	BS	Not affected – No habitat present; not within expected range.
Invertebrates (Mollusks):		
Crowned Tightcoil (snail)	BS	Affected – Negligible potential for impact.
Evening Field slug	BS, S&M	Affected – Negligible potential for impact.
Pacific Walker (snail)	BS	Affected – Negligible potential for impact.
Puget Oregonian (snail)	BS, S&M	Affected – Negligible potential for impact.
Invertebrates (Arthropods):		
Johnson’s Hairstreak (butterfly)	BS	Not affected – Hemlock habitat maintained; unlikely presence within project areas.
Siuslaw Sand Tiger Beetle	BS	Not affected – No habitat present.
Hoary Elfin	BS	Not affected – habitat excluded from project.
<p>BS = Species listed as Sensitive under the BLM’s 6840 Special Status Species Policy (species list per BLM IM No. OR-2012-018) Salem ROD/RMP = Species included in the Salem District ROD/RMP for special consideration (RMP page 31) MBTA = Species covered by the Migratory Bird Treaty Act of 1918 S&M = Survey and Manage Species (SEIS Special Attention Species) as identified within the 2001 S&M ROD without Annual Species Review FT = Federally Threatened under the Endangered Species Act</p>		

8.2 Plan of Development Timeline

This EA only evaluated actions identified in the Plan of Development that contain sufficient information for specialists to analyze and were within the first 10 years of the lease; **those actions are in bold**. Projects beyond 10 years from issuance of the lease are listed below and dependent upon and would be consistent with the Master Plans prepared for PCJWSA based upon the authority and responsibility of PCJWSA as outlined by statute. Actions beyond 10 years or without sufficient detail will require subsequent environmental analysis to determine those future effects.

8.2.1 Goal A: PCJWSA’s emergency response evacuation area and expansion

Perpetual Actions	<ul style="list-style-type: none"> • Scotch broom and other invasive/non-native weed removal projects
1 to 5 year Actions	<ul style="list-style-type: none"> • Fence construction around and buildings to protect drinking water • Road construction to access future emergency response evacuation area • Utilities buried along road to service future shelter for equipment required for continued operations • Potentially replace and enlarge existing well buildings
6 to 10 year Actions	<ul style="list-style-type: none"> • Emergency response evacuation area construction with building to house equipment required for continued operations • Supervisory Control and Data Acquisition (SCADA) wireless tower placement and construction within the emergency response evacuation area – may be a small building associated with this
10 to 15 year Actions	<ul style="list-style-type: none"> • Wastewater Treatment Plant expansion to allow for additional treatment capacity and growth • Potentially drill a new drinking water well • New shop and storage building construction • Water reservoir placement • Additional drinking water well construction
Beyond 15 years	<ul style="list-style-type: none"> • New Wastewater Treatment Plant relocation and construction

8.2.2 Goal B: Recreation Development for the Community

Tillamook Lightwave connections	<ul style="list-style-type: none"> • Trailhead development with access to the property loop trail, informational signage, and 5 dedicated parking spaces within the first 5 years of the lease
1 to 5 year Actions	<ul style="list-style-type: none"> • Walking/hiking loop trail construction • Bench construction and placement along the loop trail
6 to 10 year Actions	<ul style="list-style-type: none"> • Plant species and historical information signage development and placement along the loop trail • Additional bench construction and placement at viewpoints
10 to 15 year Actions	<ul style="list-style-type: none"> • Educational community garden/nursery development • Children’s natural play area development with potential playground equipment construction • Unimproved picnic area development • Covered picnic area construction • Circuit training route development and signage construction along loop trail
Beyond 15 years	<ul style="list-style-type: none"> • Trail connections to US Forest Service

9.0 SUMMARY OF SCOPING COMMENTS AND BLM RESPONSES

9.1 Board of Commissioners for Tillamook County, Oregon

Support the project, PCJWSA needs more land to be able to provide safe drinking water and sanitary services for the growing communities that they serve.

9.2 Dory Pointe Homeowner's Association HOA

Comment 1: We do not feel that we have been properly represented or involved in the discussion or decisions made at any point in this process.

Response 1: PCJWSA and BLM records indicate various members of the Dory Pointe HOA have been notified since 2009 when this concept was first brought up; these notifications included our May 31, 2013/June 4, 2013 project scoping letter. On September 20, 2011, PCJWSA and PC/W CAC held a public meeting at the community center to discuss the proposed POD for the parcel; residents of Dory Pointe subdivision attended this meeting (see EA section 1.5). Dory Point HOA members, BLM, and PCJWSA also met at the BLM Tillamook Field Office after receiving your letters to discuss in detail the proposed development activities.

Comment 2: Not being involved in discussions about actions for the Tillamook Lightwave Property.

Response 2: The BLM regrets that your group has not been involved in the discussions about the Tillamook Lightwave property where the designated trailhead is to be constructed (see Figure 2). The Dory Pointe HOA should contact Tillamook Lightwave directly.

Comment 3: Dory Pointe HOA does not have representation in community groups or committees and the HOA should be involved directly as a key stakeholder.

Response 3: The BLM tries to reach as many nearby homeowners and landowners as possible during the scoping and review process for NEPA (National Environmental Protection Act). Dory Pointe HOA received email notifications of the scoping period for this project. Now that we have mailing addresses, you will receive mailing notifications.

Comment 4: Hold meetings when Dory Pointe HOA members can attend.

Response 4: When we schedule meetings, we try to accommodate the majority of the public and take into account their availability. The PC/W CAC has monthly meetings alternating Saturdays and Mondays to accommodate part-time property owners.

Comment 5: Parking issues

Response 5: Five additional parking spaces would be available at the planned trailhead located on the Tillamook Lightwave property. Since it is expected the area would continue to predominately be used by local residents, it was determined that this would be adequate.

Comment 6: Noise, traffic, crime, trash, lack of restroom, and vandalism concerns from increased use.

Response 6: The proposed development under this lease would be for pedestrian recreation opportunities; no vehicles would be allowed to utilize the trails. Increased use of areas by the public may bring some undesirable activities you mention, however increasing opportunities for law-abiding citizens may decrease those same activities. Public restrooms are available nearby at Cape Kiwanda wayside and Webb County Park accessed by following existing public routes.

Comment 7: Destruction of and diminishing a natural area

Response 7: There are numerous social trails crossing the BLM property and being utilized by people and wild game. The trails are only hiking trails and should not increase noise to residents. Trail development would follow the terrain and blend into the natural environment. The natural area would remain mostly unchanged except for the evacuation area development.

Comment 8: Fencing is unsightly and not visually aesthetic

Response 8: Currently a chain link fence is around the wellhead buildings and the wastewater treatment facility to protect the community's drinking water and water treatment assets and comply with Oregon Drinking Water Program regulations. The fence mentioned in the proposed plan is not a chain-linked fence but a split rail/wooden fence to allow passage of animals while providing the required protection of those assets. A split rail fence is aesthetically more pleasing and blends into the environment. Chain link fencing is not proposed in this project/lease agreement.

Comment 9: Smell and noise from PCJWSA facility operations

Response 9: The current proposed action does not include facility expansion. Construction noise would occur near the evacuation area within the time restrictions for wildlife and be temporary in nature.

Comment 10: Legality of the development that lies outside the growth boundary

Response 10: PCJWSA must follow all County and State rules and regulations concerning development. Tillamook County Zoning – Forest Zone (F), is currently being re-written, in order to comply with Oregon Administrative Rules (OAR) for Goal 4 Forest Lands. Actions proposed are all OAR authorized uses for Forest Zones.

Comment 11: Common sense factor of the emergency area, costly to develop when there are other existing evacuation areas.

Response 11: The evacuation area is for vehicles of PCJWSA only, not the public. They need an area for continued operations during disasters to ensure water treatment continues. Other evacuation locations are too far to be feasible in assuring the continued operation of wastewater treatment facilities and drinking water treatments.

Comment 12: Concern over ambitious nature of developments, cost of water rates, and higher water rates paid by residents.

Response 12: The BLM has worked with PCJWSA to further define development actions they found reasonably able to complete within the 10-year timeline of actions analyzed within this EA. The BLM is not responsible for rates; please contact Pacific City Joint Water-Sanitary Authority directly.

Comment 13: Concern over the ambitious nature of Tillamook Lightwave developments and use as a trailhead to access the leased land.

Response 13: The development or use of the Tillamook Lightwave site is a direct connection with PC Pathways and NVCA working together with PCJWSA to provide public access to the lease. The TLW development of 5 parking spaces and trailhead would provide the only designated access in conjunction to the lease. Additional development on the private TLW property to develop public park type amenities has been discussed as a way to increase tourism to the area and is not affiliated with the PCJWSA lease. Contact TLW directly to discuss your comment further.

Comment 14: Do not make assumptions about the Dory Point HOA, get the opinions from Dory Point HOA members/homeowners.

Response 14: We ask for comments from as many individuals and groups as we can. Those comments are then used in the final decision on a particular project/plan such as this lease proposal.

9.3 MacDonald Family

Comment 1: Opposed to lease of the land due to the over aggressive nature of the proposal. Entire tract is unnecessary to support PCJWSA.

Response 1: Development identified in the scoping letter spans the 25-year lease. Activities are dependent on PCJWSA receiving funding and community involvement in trail development. As currently envisioned the proposed trail system encompasses much of the northern portion of the parcel.

Comment 2: Concern about hunting access not allowed once the recreation is developed – it should stay natural.

Response 2: The proposed action would not close the parcel to hunting.

Comment 3: Concerned about issues that may develop when more people enter an area leading to degradation of the overall area around the facility. Adjacent homeowners will endure the most of those negative impacts.

Response 3: This land is currently open to the public. Posting the only designated entrance, Tillamook Lightwave's trailhead and additional signage (EA section 2.2.4) would work at taking control of user impacts. Signage installation and monitoring by PCJWSA staff and community volunteers would also help to decrease degradation of the parcel.

Comment 4: The costs of building and maintaining recreation is not wise for Pacific City and resources should go towards fixing existing resources before new construction.

Response 4: The plan of development outlines PCJWSA's funding plan, you may contact Pacific City Joint Water-Sanitary Authority directly. The lack of recreational

opportunities within Pacific City was identified by the community in the Pacific City/Woods Community Plan available online at:
http://www.co.tillamook.or.us/gov/ComDev/documents/community/pcw_plan.pdf.

Comment 5: We do not want to pay higher water/sewer bills to fund this project.

Response 5: The BLM is not responsible for rates; please contact Pacific City Joint Water-Sanitary Authority.

9.4 Nestucca Valley Community Alliance, NVCA

Fully support the project. The plan proposed would provide vital resources for emergency evacuation ... and additional recreation opportunities. ...it would provide valuable assets and additions to the community that would support future growth while preserving natural areas for the enjoyment of the citizens of South County.

We have an agreement with Tillamook Lightwave to provide public access to the BLM property in the design of the community park at the Cable Landing Station property. A pedestrian path access, trailhead parking, and a kiosk for the PCJWSA lease land.

9.5 Oregon Coast Visitors Association

Comment 1: Support the project, tourism economy is practically the only viable economic growth opportunity. Pacific City needs marketable attractions that would come from this land transfer.

Response 1: This EA does not analyze a land transfer; BLM would remain the underlying landowner.

Comment 2: Suggest that BLM, PCJWSA, and community of Pacific City explore a partnership with the US Forest Service to also leverage the use of Forest Service land immediately north and adjacent to the BLM land.

Response 2: The proponent (PCJWSA) is charged with the lease development. The lease would not preclude future partnerships with the Forest Service.

Comment 3: We feel the development of a multi-modal recreational trail capable of supporting multiple user groups would be a prudent investment and contribute the greatest economic impact over time. In addition, we hope this trail could support organized uses (public events) as well as passive use by individual visitors.

Response 3: PCJWSA is proposing a hiking only trail due to the soil conditions and safety to the community's water systems.

9.6 Pacific City/Woods Citizen Advisory Committee

Support granting the lease to PCJWSA... very cognizant of the positive effects the granting of this lease will have on our area... expansion allowed by the 33 acres is crucial to the orderly growth of our community... 42.5 acres for green space will be a valuable addition to opportunities for recreation for both residents and visitors to the Oregon coast.

9.7 Tillamook Lightwave IGA

Strong support for the Pacific City Recreation and Public Purpose Lease.

Have been working with PCJWSA on the proposed use of a portion of Tillamook Lightwave property to provide a public roadway and pedestrian access to the 42.5-acre green space used for recreation. We are pleased to provide this public access to enable opportunities ... within the community.

9.8 USFS Hebo Ranger District

Comment 1: Believes the only access to USFS land is through BLM leased land and to include USFS access across BLM leased land in the lease language.

Response 1: There may be additional access to USFS land from the west through county/city lands. The lease would not preclude continued access to USFS land from the BLM leased parcel.

Comment 2: USFS parcel has many unofficial trails that could also be connected trail systems to the lease land.

Response 2: The BLM parcel proposed for lease also has many unofficial trails. A public meeting on September 12, 2013 mentioned a community effort to connect trail systems from county/city, USFS, and BLM's leased land. The lease would not preclude future options for the development of connecting trails.