

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: September 2015

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; tmereid@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/AE-15/039+1632

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 77.75 acre 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. *Impacts that may be both beneficial and adverse.* The effects of issuing a Recreation and Public Purposes Lease, a communications site lease, and amending of an existing right-of-way grant 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 would not be significant because the proposed action would augment recreational opportunities and not limit current recreational use. The proposed action would be consistent with visual resource management objectives for the VRM class 4 management which allows for major modifications to the character of the landscape. The proposed action would noticeably alter about 4.5 acres of the project area, which would continue to blend in with the form, and texture of the surrounding developed landscape. The SCADA tower would be noticeable to the casual observer. Due to the location within a developed small town where it would not be uncommon to see various types of communication towers, the SCADA tower would still be consistent with the objectives of VRM class 4 management.
 - *Vegetation and Botany (EA section 4.2):* Effects to this resource would not be significant because the proposed action would not affect any threatened, endangered, or Bureau Sensitive species. Trail locations would be situated to avoid any sensitive plant populations. Invasive species that currently exist in the project area would continue to be managed as part of the R&PP lease conditions.
 - *Wildlife (EA section 4.3):* Effects to this resource would not be significant because there is little possibility of any direct adverse impacts to wildlife species listed as threatened or endangered

under the Endangered Species Act, as Bureau Sensitive, Survey and Manage, or under the Migratory Bird Treaty Act. Dispersal habitat for the spotted owl would be slightly altered by the removal of young timber to construct the evacuation area but would not affect spotted owl populations. A very small possibility exists that the project could disturb spotted owls or marbled murrelets in the unlikely event that they are present during trail or evacuation area construction. The small possibility would not result in adverse effects. Construction of the communication tower with guy wires is discouraged in the project design but if it does occur it would result in only a very small possibility of affecting marbled murrelets. The potential is very small that murrelets may be affected during flight in the vicinity of the tower because the murrelet habitat in the vicinity of the tower is very low quality and is not likely occupied due to the current affected environment characterized by human use and associated crow occupation. For these reasons it is unlikely that even if the tower is constructed with guy wires that actual effects to murrelets would occur.

- *Water Resources (EA section 4.4):* The proposed action would not significantly affect water resources because there are no water resources in the proposed project area nor are there any pathways for management actions to move materials to stream systems.
 - *Fisheries (EA section 4.5):* Effects to this resource would not be significant because there are no fisheries resources in the project area nor is there any pathway for management actions to move materials to water bodies that support fish.
 - *Soils (EA section 4.6):* Effects to this resource would not be significant because the proposed action would only cause a minor increase in soil erosion potential, mainly in areas where trail development would occur on steeper slopes. Project design features that reduce effects to soils such as minimizing trail width, revegetating disturbed soils along trail edges, constructing trail drainage devices, and limiting trail slope to 15% would greatly reduce potential adverse effects to soil resources.
 - *Fuels (EA section 4.7):* Effects to this resource would not be significant because woody materials generated by the project development would be removed from the parcel within 30 days thereby not increasing fuel loading and project implementation would follow ODF Industrial Fire Precaution Levels which would minimize additional fire risk.
 - *Cultural Resources (EA section 4.8):* Effects to this resource would not be significant because site surveys found no evidence of cultural resources and project design features would protect any cultural resources discovered during project implementation.
 - *Energy and Mineral Resources (EA section 4.9):* Effects to this resource would not be significant because some level of mineral leasing and sales could still occur at the discretion of BLM under the proposed action. The proposed action would close the parcel to “locatable” mineral (hard rock mining) entry for the duration of the R&PP lease but still allow for sales of “salable” minerals (sand, stone, gravel etc.) and for leasing “leasable” minerals (oil, coal, gas) at the BLM’s discretion. No sales, leases or mining claims currently exist on the parcel.
2. *The degree to which the proposed action affects public health or safety.* Public health and safety was not identified as an issue. The development of hiking/walking trails is similar to many other BLM trail development projects. The clearing of 4.5 acres for the construction of the evacuation area is similar to other BLM projects involving the clearing of trees for transportation development,

and the proposed construction of a communications tower is also similar to other communication tower projects. Based on experience, these types of projects have not been found to have noticeable effects to public health or safety (EA section 4.10).

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 any unique characteristics of the geographic area. There are no historic or cultural resources present; there are no park lands, prime farm lands, wetlands, wild or scenic rivers, or ecologically critical areas present that could be affected by the proposed project (EA sections 4.1, 4.8, and 4.10).
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 public has had multiple opportunities for involvement with this project and the BLM has met with the public on several occasions. The public has been overwhelmingly supportive of this project and the comments regarding this project have not been controversial.
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. *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 future consideration for the following reasons: 1/ the project is within the scope of proposed activities documented 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 future consideration. 3/ additional actions not analyzed in this EA would require additional analysis in future environmental documents. See number 4 and 5 above.
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. No other actions are known to have occurred or are expected to occur that would have a cumulative relationship to the proposed action (EA section 4.0).
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.* There are no scientific, cultural, or historical resources present on the BLM parcel where the proposed action would occur, therefore there would not be any effects to these resources as a result of implementing the proposed action (EA sections 4.8 and 4.10).

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*

The Northern Spotted Owl would be affected by the proposed project through the development and maintenance of hiking trails through suitable habitat, and the removal of approximately 5 acres of dispersal habitat.

The Marbled Murrelet would be affected by the proposed action through the construction of new hiking trails in the vicinity of unsurveyed murrelet habitat that may result in additional corvid activity (jays and crows) associated garbage disposal at trailheads. Corvids are known to destroy murrelet eggs and chicks when encountered. Murrelets may also be affected by disturbance associated with construction activities during the breeding season but daily timing restrictions would minimize the effect.

None of the actions noted above would result in actions that would adversely affect marbled murrelets or northern spotted owls. ESA Section 7 consultation was completed with the US Fish and Wild Service and they agreed that the proposed project may affect murrelets and spotted owls, but would not adversely affect them (Letter of Concurrence - 01EOW00-2014-1-0104).

- *ESA Fish*

There are no streams or fisheries resources that occur within or near the proposed project that could be affected by the project. Because there would not be any effects to ESA listed fish species consultation is not warranted.

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 does not violate any Federal, State, or local law or requirement imposed for the protection of the environment. The EA contains discussions pertaining to the Endangered Species Act, National Historic Preservation Act, Migratory Bird Treaty Act, Recreation and Public Purposes Act and Executive Order 13112 (Invasive Species). State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, the proposed project is consistent with applicable land management plans, policies, and programs. (EA sections 4 and 6).

Approved by:



Karen Schank, Field Manager
Tillamook Resource Area

9/9/15

Date