



## United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Coos Bay District Office

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IN REPLY REFER TO

1792/9113

DOI-BLM-OR-C000-2014-0001-EA

District ERFO Road Repair Environmental Assessment

***April 4, 2014***

Dear Citizen:

We have completed the District ERFO Road Repair Environmental Assessment (DOI-BLM-OR-C000-2014-0001-EA) and have signed a Finding of No Significant Impact (FONSI). These documents contain analysis of the potential impacts of the repair of eight roads throughout the Coos Bay District. The project is designed to implement management objectives and direction of the 1995 Coos Bay District Resource Management Plan.

The BLM received one inquiry to which the BLM responded, but no substantive comments were received that would change the conclusions in the EA. Upon additional internal review, the BLM made minor clarifications to the design features in the EA. These do not result in different outputs or alternatives; therefore, additional effects analysis is not needed. The EA and FONSI are located on our BLM web site at <http://www.blm.gov/or/districts/coosbay/plans/index.php>.

For further information, contact Greta Krost at 1300 Airport Lane, North Bend Oregon, 97459 or (541) 756-0100 or e-mail to [BLM\\_OR\\_CB\\_Mail@blm.gov](mailto:BLM_OR_CB_Mail@blm.gov) RE: ERFO.

Sincerely,

*/s/ Patricia M. Burke*

Patricia M. Burke

Coos Bay District Manager



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IN REPLY REFER TO

1792/9113 (ORC000)

DOI-BLM-OR-C000-2014-0001-EA

District ERFO Road Repair

## FINDING OF NO SIGNIFICANT IMPACT

for the

District ERFO Road Repair Environmental Assessment

DOI-BLM-OR-C000-2014-0001-EA

### I. Introduction

An interdisciplinary team has prepared an environmental assessment (EA), which contains analysis of the effects of implementing road maintenance on eight roads throughout the Coos Bay District. That document contains two alternatives: a no action alternative and a proposed action alternative. The no action alternative describes the effects of leaving the roads in their current deteriorating condition. The proposed action alternative describes the effects of repairing the roads. The following table describes the location of these sites on the Coos Bay District:

**Table 1 Location of repair sites. The sites are listed geographically from north to south.**

Road Name	Road Number	Township-Range-Section
Camp Creek	22-10-35.0	23-09-12
Moon Creek	26-11-33.0	26-11-35
Honcho Creek	27-10-4.1	26-10-33
Burnt Mountain Access	27-11-12.0	27-11-12
Weaver	28-8-18.0	28-09-34
Johns Creek	29-11-7.1	29-11-07
Endicott Creek	29-12-24.0	29-11-18
Slide Creek	29-10-33.0	30-10-06

### II. Background

This EA was developed under the management direction of the 1995 Coos Bay District Record of Decision and Resource Management Plan (1995 ROD/RMP). The analysis supporting this decision tiers to the *Final Coos Bay District Proposed Resource Management Plan/Environmental Impact Statement* (UDSI 1994). The 1995 Record of Decision is also supported by, and in conformance with, the *Final Supplemental Environmental Impact Statement (EIS) on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest Plan)* (USDA and USDI 1994) and its *Record of Decision* (USDA and USDI 1994a) as supplemented and amended.

In December 2009, the District Court for the Western District of Washington issued an order on partial summary judgment in favor of the Plaintiffs finding inadequacies in the National Environmental Policy Act (NEPA) analysis supporting the Record of Decision to Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl (2007 ROD). The District Court did not issue a remedy or injunction at that time.

Plaintiffs and Defendants entered into settlement negotiations that resulted in the 2011 Survey and Manage Settlement Agreement adopted by the District Court on July 6, 2011.

The Defendant-Intervenor subsequently appealed the 2011 Settlement Agreement to the Ninth Circuit Court of Appeals. The April 25, 2013, ruling in favor of the Defendant-Intervenor remanded the case back to the District Court.

On February 18, 2014, the District Court vacated the 2007 RODs. Vacatur of the 2007 RODs resulted in returning the BLM to the status quo in existence prior to the 2007 RODs.

The BLM has conducted surveys for Survey and Manage species in accordance with 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. No species were found.

As stated in the Record of Decision for the Northwest Forest Plan, the Aquatic Conservation Strategy (ACS) was developed to restore and maintain the ecological health of watersheds and aquatic ecosystems on public lands within the range of Pacific Ocean anadromy. Consistency of the proposed alternative with the ACS objectives is included in Chapter 3&4 of the EA (pp. 31-35).

### **III. Finding of No Significant Impact**

The EA effects analysis indicates that there would not be a significant impact on the quality of the human environment from the implementation of either alternative. This finding and conclusion is based on my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of the impacts described in the EA.

#### Context

The proposed action would occur within the Matrix, Late-Successional Reserve, and Riparian Reserve land use allocations as designated by the 1995 Coos Bay District ROD/RMP. The RMP anticipated the need to maintain a transportation system that serves the needs of users in an environmentally sound manner.

#### Intensity

*Impacts that may be both beneficial and adverse* (40 CFR 1508.27 (b)(1))

Any impacts, both beneficial and adverse, are not significant as they are consistent with the range and scope of those effects of maintaining our transportation network that was analyzed in the 1994 Final Coos Bay District Proposed Resource Management Plan/Environmental Impact Statement to which the EA is tiered.

*Public Health and Safety* (40 CFR 1508.27(b)(2))

The proposed action would repair roads to meet safety standards. No aspect of the proposed action would have an effect on public health. There would be no impact to the water quality of the North Fork Coquille River, which is a drinking water source for the City of Myrtle Point (EA pp. 36-37).

*Unique characteristics of the geographic area* (40 CFR 1508.27(b)(3))

There are no known parklands, prime or unique farmlands, wetlands, floodplains, Wild and Scenic Rivers or wilderness values that would be affected in the project area.

*Degree to which effects are likely to be highly controversial* (40 CFR 1508.27(b)(4))

The effects on the quality of the human environment of the proposed activity are not highly controversial. The Coos Bay District has been operating under the management direction of the resource management plan since 1995. The effects of road maintenance are not considered controversial.

*Degree to which effects are highly uncertain or involve unique or unknown risks (40 CFR 1508.27(b)(5))*

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

*Consideration of whether the action may establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6))*

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

*Consideration of whether the action is related to other actions with cumulatively significant impacts (40 CFR 1508.27(b)(7))*

There are no cumulatively significant impacts identified by the environmental assessment. Those reviewed include impacts to wildlife (pp. 21-22), timber and stand management (p. 23), geology and soil resources (pp. 23-26), water resources (pp. 26-28), aquatic species (pp. 28-30), botany resources (p. 36), cultural resources (p. 36), Port-Orford-cedar (p. 36), noxious weeds (p. 37) and climate change and carbon storage (p. 37), hazardous materials (p. 37), drinking water protection (p. 38), and environmental justice (p. 38).

*Scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places (40 CFR 1508.27(b)(8))*

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

*Threatened or endangered species and their critical habitat (40 CFR 1508.27(b)(9))*

- The Biological Opinion from the U.S. Fish and Wildlife Service (*Biological Opinion and Concurrence on the FY 2008-2013 Programmatic Suite of Activities Planned by the District and the Tribe*) has addressed this project (USDI 2008). This is for activities that may affect the northern spotted owl or marbled murrelet and their designated critical habitat. The USFWS extended the application of the opinion through FY 2014.
- Culvert replacements on fish-bearing streams are included in a programmatic Biological Opinion with the National Marine Fisheries Service (NMFS): *Reinitiation of the Endangered Species Act Section 7 Formal Programmatic Conference and Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for Aquatic Restoration Activities in the States of Oregon and Washington* (ARBO II; USDC 2013). Replacing the culvert on Honcho to provide fish passage is covered under Project Category 1 titled Fish Passage Restoration.
- Other standard road maintenance activities are included in another programmatic Biological Opinion with NMFS: *Endangered Species Act Programmatic Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Conservation Recommendations for the Programmatic Activities of USDA Forest Service, USDI Bureau of Land Management, and Coquille Indian Tribe in Western Oregon* (2011). This document covers the work on Moon Creek.
- There are no threatened or endangered botany species within the project areas.

*Any effects that threaten a violation of Federal, State, or local laws or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10))*

The proposed action would not violate federal, state or local laws imposed for the protection of the environment. These include the Endangered Species Act and the Clean Water Act.

This project complies with the Coastal Zone Management Act as there would be no adverse effects to coastal zone resources from implementing the road maintenance because water quality would not be affected (pp. 26-28).

The EA analysis includes the conclusion that implementation of the proposed actions will not change the likelihood of and need for listing of any special status species under the ESA as identified in BLM Manual 6840 and BLM OR/WA 6840 policy.

Pursuant to Executive Order 13212, the BLM must consider the effects of this decision on the President’s National Energy Policy. As there would be no impact to the exploration, development, or transportation of undeveloped energy sources from the proposed action, a Statement of Adverse Energy Impacts is not required.

**Conclusion**

Based on the information contained in the EA (DOI-BLM-OR-C000-2014-0001-EA), and all other information available to me, I have determined that the proposed action would not have a significant impact on the human environment within the meaning of section 102(2) (c) of the National Environmental Policy Act of 1969, and that an environmental impact statement is not required. I have determined that the effects of the proposed activities would be in conformance with the 1995 *Record of Decision/Resource Management Plan* for the Coos Bay District.

*/s/ Patricia M. Burke*

*April 4, 2014*

\_\_\_\_\_  
Patricia M. Burke  
Coos Bay District Manager

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Date