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E-957

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE
DECISION DOCUMENTATION and FINDING OF NO SIGNIFICANT IMPACT
Environmental Assessment No. OR 090-EA-03-09
Millican Ranch & Timber Co. FLPMA Grant application
Millican Ranch & Timber Co. O&C Logging Road Right-of-Way Permit Application

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the Environmental Assessment, and all other information available to me, it is my determination that:

1. the implementation of the proposed action or alternatives will not have significant environmental impacts beyond those already addressed 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* (April 1994), and the *Eugene District Record of Decision and Resource Management Plan* (May 1995) as amended by the *Record of Decision for Amendment to the Survey & Manage, Protection Buffer and other Mitigation Measures Standard and Guidelines* (January 2001);
2. The proposed action and alternatives are in conformance with the *Eugene District Record of Decision and Resource Management Plan*; and
3. The proposed action and alternatives do not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not necessary and will not be prepared.

DECISION

Based on the analysis documented in the Environmental Assessment (EA) No. OR090-03-09 and the Finding of No Significant Impact, it is my decision to implement the Proposed Action. The proposed Action would be to authorize both a FLPMA Grant (allowing ingress and egress) and an O&C Logging Road Right-of-Way Permit that would allow the haul of timber for a period of three years. Both the grant and permit would use the same haul route of approximately 1.5 miles. Construction of

approximately 300 feet of new road would be permitted.

ALTERNATIVES

In addition to the selected alternative, the EA considered the effects of the No Action Alternative, in which no new road construction would take place and the Millican Ranch & Timber Co. would not have access to their private land.

DECISION RATIONALE

The Proposed Action was selected because it meets the needs of the applicant with minimal impacts to the natural environment.

The Proposed Action is in conformance with the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (April 1994), and the *Eugene District Record of Decision and Resource Management Plan (May 1995) as amended by the Record of Decision for Amendment to the Survey & Manage, Protection Buffer and other Mitigation Measures Standard and Guidelines (January 2001)*.

CONSULTATION AND COORDINATION

The Proposed Action would have “no effect” on any Threatened or Endangered fish species, and would not likely adversely affect any Essential Fish Habitat. Therefore, consultation with the National Marine Fisheries Service is not required.

The proposed Action would be considered “no effect” under programmatic consultation with US Fish & Wildlife Service for the Bald Eagle and Northern Spotted Owl.

PUBLIC COMMENTS

A public notice advertising the availability of the EA and FONSI appeared in the Eugene Register-Guard on Wednesday, February 26, 2003. Additionally, the EA and FONSI were mailed to interested individuals and organizations. A 30 day public comment period closed on March 28, 2003. No comments were received.

ADMINISTRATIVE REVIEW OPPORTUNITIES

The decision to implement this action may be appealed to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, in accordance with the regulations contained in 43 CFR Part 4. However, as provided under 43 CFR 2804.1(b), this decision shall remain effective pending appeal unless the Secretary rules otherwise. Thus, implementation of this decision may occur during the

appeal period. If an appeal is taken, the notice of appeal must be filed in this office on or before October 26, 2001, for transmittal to the Board. A copy of the notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 500 NE Multnomah Street, Suite 607, Portland, Oregon 97323, within the same time frame. In taking an appeal, there must be strict compliance with the regulations. In accordance with 43 CFR 4.21, an appellant has the right to petition the Office of Hearing and Appeals to stay the implementation of the decision; however, an appellant must show standing and present reasons for requesting a stay of the decision. The petition for stay must be filed together with a timely notice of appeal.

Emily Rice
Field Manager
Upper Willamette Resource Area

April 7, 2003
Date