

**UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
APPLEGATE FIELD OFFICE
FINDING OF NO SIGNIFICANT IMPACT**

**McCourt Road Right-of-Way
DOI-BLM-CA-N020-2015-0014-EA**

BACKGROUND

The purpose of the Environmental Assessment (EA) is to disclose and analyze the environmental consequences of authorizing a right-of-way (ROW) for ingress and egress. The EA was required for the proposed action due to the new construction of a road. This new disturbance required a full NEPA analysis under and EA. The applicant wishes to build the road to gain access to their private property.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the EA, and all other information available to me, it is my determination that: (1) the implementation of the Proposed Action will not have significant environmental impacts beyond those already addressed in Alturas Resource Management Plan (RMP) and Record of Decision (ROD), approved on April 17, 2008; (2) the Proposed Action is in conformance with the Resource Management Plan; and (3) the Proposed Action does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA or as articulated in the letters of comment.

Context

The Proposed Action is to grant Patrick McCourt a ROW for the construction and maintenance of a road within a 20 foot wide by 1,400 foot long ROW across BLM lands to access his private property. The road width would vary within the ROW however it would not exceed 20 feet. The road is located off of Davis Road, 15 miles east of Macdoel, CA. There are many ROWs that exist in the vicinity of the proposed action including a 200 foot portion of existing road that is already an established road across public lands. This portion of the existing road would be included in the ROW grant.

The construction would begin approximately at the beginning of June 2015 and would take up to two months to complete. This road would be graveled after construction to help prevent erosion. Related facilities within the ROW would be two small berms on the outer edge of the road, water-bars as well as a minimum 18 inch diameter culvert along drainage. The use of heavy machinery (backhoe tractor) would be needed for construction and would include grading and excavation equipment. Other specific construction requirements to prevent erosion are brought forward in the terms and conditions of the ROW. All equipment would be staged on the adjacent property as well as on BLM lands.

All vegetation in the ROW would be removed during the construction process and placed onto the private property of Patrick McCourt. The area of disturbance would not exceed 20 feet in width. Any excess mineral materials would be placed on the private property.

Equipment used for building the ROW will be weed washed prior to entry into the work site and after construction of the ROW. After construction of the ROW, the ROW will be inventoried for noxious weeds. Any weeds discovered will be treated and eradicated.

The ROW would be granted for a term of 20 years with the right to renew. During this time it is expected that the maintenance of the road would require additional gravel and grading every five to seven years. The total area of public land involved would be approximately 0.64 acres. Buried utilities could be located within the 20 foot ROW.

Project Area is defined as the area encompassed by the ROW application. This is the 0.64 acres that the ROW is proposed in.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the McCourt road ROW Project decision relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. Impacts that may be both beneficial and adverse.

I have determined that none of the direct, indirect or cumulative impacts are significant individually or combined.

2. The degree to which the proposed action affects public health and safety.

The proposed action is located within a rural setting. There are no actions that are proposed that would affect public health or safety.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

A discussion of resources is located in chapter 3 of the EA. Adequate measures have been taken to identify any potential resources and implement protective measures prior to treatments.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

An interdisciplinary team reviewed the proposed action and the impacts that would result on the identified issues/resources. No anticipated effects have been identified that are controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The analysis does not show that this action would involve any unique or unknown risks.

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.

Facilities maintenance/improvement is not precedent setting.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

No significant site specific or cumulative impacts have been identified. The project is consistent with the actions and impacts anticipated in the Alturas RMP. An analysis of the cumulative effects of the selected alternative and all other alternatives is described in chapter 4 of the EA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.

The project area was surveyed and does not include any sites listed on the National Register of Historic Places or sites known to be eligible.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

There are no threatened or endangered species occurring within the project area that would be affected by the selected alternative.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. Local tribes were contacted and are listed in the EA. In addition, the project is consistent with applicable land management plans, policies, and programs.

/s/ Dennis A. Sylvia

4/22/2015

Dennis A. Sylvia PhD.,
Applegate Field Manager

Date