



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825

IN REPLY REFER TO:

MAR 17 2014

Honorable Thomas P. O'Rourke, Chairperson
Yurok Tribe
P.O. Box 1027
Klamath, California 95548

Dear Chairperson O'Rourke:

Please be advised that the Bureau of Indian Affairs (BIA) has reviewed and adopted the final Environmental Assessment for the Tribe's proposed Essenpries and Angell Allotment Timber Sale Project (Project). The BIA has issued a Finding of No Significant Impact (FONSI) for the Project (enclosures). Because the Federal actions associated with the Project are not expected to have a significant impact on the quality of the human environment, an Environmental Impact Statement is not required. However, please keep in mind that this is a conditional FONSI and that it does not become fully effective until BIA receives concurrence with its impact determinations from the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.

Please advertise the enclosed *Notice of Availability* and post it at the Tribal Office and place a notice in the local newspaper or newsletter for purposes of public review and comment. The comment period will be effective from the date of this letter until the close of business on April 16, 2014. Please have a copy of the FONSI and Environmental Assessment available for tribal members and the public to review at your office.

Similarly, the enclosed *Decision Notice* needs to be posted and advertised. The 30-day appeal period for BIA's decision will expire on or about April 16, 2014.

If you have any additional questions concerning this letter, please contact Jay Hinshaw, Environmental Compliance Coordinator, at (916) 978-6021, or John Rydzik, Chief, Division of Environmental, Cultural Resources Management and Safety, at (916) 978-6051.

Sincerely,

Regional Director

Enclosures

cc: James Erler, Forestry Department Director, Yurok Tribe
Superintendent, Northern California Agency

TAKE PRIDE
IN AMERICA 

Finding of No Significant Impact (FONSI)

Essenpries and Angell Allotment Timber Sale Project Yurok Reservation, Humboldt County, California

Based on the final Environmental Assessment (EA) for the proposed Essenpries and Angell Allotment Timber Sale Project (Project) at the Yurok Indian Reservation, I have determined that implementation of proposed federal agency actions (Alternative 2 – Preferred Alternative) will have no significant impact on the quality of the human environment. Therefore, in accordance with Section 102(2)(A) of the National Environmental Policy Act of 1969, as amended, an Environmental Impact Statement will not be required.

This determination is supported by the following findings:

1. Public scoping was conducted and environmental issues related to implementation of the project were identified. Alternative courses of action and mitigation measures were developed. No comments were received regarding adverse environmental impacts.
2. The EA discloses the environmental consequences of the proposed action and two other potentially viable alternatives including the “no action” alternative. The preferred alternative (Alternative 2) was selected by the Yurok Tribal Council and the Bureau of Indian Affairs.
3. Protective measures will be implemented to minimize impacts to cultural resources as described on pages 19 and 20 of the EA.
4. Protective measures will be implemented to minimize impacts to biological resources as described on pages 15, 16, and 24-27 of the EA.
5. The preferred alternative will not jeopardize any species listed as federally threatened or endangered. See pages 24-27 of the EA. Work on the Project will not be initiated until concurrence is received from the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.
6. The preferred alternative will not result in adverse effects to Historic Properties for the purposes of 36 CFR 800.9(b), by preserving archeological or built resources through conduct of appropriate identification and/or evaluation of significance of resources in accordance with applicable standards and guidelines. Should undiscovered archeological materials be encountered during project ground-disturbing activities, work will stop in the area of discovery and stipulations at 36 CFR 800.11 shall be followed.
7. Impacts to public safety and health and are to be mitigated through implementation of protective measures described on pages 16-19, 28 and 29 of the EA.
8. Impacts to floodplains and wetlands were assessed. Existing floodplains and wetlands

shall be protected through implementation of protective measures described on pages 20-24 of the EA.

9. Because the lands considered in the EA will be managed through the Yurok Tribe's Programmatic Forest Management Plan in an ecologically sustainable manner in perpetuity, any cumulative effects to the environment are therefore considered mitigated to avoid or minimize anticipated impacts from the preferred alternative.
10. Selection of the preferred alternative will allow the Yurok Tribe to harvest and manage its forest resources on 84 acres of allotted trust land in accordance with Tribal goals, objectives, and values.



Regional Director
Pacific Regional Office
Bureau of Indian Affairs



Date

NOTICE OF AVAILABILITY
FINDING OF NO SIGNIFICANT IMPACT AND ENVIRONMENTAL ASSESSMENT
FOR THE PROPOSED ESSENPRIES AND ANGELL ALLOTMENT TIMBER SALE PROJECT
AT THE YUOK INDIAN RESERVATION, HUMBOLDT COUNTY, CALIFORNIA

Notice is hereby given that the Bureau of Indian Affairs (BIA), Pacific Regional Office, has reviewed and adopted the final Environmental Assessment for the proposed Essenspries and Angell Allotment Timber Sale Project (Project) at the Yurok Indian Reservation located in Humboldt County, California. The proposed Federal actions for this project will consist of issuance of funding, permits, and approvals associated with the Project. The BIA has made a Finding of No Significant Impact (FONSI) and has determined that the Federal actions will not have a significant impact on the quality of the human environment. Therefore, an Environmental Impact Statement is not required.

The purpose of the Project is to allow the Yurok Tribe to harvest and manage its forest resources in accordance with Tribal goals, objectives and values. Lands to be directly affected by timber harvest include an estimated total of 84 acres. Specifically, the proposed harvest area includes the Essenspries and Angell allotments which are held in trust by BIA.

Main activities described in the preferred alternative for the Project would consist of:

- Harvesting a total of 1.489 million board feet (MBF) of volume conifer timber on 84 acres using ground-based (tractor and skidder) logging methods including:
 - Construction of 3,110 feet of new logging road
 - Reconstruction of 820 feet of existing logging road
 - Construction of landings
- Tractor hand piling and burning and broadcast burning of slash and undergrowth
- Natural and artificial tree regeneration, and early release on up to 84 acres
- Installation of temporary and permanent culverts to reduce erosion/sedimentation

Impacts to biological resources (including federal threatened or endangered species), cultural resources, air and water quality, hydrology, geology, soils, timber resources, visual resources, and public safety/traffic were assessed for three alternatives, including the “no action” alternative. Consultation with the U.S. Fish & Wildlife Service and National Marine Fisheries Service was initiated in accordance with the Endangered Species Act and BIA was verbally notified that concurrence letters were forthcoming and that no Federal threatened or endangered species will be jeopardized by the Project. Similarly, consultation with the State Historic Preservation Officer (SHPO) was conducted and the SHPO concurred the Project would cause no adverse effects to Historic Properties.

A variety of protection and mitigation measures were adopted to protect natural and cultural resources: timber harvest and wildlife restrictions will be imposed to protect the Northern spotted owl and Pacific fisher; riparian protection zones will be established to protect watershed integrity and fisheries resources; road culvert work will be done to reduce potential sediment delivery to streams; and identified cultural resources will be avoided.

Public comments on BIA's FONSI will be accepted through the close of business on April 16, 2014. For information or to obtain a copy of the FONSI and/or to view the Environmental Assessment, please contact Mr. James Erler, Forestry Department Director at the Yurok Reservation at (707) 482-2841 ext. 227, or Jay Hinshaw, Environmental Compliance Coordinator, Bureau of Indian Affairs, Pacific Regional Office, 2800 Cottage Way, Sacramento, California 95825. Mr. Hinshaw or his supervisor can be reached by telephone at (916) 978-6000.

DECISION NOTICE
ESSENPRIES AND ANGELL ALLOTMENT TIMBER SALE PROJECT
YUROK RESERVATION, HUMBOLDT COUNTY, CALIFORNIA

Notice is hereby given that the Bureau of Indian Affairs (BIA) has decided to proceed in implementing the proposed Essenspries and Angell Allotment Timber sale Project (Project) at the Yurok Indian Reservation in Humboldt County, California. Project implementation will involve issuance of funding, permits, and approvals associated with the Project.

The purpose of the Project is to allow the Yurok Tribe to harvest and manage its forest resources in accordance with Tribal goals, objectives and values. Lands to be directly affected by timber harvest include an estimated total of 84 acres. Specifically, the proposed harvest area includes the Essenspries and Angell allotments which are held in trust by BIA.

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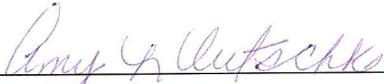
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DECISION

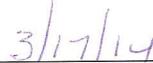
I have decided to proceed in implementing specific actions and projects associated with the Tribe’s FMP, as described above. This decision may be appealed to the Interior Board of Indian Appeals, 801 N. Quincy Street, Suite 300, Arlington, VA 22203, in accordance with the

regulations in 43 CFR 4.310-4.340. Your notice of appeal to the Board must be signed by you or your attorney and must be mailed within 30 days of the date of this decision. It should clearly identify the decision being appealed. If possible, attach a copy of this decision. You must send copies of your notice of appeal to (1) the Assistant Secretary – Indian Affairs, U.S. Department of the Interior, 1849 C Street, N.W., MS-4140-MIB, Washington, D.C. 20240, (2) each additional interested party known to you, and (3) this office. Your notice of appeal sent to the Interior Board of Indian Appeals must certify that you have sent copies to these parties. If you are not represented by an attorney, you may request assistance from this office in the preparation of your appeal. If you file a notice of appeal, the Board of Indian Appeals will notify you of further appeal procedures.

If no appeal is timely filed, this decision will become final for the department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.



Regional Director
Pacific Regional Office
Bureau of Indian Affairs



Date