United States Department of the Interior

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

SEP 11 2013

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 Environmental Assessment for the 2012 Yurok Indian Sustained Yield Lands Forest Management Plan (FMP). The BIA has issued a Finding of No Significant Impact (FONSI) for the FMP (enclosure). Because the Federal actions associated with the FMP 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 project-specific NEPA reviews will be required to assess environmental impacts as projects are identified, such as future timber sales.

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 October 14, 2013. 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 October 14, 2013.

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,

Amy H. Lutzsch
Regional Director

Enclosures

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

TAKE PRIDE IN AMERICA
Finding of No Significant Impact (FONSI)

Yurok Indian Sustained Yield Lands Forest Management Plan (2012)
Yurok Reservation, Humboldt County, California

Based on the final Environmental Assessment (EA) for the 2012 Yurok Indian Sustained Yield Lands Forest Management Plan (FMP), I have determined that implementation of proposed federal agency actions (Alternative 3 – Moderate – Preferred Option) 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 three other potentially viable alternatives including the “no action” alternative. The preferred alternative (Alternative 3) was selected by the Yurok Tribal Council and the Bureau of Indian Affairs.

3. Protective measures will be implemented to minimize impacts to biological and cultural resources as described on pages 13, 14 and 16 in the EA.

4. The preferred alternative will not jeopardize any species listed as federally threatened or endangered. See pages 13 and 16 in the EA.

5. 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.

6. Impacts to public health and are to be mitigated through implementation of air and water quality protection measures described on pages 10, 11 and 12 in the EA.

7. Impacts to floodplains and wetlands were assessed. Existing floodplains and wetlands shall be protected through implementation of mitigation measures described on pages 11 through 13 in the EA.

8. Because the lands considered in the EA will be managed through the FMP in an ecologically sustainable manner in perpetuity, any cumulative effects to the environment
are therefore mitigated to avoid or minimize anticipated impacts from the preferred alternative.

9. Selection of the preferred alternative will allow the Yurok Tribe to manage forest resources on 36,637 acres of Tribal trust, allotted trust, and restricted Tribally-owned fee land in accordance with Tribal goals, objectives, and values.

10. Selection of the preferred alternative will allow the Yurok Tribe to continue to re-build its traditional and historic land base by providing the framework for forest management in the event that the 31,146 acres of Tribally-owned fee lands addressed in the FMP are brought into trust by BIA.

Amy Klutschka
Regional Director
Pacific Regional Office
Bureau of Indian Affairs

SEP 11 2013
Date
NOTICE OF AVAILABILITY
FINDING OF NO SIGNIFICANT IMPACT AND ENVIRONMENTAL ASSESSMENT
FOR THE PROPOSED 2012 YUROK INDIAN SUSTAINED YIELD LANDS
FOREST MANAGEMENT PLAN AT THE YUROK RESERVATION,
HUMBOLDT COUNTY, CALIFORNIA

Notice is hereby given that the Bureau of Indian Affairs (BIA), Pacific Regional Office, has
reviewed and adopted an Environmental Assessment for the 2012 Yurok Indian Sustained Yield
Lands Forest Management Plan (FMP) at the Yurok Reservation located in Humboldt County,
California. The proposed Federal actions for this project will consist of issuance of funding,
permits, and approvals associated with forest management related activities including
management of natural resources, forest inventories and surveys, timber harvests, firewood
cutting, forest health, improvement, and pest management projects, reforestation, wildfire
prevention and mitigation, prescribed burning, emergency stabilization, and rehabilitation. 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 FMP is to allow the Yurok Tribe to manage its forest resources in accordance
with Tribal goals, objectives and values. Lands included in the FMP include 3,320 acres Tribal
trust lands, 2,171 acres allotted trust lands, and 31,146 acres restricted status Tribally-owned
forest fee lands.

Main FMP activities described in the preferred alternative will consist of:

- Timber harvests (primarily selection or small group selection timber harvests) totaling
  approximately 6.0 mmbf per year, including carbon sequestration areas
- Commercial firewood cutting up to 200 cords per year
- Free-use permit firewood cutting up to 100 cords per year
- Prescribed burning

Impacts to biological resources (including federal threatened or endangered species), cultural
resources, air and water quality, geology and soil productivity, recreational and visual resources,
timber resources, and socio-economic resources were assessed for four different alternatives,
including the "no action" alternative. Protective measures were adopted. Prior to initiating any
significant ground-disturbing activities such as timber harvests, project-specific National
Environmental Policy Act (NEPA) reviews will be conducted to assess project impacts. Work
will not be initiated until NEPA compliance has been ensured. This includes forest management
projects on restricted lands once those lands are given trust status.

Public comments on BIA’s FONSI will be accepted through the close of business on
October 14, 2013. 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 Illinshaw, Environmental Compliance
Coordinator, Bureau of Indian Affairs, Pacific Regional Office, 2800 Cottage Way, Sacramento,
California 95825. Mr. Illinshaw or his supervisor can be reached by telephone at (916) 978-6000.
DEcision notice
2012 yurok indian sustained yield lands
Forest management plan, yurok reservation,
humboldt county, california

Notice is hereby given that the Bureau of Indian Affairs (BIA) has decided to proceed in implementing the 2012 Yurok Indian Sustained Yield Lands Forest Management Plan (FMP). FMP implementation will involve issuance of funding, permits, and approvals associated with forest management related activities including management of natural resources, forest inventories and surveys, timber harvests, firewood cutting, forest health, improvement, and pest management projects, reforestation, wildfire prevention and mitigation, prescribed burning, emergency stabilization, and rehabilitation.

The purpose of the FMP is to allow the Yurok Tribe to manage its forest resources in accordance with Tribal goals, objectives and values. Lands included in the FMP include 3,320 acres Tribal trust lands, 2,171 acres allotted trust lands, and 31,146 acres restricted status Tribally-owned forest fee lands.

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Impacts to biological resources (including federal threatened or endangered species), cultural resources, air and water quality, geology and soil productivity, recreational and visual resources, timber resources, and socio-economic resources were assessed for four different alternatives, including the "no action" alternative. Protective measures were adopted. Prior to initiating any significant ground-disturbing activities such as timber harvests, project-specific National Environmental Policy Act (NEPA) reviews will be conducted to assess project impacts. Work will not be initiated until NEPA compliance has been ensured. This includes forest management projects on restricted lands once those lands are given trust status.

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.

Amy [Signature]
Regional Director
Pacific Regional Office
Bureau of Indian Affairs

SEP 11 2013
Date