

UNITED STATES FISH AND WILDLIFE SERVICE

ENVIRONMENTAL ACTION STATEMENT

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the action of: Approval of a Safe Harbor Agreement for the northern spotted owl, marbled murrelet, and bald eagle; Approval of a Candidate Conservation Agreement with Assurances for the coastal cut-throat trout, Oregon spotted frog, northwestern pond turtle, great blue heron, pileated woodpecker, osprey, northern goshawk, olive-sided flycatcher, long-eared myotis, long-legged myotis, Pacific Townsend's big-eared bat and Van Dyke's salamander; and issuance of permits to Tom and Sherry Fox, Jim and Patricia Murphy, and Gary Davis under section 10(a)(1)(A) of the Endangered Species Act,

Check One:

X is a categorical exclusion as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1. No further NEPA documentation will therefore be made.

_____ is found not to have significant environmental effects as determined by the attached environmental assessment and finding of no significant impact.

_____ is found to have significant effects and, therefore, further consideration of this action will require a notice of intent to be published in the Federal Register announcing the decision to prepare an EIS.

_____ is not approved because of unacceptable environmental damage, or violation of Fish and Wildlife Service mandates, policy, regulations, or procedures.

_____ is an emergency action within the context of 40 CFR 1506.11. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting documents (list): Tagshinny Tree Farm Conservation Plan; Environmental Action Statement Screening Forms for Safe Harbor Agreements and Candidate Conservation Agreements with Assurances.

Signature Approval:

Ken S. Bey 9/17/03
(1) Originator Date

(2) Responsible Official Date

**ENVIRONMENTAL ACTION STATEMENT SCREENING FORM
FOR SAFE HARBOR AGREEMENTS (SHA)**

I. Project Information

A. Project name: Tagshinny Tree Farm Conservation Plan

B. Affected species: Northern spotted owl, marbled murrelet, and bald eagle.

C. Project size (in acres): 144 acres

D. Brief project description including conservation elements of the plan:

This project addresses timber management activities, including commercial thinning and regeneration harvest, conducted by a small forest landowner to maintain economic viability and provide conservation benefits to listed species. The timber management activities are expected to provide habitat capable of being utilized by the listed species covered in the Safe Harbor Agreement (SHA) included in the Tagshinny Tree Farm Conservation Plan. The primary conservation elements of this SHA include extended harvest rotations of 50-80 years that will provide large trees, tree species diversity, and substantial understory growth; a commitment to having nearly 20% or more of the ownership in forested habitat ≥ 40 years of age at all times throughout the term of the SHA ($>70\%$ during 2 decades); providing snags, green recruitment trees for future snags, and downed logs; protection of steep slopes and landslide-prone areas; riparian protection of the fish-bearing stream with a 100-foot managed buffer and a 30- to 50-foot equipment limitation zone; wetland protection with a 75-foot managed buffer and a 30-foot equipment limitation zone; and protection of nest trees occupied by spotted owls, murrelets and/or eagles, for 3 years after abandonment.

II. Does the SHA fit the criteria as described in the SHA policy (meet the standard of "net conservation benefit" and contribute to recovery) ? Yes. Through the actions of the Applicant, habitat will be developed and/or enhanced for potential use by spotted owls, marbled murrelets, and bald eagles. The habitat will be available as higher quality forest stands than what is typically available to these species under normal harvest rotations by other small, private land managers, and as riparian and wetland buffers. The habitat quality of forest stands in the riparian and wetland buffers, as well as in uplands, will be enhanced through thinning operations and other management activities that retain snags, large green trees, species diversity, and understory vegetation that will provide potential dispersal and nesting habitat, perch trees, and habitat for prey species. The amount of suitable habitat on the ownership is currently low but will be increased by more than three-fold over the term of the SHA and will always be more, and of better quality, in the last two decades of the SHA than what is currently available. As a result of the Applicant's enhancement activities under this SHA, spotted owls, marble murrelets, and bald

eagles will have opportunities for shelter and to disperse, forage, and possibly nest on the ownership. These are opportunities that would not be otherwise available to these species if the Applicant were to manage the ownership similar to that which is normally done on other forested ownerships under Washington State Forest Practices Rules, or if the Applicant were to sell the ownership for conversion to non-timber management uses. Thus, this SHA will result in a net conservation benefit that contributes to the recovery of these species by providing additional useable habitat to what is available on nearby State park lands, Federal forest lands, and HCP lands.

A. Are the effects of the SHA less than significant on the rangewide population of federally listed, proposed, or candidate species or other wildlife and their habitats covered under the SHA? Yes. This SHA covers 144 acres of land on 5 separate parcels up to 25 miles apart in central Lewis County, Washington. If this acreage were to be converted from forest land to other uses, the effects to the rangewide population of each of these species would be minimal. Likewise, maintaining and enhancing the ownership to provide habitat for listed species would also be minimal in its effects to the rangewide populations. This is because each of these species' rangewide population covers numerous states, and the acreage covered in this SHA is so small. The amount and quality of habitat currently on the ownership that could be utilized by owls, murrelets, and eagles is very low. Management activities under the SHA will enhance and improve the quality and quantity of habitat provided for these species resulting in patches of higher quality habitat large enough to be utilized by these species sometime during their life cycle. This habitat could provide opportunities for these species to rest, feed, and possibly, breed. However, the effects of the SHA on such a small portion of the range of these species would not be significant, based on the definition of significance (40 CFR 1508.27).

B. Are the effects of the SHA minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.)? Yes. The timber management activities that are covered in the SHA are standard practices involving regeneration harvest, and thinning, planting, and other stand management operations that commonly occur on most other privately-owned forest lands throughout western Washington. Based on the context and intensity of the anticipated impacts, this SHA does not meet the definition of significance for any element of the human environment per 40 CFR 1508.27.

C. Would the impacts of this SHA, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? Yes. The Applicant harvests timber according to Washington State Forest Practices Rules, similar to what many other forest land managers do now and have been doing for decades. However, the Applicant chooses to supplement these minimum forest practices to improve habitat quality by harvesting at longer than average rotations, by providing additional green trees and snags, and retaining tree species diversity. The Applicant agrees to conduct these activities in an environment where surrounding lands have been, or are being, cleared of trees for use as

grazing lands (often to the stream bank), dairy farms, chicken farms, and housing development projects. As such, the Applicant's land use activities more closely parallel historical forest land use practices, and retain some semblance of what the landscape used to look like prior to human disturbance. Currently, only one other small, private landowner is developing a conservation plan for their forest land management activities which will cover 4 parcels totaling approximately 980 acres. The SHA activities, and the only other reasonably foreseeable similarly situated 980-acre project, and their associated impacts on such a small amount of acreage (144 acres in 5 parcels spread across 25 miles) with no measurable affect on watershed processes are not expected to have significant cumulative effects to environmental values or resources, based on the definition of significance (40 CFR 1508.27).

III. Do any of the exceptions to categorical exclusions apply to this SHA? (from 516 DM 2.3, Appendix 2) No. See below.

Would implementation of the SHA:

A. Have significant adverse effects on public health or safety? No. Timber harvest operations conducted under this SHA will be small in scale, infrequent, and remote. All activities are conducted on private ownership away from human inhabitants other than the Applicants themselves, so public safety is not an issue. Timber management conducted according to Washington State Forest Practices Rules, particularly on this ownership, will not have significant adverse effects on water, air or other elements of the human environment that relate to public health, based on the definition of significance (40 CFR 1508.27). Some minimal exhaust from timber harvesting equipment will be emitted during harvest operations but this is no more than what typically occurs on small forest ownerships, and will occur in forested areas uninhabited by humans.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks? No. Timber harvest operations conducted under this SHA will occur on only those covered lands described in the SHA; lands privately-owned and managed by the Applicant. There are no unique geographic characteristics, and no known historic or cultural resources on the covered lands; the ownership has been surveyed for cultural resources, and the Service is considered to be in compliance with Section 106 of the National Historic Preservation Act (letter from Jorie Clark, Region 1 Cultural Resources Team, dated February 24, 2003). All the lands that are going to being managed and, therefore, incur some ground disturbance, have been harvested in the past. Since the covered lands are privately owned, no adverse effects will occur to park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands or floodplains, or ecologically significant or critical areas.

C. Have highly controversial environmental effects? No. The forest management activities being conducted under this SHA will be infrequent and small in scale. Although forest management activities conducted under Washington State Forest Practices Rules are commonly accepted practices, the activities conducted under this SHA will result in better landscape conditions because the landowner chooses to address potential environmental effects that relate to habitat for listed species.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? No. The forest management activities to be conducted under this SHA have been clearly described and are common forestry practices. The effects of these activities, conducted by many forest landowners for years, are well known and predictable.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? No. Conservation plans such as this SHA have been established by policy and regulation to address concerns for species conservation and private landowner economic viability. Other SHAs have been or are being developed around the nation, and habitat conservation plans for private forest landowners have been developed for over 9 years here in the Pacific northwest. These plans are designed to provide conservation for species of concern while minimizing and avoiding significant environmental effects.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects? No. The Applicant harvests timber according to Washington State Forest Practices Rules similar to what many other forest land managers do now and have been doing for decades. However, the Applicant chooses to supplement these minimum forest practices to improve habitat conditions by harvesting at atypical longer rotations, by providing additional green trees and snags, and retaining tree species diversity. The Applicant agrees to conduct these activities in an environment where surrounding lands have been, or are being, cleared of trees for use as grazing lands (often to the stream bank), dairy farms, chicken farms, and housing development projects. As such, the Applicant's land use activities more closely parallel historical forest land use practices, and retain some semblance of what the landscape used to look like prior to human disturbance. Currently, only one other small, private landowner is developing a conservation plan for their forest land management activities which will cover 4 parcels totaling approximately 980 acres. The SHA activities, and the only other reasonably foreseeable similarly situated 980-acre project, and their associated impacts on such a small amount of acreage (144 acres in 5 parcels spread across 25 miles) with no measurable affect on watershed processes are not expected to have significant cumulative effects to environmental values or resources, based on the definition of significance (40 CFR 1508.27).

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No. The Applicant is not aware of any listings and has not gotten any notice of such listings when filing forest practices applications; the Washington State Department of Natural Resources is responsible for checking with the Washington State Office of Archaeology and Historic Preservation before approving forest practices applications. A record search at the Washington State Office of Archeological and Historic Preservation conducted by a Service archeologist resulted in no documented cultural resource within or immediately adjacent to the Applicants ownership. In addition, the ownership has been surveyed for cultural resources, and the Service is considered to be in compliance with Section 106 of the National Historic Preservation Act (letter from Jorie Clark, Region 1 Cultural Resources Team, dated February 24, 2003).

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species? No. Currently, there are no listed species located on the ownership or known to use the ownership. Thus, no adverse effects are expected. In fact, as a result of the Applicant's activities, listed species may actually utilize the ownership in the future as habitat reaches a quantity and quality that renders it viable for use and/or habitation. There is no designated Critical Habitat on or near the SHA covered lands.

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act? No. Approximately one acre of a 4-acre wetland is located on one parcel of the covered lands. The Applicant's management activities will provide a buffer on that portion of the wetland that is on the ownership. The effects to the wetland will likely improve conditions by providing additional shade and large woody debris as habitat, and a source of nutrients for species that inhabit the wetland.

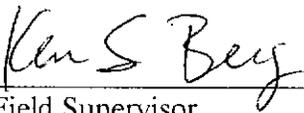
J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment? No. Approval of the SHA will be in accordance with all applicable laws. In fact, a specific condition of the permit will be that the SHA be carried out in accordance with all applicable federal, state, or local laws.

IV. ENVIRONMENTAL ACTION STATEMENT

Based on the analysis above, the Tagshinny Tree Farm Conservation Plan meets the qualifications for a Safe Harbor Agreement whose implementation represents a class of actions which do not individually or cumulatively have a significant effect on the human environment. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

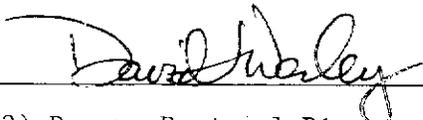
Other supporting documents (list): Tagshinny Tree Farm Conservation Plan; Environmental Action Statement; Announcement of Final Safe Harbor Policy (Federal Register, Vol. 64, No. 116, June 17, 1999); the Final Rule for Safe Harbor Agreements (Federal Register, Vol. 64, No. 116, June 17, 1999).

Concurrence:



(1) Field Supervisor

9/17/03
Date



(2) Deputy Regional Director

2/19/04
Date

**ENVIRONMENTAL ACTION STATEMENT SCREENING FORM
FOR CANDIDATE CONSERVATION AGREEMENTS with ASSURANCES (CCAA)**

I. Project Information

- A. Project name:** Tagshinny Tree Farm Conservation Plan
- B. Affected species:** Coastal cutthroat trout, Oregon spotted frog, northwestern pond turtle, great blue heron, pileated woodpecker, osprey, northern goshawk, olive-sided flycatcher, long-eared myotis, long-legged myotis, Pacific Townsend's big-eared bat, and Van Dyke's salamander.
- C. Project size (in acres):** 144 acres
- D. Brief project description including conservation elements of the plan:**

This project addresses timber management activities, including commercial thinning and regeneration harvest, conducted by a small forest landowner to maintain economic viability and provide conservation benefits to proposed and candidate species, and other species of concern. The timber management activities are expected to provide habitat capable of being utilized by the unlisted species covered in the Candidate Conservation Agreement with Assurances (CCAA) included in the Tagshinny Tree Farm Conservation Plan. The primary conservation elements of this CCAA include extended harvest rotations of 50-80 years that will provide large trees, tree species diversity, and substantial understory growth; a commitment to having nearly 20% or more of the ownership in forested habitat ≥ 40 years of age at all times throughout the term of the agreement ($>70\%$ during 2 decades); providing snags, green recruitment trees for future snags, and downed logs; protection of steep slopes and landslide-prone areas; riparian protection of the fish-bearing stream with a 100-foot managed buffer and a 30- to 50-foot equipment limitation zone; wetland protection with a 75-foot managed buffer and a 30-foot equipment limitation zone; and seasonal timing restrictions on harvest operations that may disturb nesting great blue herons.

II. Does the CCAA fit the criteria as described in the CCAA policy (remove or reduce threats and preclude the need to list)? Yes. Through the actions of the Applicant, habitat will be developed and/or enhanced for potential use by coastal cutthroat trout, Oregon spotted frogs, northwestern pond turtles, great blue herons, pileated woodpeckers, ospreys, northern goshawks, olive-sided flycatchers, long-eared myotis', long-legged myotis', Pacific Townsend's big-eared bats, and Van Dyke's salamanders. The habitat will be available as higher quality forest stands than what is typically available to these species under normal harvest rotations by other private land managers, and as riparian and wetland buffers. The quality of forest stands in the riparian

and wetland buffers, as well as in uplands, will be enhanced through thinning operations and other management activities that retain snags, large green trees, species diversity, and understory vegetation that will provide potential dispersal, nesting or roosting habitat, perch trees, and habitat for prey species, as well as functional aquatic habitat. The amount of suitable forest habitat on the ownership is currently low but will be increased by more than three-fold over the term of the CCAA and will always be more, and of better quality, in the last two decades of the CCAA than what is currently available. Wetland and riparian habitat will improve as a direct result of the Applicant's management activities that include providing adjacent buffers.

As a result of the Applicant's enhancement activities under this CCAA, the unlisted species of concern cited above will have opportunities to feed, breed and be sheltered on the ownership. These are opportunities that would not be otherwise available to these species if the Applicant were to manage the ownership similar to that which is normally done on other forested ownerships under Washington State Forest Practices Rules, or if the Applicant were to sell the ownership for conversion to non-timber management uses. Thus, this CCAA would preclude the need to list these species, if other similarly-situated landowners would manage their ownership in a similar manner, that is, if other landowners with relatively flat ground, small, seasonal, clay-bottom streams, young Douglas-fir forest stands, as well as some mature conifers and hardwood patches, in this area of Lewis County surrounded by ever-increasing development and conversion, were to implement similar forest management measures.

A. Are the effects of the CCAA less than significant on the rangewide population of federally listed, proposed, or candidate species or other wildlife and their habitats covered under the CCAA? Yes. This CCAA covers 144 acres of land on five separate parcels up to 25 miles apart in central Lewis County, Washington. If this acreage were to be converted from forest land to other uses, the effects to the rangewide population of each of the covered species in this CCAA, and the listed species covered under the SHA, would be minimal. Likewise, maintaining and enhancing the ownership to provide habitat for these species would also be minimal in its effects to the rangewide populations. This is because the species' rangewide population covers numerous states, or is relegated to localized areas currently unconnected to the Applicant's ownership, and the acreage covered in this agreement is so small. The amount and quality of habitat currently on the ownership that could be utilized by the unlisted species, as well as owls, murrelets, and eagles is very low. Management activities under the CCAA will enhance and improve the quality and quantity of habitat provided for these species resulting in patches of higher quality habitat large enough to be utilized by these species sometime during their life cycle. This habitat could provide opportunities for these species to rest, feed, and possibly, breed. However, the effects of the CCAA on such a small portion of the range of these species would not be significant, based on the definition of significance (40 CFR 1508.27).

B. Are the effects of the CCAA minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.)? Yes. The timber management activities that are covered in the CCAA are standard practices involving regeneration harvest, and thinning, planting, and other stand management operations that commonly occur on most other privately-owned forest lands throughout western Washington. Based on the context and intensity of the anticipated impacts, this CCAA does not meet the definition of significance for any element of the human environment per 40 CFR 1508.27.

C. Would the impacts of this CCAA, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? Yes. The Applicant harvests timber similar to what many other small, private, forest land managers do now and have been doing for decades. However, the Applicant chooses to supplement these minimum forest practices to improve habitat conditions by harvesting at atypical longer rotations, providing additional green trees and snags, and retaining tree species diversity. The Applicant agrees to conduct these activities in an environment where surrounding lands have been, or are being, cleared of trees for use as grazing lands (often to the stream bank), dairy farms, chicken farms, and housing development projects. As such, the Applicant's land use activities more closely parallel historical forest land use practices, and retain some semblance of what the landscape used to look like prior to human disturbance. Currently, only one other small, private landowner is developing a conservation plan for their forest land management activities which will cover 4 parcels totaling approximately 980 acres. The CCAA activities, and the only other reasonably foreseeable similarly situated 980-acre project, and their associated impacts on such a small amount of acreage (144 acres in 5 parcels spread across 25 miles) with no measurable affect on watershed processes are not expected to have significant cumulative effects to environmental values or resources, based on the definition of significance (40 CFR 1508.27).

III. Do any of the exceptions to categorical exclusions apply to this CCAA? (from 516 DM 2.3, Appendix 2) No. See below.

Would implementation of the CCAA:

A. Have significant adverse effects on public health or safety? No. Timber harvest operations conducted under this CCAA will be small in scale, infrequent, and remote. All activities are conducted on private ownership away from human inhabitants other than the Applicants themselves, so public safety is not an issue. Forest practices conducted according to Washington State Forest Practices Rules, particularly on this ownership, will not have significant adverse effects on water, air or other elements of the human environment that relate to public health, based on the definition of significance (40 CFR 1508.27). Some minimal exhaust from timber harvesting equipment will be emitted during harvest operations but this is no more than what typically occurs on small forest ownerships, and will occur in forested areas uninhabited by humans.

B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks? No. Timber harvest operations conducted under this CCAA will occur on only those covered lands described in the CCAA; lands privately-owned and managed by the Applicant. There are no unique geographic characteristics, and no known historic or cultural resources on the covered lands; the ownership has been surveyed for cultural resources, and the Service is considered to be in compliance with Section 106 of the National Historic Preservation Act (letter from Jorie Clark, Region 1 Cultural Resources Team, dated February 24, 2003). All the lands that are going to be managed and, therefore, incur some ground disturbance, have been harvested in the recent past. Since the covered lands are privately owned, no adverse effects will occur to park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands or floodplains, or ecologically significant or critical areas.

C. Have highly controversial environmental effects? No. The forest management activities being conducted under this CCAA will be infrequent and small in scale. Although forest management activities conducted under Washington State Forest Practices Rules are commonly accepted practices, the activities conducted under this CCAA will result in better landscape conditions because the landowner chooses to address potential environmental effects that relate to habitat for proposed and candidate species, and other species of concern.

D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? No. The forest management activities to be conducted under this CCAA have been clearly described and are common forestry practices. The effects of these activities, conducted by many forest landowners for years, are well known and predictable.

E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? No. Conservation plans such as this CCAA have been established by policy and regulation to address concerns for species conservation and private landowner economic viability. Other CCAAs are being developed around the nation, and habitat conservation plans for private forest landowners have been developed for over 9 years here in the Pacific northwest. These plans are designed to provide conservation for species of concern while minimizing and avoiding significant environmental effects.

F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects? No. The Applicant harvests timber similar to what many other forest land managers do now and have been doing for decades. However, the Applicant chooses to supplement these minimum forest practices by harvesting at longer rotations to improve habitat quality, by providing additional green trees and snags, and retaining

tree species diversity. The Applicant agrees to conduct these activities in an environment where surrounding lands have been, or are being, cleared of trees for use as grazing lands (often to the stream bank), dairy farms, chicken farms, and housing development projects. As such, the Applicant's land use activities more closely parallel historical forest land use practices, and retain some semblance of what the landscape used to look like prior to human disturbance. Currently, only one other small, private landowner is developing a conservation plan for their forest land management activities which will cover 4 parcels totaling approximately 980 acres. The CCAA activities, and the only other reasonably foreseeable similarly situated 980-acre project, and their associated impacts on such a small amount of acreage (144 acres in 5 parcels spread across 25 miles) with no measurable affect on watershed processes are not expected to have significant cumulative effects to environmental values or resources, based on the definition of significance (40 CFR 1508.27).

G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? No. The Applicant is not aware of any listings and has not gotten any notice of such listings when filing forest practices applications; the Washington State Department of Natural Resources is responsible for checking with the Washington State Office of Archaeology and Historic Preservation before approving forest practices applications. A record search at the Washington State Office of Archeological and Historic Preservation conducted by a Service archeologist resulted in no documented cultural resource within or immediately adjacent to the Applicants ownership. In addition, the ownership has been surveyed for cultural resources, and the Service is considered to be in compliance with Section 106 of the National Historic Preservation Act (letter from Jorie Clark, Region I Cultural Resources Team, dated February 24, 2003).

H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species? No. There are no listed species on or near the vicinity of the ownership. Currently, there are no coastal cutthroat trout, Oregon spotted frogs, northwestern pond turtles, ospreys, or Van Dyke's salamanders located on the ownership or known to use the ownership. Thus, no adverse effects are expected to these species. It is unknown whether pileated woodpeckers, northern goshawks, olive-sided flycatchers, long-eared myotis, long-legged myotis, or Pacific Townsend's big-eared bats currently use the ownership. However, they likely are present because there are suitable habitat patches, trees, water sources, and openings to make foraging, roosting, and possibly nesting opportunities available. The great blue heron is known to have nested in the vicinity of the Applicants ownership in trees at the wetland edge on adjacent ownership. None of these species are expected to be adversely affected because, as a result of the Applicant's activities, habitat quality and quantity is expected to improve, providing opportunities for these species to begin, or continue, to utilize the ownership in the future. There is no designated Critical Habitat on or near the CCAA covered lands.

I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act? No. Approximately one acre of a 4-acre wetland is located on one parcel of the covered lands. The Applicant's management activities will provide a buffer on that portion of the wetland that is on the ownership. The effects to the wetland will likely improve conditions by providing additional shade and large woody debris as habitat, and a source of nutrients for species that inhabit the wetland.

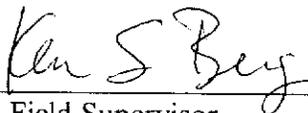
J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment? No. Approval of the CCAA will be in accordance with all applicable laws. In fact, a specific condition of the permit will be that the CCAA be carried out in accordance with all applicable federal, state, or local laws.

IV. ENVIRONMENTAL ACTION STATEMENT

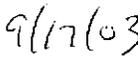
Based on the analysis above, the Tagshinny Tree Farm Conservation Plan meets the qualifications for a Candidate Conservation Agreement with Assurances whose implementation represents a class of actions which do not individually or cumulatively have a significant effect on the human environment. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents (list): Tagshinny Tree Farm Conservation Plan; Environmental Action Statement; Announcement of Final Policy for Candidate Conservation Agreements with Assurances (Federal Register, Vol. 64, No. 16, June 17, 1999) the Final Rule for Candidate Conservation Agreements with Assurances (Federal Register, Vol. 64, No. 116, June 17, 1999).

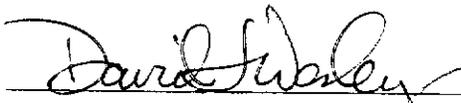
Concurrence:



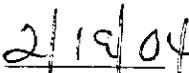
(1) Field Supervisor



Date



(2) Deputy Regional Director



Date