



United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

PO Box 3623
Portland, OR 97208-3623
333 SW First Street
Portland, OR 97204

File Code: 1570-1
(02-06-0025-15)
Date: April 10, 2002

David Foulkes
90339 Highway 101 North
Florence, OR 97439-8626
Dear Mr. Foulkes:

This constitutes my decision, pursuant to 36 CFR 215, on your appeal of Mapleton District Ranger William Helphinstine's November 11, 2001, Decision Notice (DN) and Finding of No Significant Impact (FONSI) for the Baker Beach Dunes Restoration Project.

I have reviewed the appeal record for the project. This record includes the decision documentation, the District Ranger's record transmittal, and the written recommendation of the Appeal Reviewing Officer (ARO). The ARO focused the review on the documentation developed by the District Ranger and the issues raised in your appeal. A copy of the recommendation is enclosed. Responses to the relevant issues raised in your appeal are documented in the appeal record. The record also demonstrates that the analysis addresses the direct, indirect, and cumulative environmental effects consistent with applicable laws, regulations, policies, and existing direction.

I conducted my review of the record pursuant to 36 CFR 215. The appeal asserts the District Ranger's decision is not in accordance with the legal requirements of the National Environmental Policy Act because it does not provide adequate disclosure relevant to the potential costs and environmental consequences to Baker Beach ecosystem.

A review of the decision documentation indicates substantial consideration was given to the relevant, site-specific issues raised in your appeal and the need for the project relevant to the future habitat of western snowy plovers. There was early and continuous opportunity for discussion between the Forest Service (FS) and the public regarding the issues. The Environmental Assessment (EA) documents that the FS considered and addressed all the issues and concerns relevant to the site-specific impacts of the proposed action. I find the decision is consistent with all applicable laws, regulations, policies, and existing direction.

I find the decision maker was well informed about the issues raised in your appeals, including changes in human environment. The EA addresses the cause-and-effect relationships and discloses how the information was used in predicting the environmental consequences for snowy plovers, pink sandverbena, and American dunegrass.



Mr. David Foulkes

2

Based on the decision documentation and the ARO's recommendation, I support the Forest Supervisor's decision and deny your request for relief.

This decision constitutes the final administrative determination by the U.S. Department of Agriculture and is not subject to further administrative review.

Sincerely,

/s/ Daniel Nichols

DAN NICHOLS
Appeal Deciding Officer
Acting Deputy Regional Forester

Enclosure

cc:

Forest Supervisor Colville NF

Connie Smith, Appeal Coordinator, Colville NF

K:\sp\services\correspondence\ogden\1570-1_baker-beach_ADO.doc

Edit: canderson: SP242: 3/28/02