TITLE: SOUTHEAST MISSOURI OZARKS REGIONAL RESTORATION PLAN AND ENVIRONMENTAL ASSESSMENT

FINDING OF NO SIGNIFICANT IMPACT

The Missouri Trustees (Trustees) for natural resource damage assessment and restoration (the State of Missouri acting through the Missouri Department of Natural Resources, the U.S. Department of the Interior acting through the U.S. Fish and Wildlife Service and the U.S. Department of Agriculture acting through the U.S. Forest Service) recently completed the Southeast Missouri Regional Restoration Plan and Environmental Assessment (SEMORRP and EA). The SEMORRP (also referred to as "the Plan") creates a framework to select and implement restoration projects in order to restore injured resources and compensate the public for lost services in a timely manner. After careful consideration of the Alternatives presented in the SEMORRP, the Responsible Official selected a preferred Alternative. The preferred Alternative (Alternative D) in the plan expedites on-the-ground projects as settlement funds are recovered. The Plan allows restoration funds to be combined and/or leveraged with other funding sources to achieve greater natural resource restoration in southeast Missouri.

For the reasons briefly presented below and based on an evaluation of the information contained in the supporting references enumerated below, the Department of the Interior has determined that restoring, replacing and/or acquiring the equivalent of injured resources in the Southeast Missouri Ozarks as described under Alternative D in the SEMORRP and EA is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969. An Environmental Impact Statement will, accordingly, not be prepared.

Reasons:

1. There are no known or anticipated endangered, threatened or candidate species or designated critical habitat that will be adversely affected (Section 9.4 of the SEMORRP and EA). Implementation of the proposed action, a project selection process, would facilitate consideration, selection and implementation of projects which would further protect and potentially aid in the recovery of certain species. Individual actions implemented under this Plan will undergo further analysis to ensure compliance with the Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531-1599, and its implementing regulations, 50 C.F.R. Part 402.

2. Implementation of the proposed action will not result in impacts to habitat due to physical manipulation needed to restore and enhance injured natural resources. However, for projects proposed and selected under the Plan, all necessary permits will be obtained and regulations, policies and laws followed. Section 106 of the National Historic Preservation Act as defined in 36 CFR Part 800 will be followed (Section 9 and Appendix C of the SEMORRP and EA).

3. Projects involving preservation of habitats through acquisition of land or easements will only be from willing sellers or participants. Neighbors adjacent to land purchased for

preservation under this restoration plan will retain all of their current rights to their land. Since habitat preservation will be through fee title or easements with willing sellers who would be paid fair market value, acquisition procedures would have little or no impact on the market price, or on landowners who choose not to sell. (Sections 3 and 5 of the SEMORRP and EA).

4. Alternative D, a tiered project selection process evaluating the feasibility of primary restoration, compensatory restoration, and acquisition of equivalent resources, provides for the opportunity of considering the ecosystem as a whole and maximizes the benefits from natural resource damage assessment restoration. Even though Alternative D potentially extends the geographic area for restoration implementation beyond the immediate area where natural resource injuries have occurred, the SEMORRP provides a strong preference and mechanism to keep restoration in proximity to where injuries have been determined. (Section 3 and 5 of the SEMORRP and EA)

5. Implementation of Alternative D in the SEMORRP/EA is not anticipated to cause any significant adverse effects on wetlands as directed by the President in *Executive Order 11990, Protection of Wetlands.*

6. *Executive Order 11988, Floodplain Management,* directs all federal agencies to take action to avoid, to the extent possible, the long- and short-term impacts associated with the occupancy and modification of floodplains. Alternative D of the SEMORRP and EA will not have any significant adverse effects associated with modification and occupancy of floodplains.

Supporting References:

1. The Draft Southeast Missouri Ozarks Regional Restoration Plan and Environmental Assessment
3. Executive Order 11990, Protection of Wetlands
4. Executive Order 11988, Floodplain Management

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for