

**APPENDIX D: National Oceanic and Atmospheric Administration
Finding of No Significant Impact under the National Environmental Policy
Act for the Final Restoration Plan/Environmental Assessment of the *Tenyo
Maru* Oil Spill**

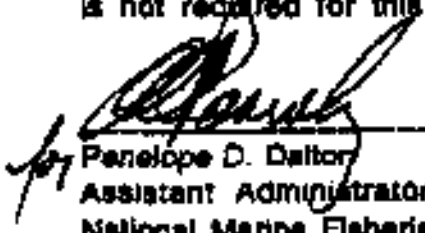
**FINDING OF NO SIGNIFICANT IMPACT
TENYO MARU OIL SPILL RESTORATION PLAN and ENVIRONMENTAL
ASSESSMENT**

The National Oceanic and Atmospheric Administration (NOAA) is a cooperating federal agency for National Environmental Policy Act (NEPA) compliance for the proposed Restoration Plan and Environmental Assessment (RP/EA) for the Tenyo Maru Oil Spill. The RP/EA was prepared by the Natural Resource Trustees (Trustees) responsible for restoration implementation under a consent decree and includes the U.S. Department of the Interior (Fish and Wildlife Service, National Park Service, Bureau of Indian Affairs), U.S. Department of Commerce (NOAA), Makah Indian Tribe, and the State of Washington (Departments of Ecology, Fish and Wildlife, and Natural Resources).

The RP/EA describes the affected environment and evaluates potential restoration alternatives and their environmental consequences. The public has been afforded several opportunities to review and provide input on the alternatives. The Trustees evaluated four alternatives and concluded that the preferred alternative is Alternative D: An Integrated Restoration Approach. The preferred alternative fosters comprehensive restoration of injured resources at both the population and ecosystem levels, and provides the greatest flexibility and the most options for restoring, replacing, rehabilitating, and/or acquiring the equivalent of injured natural resources.

DETERMINATION: Based upon an environmental review and evaluation of the Restoration Plan and Environmental Assessment for the Tenyo Maru Oil Spill, I have determined that the proposed action does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2) (c) of the National Environmental Policy Act of 1969, as amended. Accordingly, an environmental impact statement is not required for this project.

MAR 30 2000



Penelope D. Dalton
Assistant Administrator for Fisheries
National Marine Fisheries Service
National Oceanic and Atmospheric Administration

Date

APPENDIX E: Washington State Environmental Policy Act Compliance

**DETERMINATION OF NONSIGNIFICANCE
AND ADOPTION OF EXISTING
ENVIRONMENTAL DOCUMENT**

Description of current proposal Final restoration plan for the 1991 Tenyo Maru oil spill near Neah Bay

Proponent Tenyo Maru Trustee Council

Location of current proposal US Fish & Wildlife Service, 510 Desmond Drive SE, Suite 102 Lacey, WA 98503, phone (360) 753-4324

Title of document being adopted Final Restoration Plan & Environmental Assessment for the Tenyo Maru Oil Spill

Date adopted document was prepared March 2, 2000

Description of document (or portion) being adopted Final restoration plan and associated documentation. NEPA document adopted by Tenyo Maru Restoration Committee

If the document being adopted has been challenged (WAC 197-11-630), please describe:

Document has not been challenged to date.

The document is available to be read at (place/time) US Fish & Wildlife Service, 510 Desmond Dr. SE, Suite 102, Lacey WA 98503 also <http://www.r1.fws.gov>

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on the proposal for 14 days from the date below. Comments must be submitted by _____

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision-maker.

Name of agency adopting document Washington Department of Ecology

Contact person, if other than responsible official _____
Phone _____

Responsible official DICK WERN

Position/title NRDA COORDINATOR Phone 360 4076971

Address P.O. Box 47600

Date 3/11/00

Signature 

ECY 050-46(b) (Rev. 4/98)