



United States  
Department of  
Agriculture

**Forest  
Service**

May 2009



# Decision Notice

## Siuslaw Travel Management Project

**Siuslaw National Forest**

**Coos, Lane, Douglas, Lincoln, Benton, Tillamook, Polk and Yamhill Counties,  
Oregon**

**Lead Agency: USDA Forest Service**

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## Project Background, Area, and Needs

The need to implement the Travel Management Project (the Project) was identified in chapter 1 of the Travel Management Project Environmental Assessment (EA):

- The Siuslaw National Forest is comprised of about 633,740 acres. A Motor Vehicle Use Map (MVUM) would be produced for the entire Forest. Only roads, trails and areas shown on the Motor Vehicle Use Map, would be open for motorized use on the Siuslaw National Forest.
- The proposed project would non-significantly amend the Siuslaw National Forest Land and Resource Management Plan (Siuslaw Forest Plan; 1990) to change direction for all or portions of six Management Areas (approximately 551,251 acres) from “motorized cross country use open, unless designated as closed” to “motorized cross country use closed, unless designated as open.”
- All or portions of nine Management Areas (about 75,569 acres) are currently closed to motorized cross country use by the Siuslaw Forest Plan and no changes are proposed. As they are already consistent with Travel Management Rule direction to identify where motor vehicles may legally operate, these MA’s are outside the scope of the purpose and need of the Project to designate roads, trails and areas open to motorized use.
- Two Management Areas (MA 10B of the Oregon Dunes and MA 8 - Sand Lake) are open to motorized cross-country travel (about 6,921 acres) by the Siuslaw Forest Plan and no changes are proposed. These two MA’s would be displayed on the Motor Vehicle Use Map as open to motorized cross-country travel (see maps). Other Management Areas on the Oregon Dunes allow motorized use on designated routes or corridors. Within these MA’s, designated routes or corridors would be displayed on the Motor Vehicle Use Map (see maps). The standards and guidelines for Management Areas 8 (Sand Lake) and 10A through 10L (Oregon Dunes) would not be changed under this proposal. These MA’s are already consistent with Travel Management Rule direction, to identify where motor vehicles may legally operate. Therefore, Management Areas 8 (Sand Lake) and 10A through 10L (Oregon Dunes) are outside the scope of the purpose and need of the Project to designate roads, trails and areas open to motorized use.
- Past decisions on closed or decommissioned roads would not be revisited.
- The key (major) road system would be open to highway legal vehicles only except Forest Road 1097 (Spinreel). Forest Road 1097 provides access to the Oregon Dunes National Recreation Area (ODNRA).
- The open non-key (project) road system would be open to all motorized vehicles subject to Mixed-Use Safety analysis.

- Non-key (project) roads designated for closure or decommissioning would be open (subject to Mixed-Use Safety analysis) to all motorized vehicles until closed or decommissioned.
- The existing closed or decommissioned roads would be closed to all motorized vehicles.
- Roads closed under an existing Forest Order would remain closed to all non-permitted motorized vehicles.
- Motorized access to dispersed campsites would be allowed to only those sites that do not cause environmental damage to streams, meadows, and forested areas.

The decision to be made is whether to implement actions designed to address the purpose and need for the Project by selecting Alternative 2 or 3, or to postpone these actions by selecting the no-action alternative (Alternative 1).

### **My Decision**

I have decided to implement all the actions described in Alternative 3 of the Project EA. In making this decision, I have reviewed the Project EA, its appendices, other project-file documents, and public comments that were received during scoping and the 30-day public comment periods.

Alternative 3 will include the following actions:

This alternative will change the existing status of access and travel management from “motorized cross country use open, unless designated as closed” to “motorized cross country use closed, unless designated as open”. Selecting this alternative will result in the following regulatory and management actions:

- The Siuslaw National Forest will be closed to motorized cross country use unless designated open. This closure will include the open-sand areas adjacent to Joshua Lane (250 acres) and Collard Lake (50 acres).
- The key (major) road system will be open to highway legal vehicles only, except OHV mixed use will be allowed on key Forest Roads 1097 (Spinreel), 83, 8376, and 8377. Forest Road 1097 provides access to the ODNRA. Forest Roads 83, 8376, and 8377 provide OHV mixed-use connections between key roads and open non-key roads. These particular roads also directly connect with roads on other public ownerships that allow OHV use on their roads.
- The open non-key (project) road system deemed safe for use will be open to all motorized vehicles.
- Non-key (project) roads designated for closure or decommissioning deemed safe for motorized mixed use will be open to all motorized vehicles, until closed or decommissioned.

- The existing closed or decommissioned roads will be closed to all motorized vehicles.
- Roads closed under an existing Forest Order will remain closed to all non-permitted motorized vehicles.
- Motorized access will continue to be allowed to existing dispersed campsites that do not cause environmental damage to streams, meadows, and forested areas.
- Periodic, temporary road closures to public use will be implemented as needed via Forest Order to facilitate project work and/or ensure public safety.

### **Reasons for the Decision**

Alternative 3 was selected, because it will address the issues and best meet the identified needs in chapter 1 of the Project EA.

Project actions under Alternative 3, including a non-significant Siuslaw Forest Plan amendment that will change six management areas from “cross country use open, unless designated as closed” to “motorized cross country use closed, unless designated as open,” are designed to provide a safe and efficient forest transportation system that minimizes impacts to natural resources and serves public needs and management objectives.

I believe these actions, as described for Alternative 3 in chapter 2 of the Project EA, will provide a safe and efficient forest transportation system that minimizes impacts to natural resources and serves public needs and management objectives. (Project EA, chapter 3.

### **Documentation review**

In my review of the Project EA, its appendices, and other project-file documents, I believe the information provided to me is adequate for a reasoned choice of action. I am fully aware that the selected alternative will have some unavoidable adverse effects, such as prohibiting off-highway vehicle access on the key road system and closing Management Areas 2, 3, 4, about 300 acres within 9, 14 and 15 (about 551,251 acres) to motorized cross country use: (EA, page 54). I have determined, however, that these prohibitions would have beneficial effects.

In making this selection, I have also reviewed information in the administrative record, including but not limited to the Siuslaw Forest Plan (1990), as amended by the Northwest Forest Plan (1994); the Management Plan for the Oregon Dunes National Recreation Area, Siuslaw National Forest (USDA 1994); public and other agency comments; and applicable laws and regulations.

The Siuslaw Land and Resource Management Plan (Siuslaw Forest Plan) was developed and approved March 7, 1990, using the provisions of the planning rule in effect prior to November 9, 2000 (the 1982 planning rule). The Forest Service now has a new planning rule (36 CFR 219, published in the Federal Register on April 21, 2008) referred to as the 2008 planning rule. The 2008 planning rule specifically

states at 36 CFR 219.14(b)(4) that, for plans developed under the 1982 planning rule, the 1982 rule is without effect. There remain no obligations from that regulation, except those that are specifically in the plan. The only requirement specifically provided in the 2008 rule related to projects is at 36 CFR 219.8(e), requiring that projects and activities must be consistent with the applicable plan components. As required by 36 CFR 219.8(e);

The 2008 planning rule provides for a three year transition period for forest plan amendments (36 CFR 219.14(b)(2)). During the transition period, amendments may be made using the procedures from the 1982 planning rule. This decision includes a forest plan amendment to the Siuslaw Forest Plan, following the 1982 planning rule procedures.

I have found that this project, with the exception of the non-significant amendment noted above, is consistent with the Siuslaw Forest Plan (EA, chapters 1 and 2).

### **Alternatives Considered**

Before selecting Alternative 3, I considered Alternatives 1 (no action) and 2 (proposed action) as well as other alternatives that were eliminated from detailed study in chapter 2 of the Project EA.

**Alternative 1, no action**—Alternative 1 is fully described in chapter 2 of the Project EA. The analysis of the effects of Alternative 1 is disclosed in chapter 3 of the Project EA. The no-action alternative forms the basis for a comparison between meeting the Project needs and not meeting the Project needs. This alternative provides baseline information for understanding changes associated with Alternative 2 and 3 and expected environmental responses as a result of past management actions.

**Alternatives 2 and 3**— Alternative 2 was the proposed action that was circulated during the scoping phase of the project. Based on scoping comments, elements of Alternative 2 were changed to form Alternative 3.

### **Reasons for Not Selecting the Other Alternatives**

Alternative 1 (no-action) avoids some negative effects, such as prohibiting off-highway vehicle access on the key road system and closing Management Areas 2, 3, 4, about 300 acres within 9, 14 and 15 (about 551,251 acres) to OHV use: (EA, page 54). However, providing for a safe and efficient forest transportation system and resource, legal access, and trespass issues at Joshua Lane and Collard Lake open sand areas, resource damage in other currently open Management Areas, would not be resolved. Therefore, the no-action alternative was not selected.

Alternative 2 does not meet the stated purpose and need as well as Alternative 3. It provides less key road connectivity between non-key roads than Alternative 3 and it does not coordinate with adjacent road jurisdictions allowing OHV use on their roads as well as Alternative 3.

### **Alternatives considered but eliminated from detailed study**

I considered the following alternatives, but for reasons described, these alternatives were eliminated from detailed study:

#### **Construct new OHV routes, or open, or close or decommission roads.**

An assortment of comments was received from the public to consider constructing new OHV routes or connections or to close or to decommission roads. It was not fully developed, because it is outside the scope of the proposal, which is intended to deal with regulatory activities rather than project-level, ground-disturbing activities. The Siuslaw National Forest site-specific analyses, generally done on a 5th field watershed scale, include road management analysis. At this level of analysis, decisions are made whether to implement the recommendations from the Roads Analysis or not. Future road or motorized trail construction, opening or closing or decommissioning would be decided at this level of analysis.

#### **Create Safe and Legal Access to Collard Lake and Joshua Lane.**

This alternative was recommended for consideration, because no safe or legal access exists. It was not fully developed, because it is outside the scope of the proposal, which is intended to deal with regulatory activities rather than project-level, ground-disturbing activities. Developing a new legal access to Joshua Lane and to Collard Lake would require a separate site-specific analysis, addressing the development of travel corridors, conceptual site development plans, locations, facilities, and boundaries in order to evaluate the impacts to resources.

#### **Closing Non-Key Roads to OHV Motorized Mixed Use Identified by the Corvallis to the Sea Trail Partnership.**

This alternative was recommended for consideration for the proposed Corvallis to the Sea trail location. Since the trail proposal has not been finalized or analyzed it was determined that this action would be pre-decisional and outside the scope of this analysis. If and when the Corvallis to the Sea trail proposal is finalized and analyzed, non-key road use compatibility would be evaluated as a part of that project.

#### **Closing Non-Key Roads to OHV Motorized Mixed Use Identified During Public Scoping.**

This alternative was recommended for consideration through public scoping. Roads were identified and recommended for closure to OHV traffic. These roads were shown in error on the scoping map as open non-key roads, these errors have been corrected. These roads are currently not open for motorized travel, except for Forest Road 5800-784, which is about 300 feet long and accesses a parking area. One road is a Lane County Road and not under Forest Service jurisdiction. As the subject roads are already closed except for 5800-784 or outside FS jurisdiction, this alternative was eliminated from detailed analysis.

#### **OHV Mixed Use Key Road and Non-Key connections**

The public requested, through scoping, that the proposed action be modified to include OHV mixed-use on certain key roads that connect with open non-key roads. Considering the Motor Vehicle Mixed Use Analysis, only Forest Roads 83, 8376, and 8377 were included in Alternative 3.

## **Help from the Public and Other Agencies**

After considering the identified issues to be addressed with this project and developing a proposal to address those issues, letters describing the actions considered in the proposed project were mailed to about 200 parties on January 14, 2008. This information was also posted on the Siuslaw National Forest website. Public comment was also solicited through news releases in the Corvallis Gazette-Times, Albany Democrat-Herald, KGY television in Coos Bay, and other media sources. The proposed project was also published in Siuslaw National Forest quarterly ‘Project Update’ since the Fall (October) 2007 edition. Six open houses were held in 2008; January 30 in Corvallis, February 4 in Yachats; February 5 in Beaver; February 6 in North Bend; February 7 in Florence, and March 1 in Albany. Approximately 80 responses were received.

Public comments contained a variety of suggestions to consider. A vast majority of them either requested the Joshua Lane and Collard Lake open sand areas to be left open or to close as proposed. Some comments requested some identified key roads to be left open for OHV mixed use. A comment requested some identified non-key roads to be closed to OHV mixed use, as they are developing a Corvallis to the Sea trail proposal. Another requested some identified non-key roads to be closed to OHV mixed use, as they are being used for access to equestrian trails. Comments, not outside the scope of the Project and not covered by previous environmental review or existing regulations, were reviewed for substantive content related to the Project. After reviewing the comments, the issue of allowing some identified key roads to be left open for OHV mixed use was added to the need and associated issues. Thus, Alternative 3 was developed to address this issue.

Based on the scoping-notice comments and the analyses from the interdisciplinary team, some alternatives were considered but eliminated from detailed analysis. The alternatives are described in Chapter 2. Chapter 3 provides additional information regarding the alternatives.

A legal notice, advertising that the Travel Management Project Preliminary Analysis is available for a 30-day public review and comment period, was published in the Corvallis Gazette-Times on March 6, 2009. Letters were mailed or e-mailed to interested parties prior to March 6, 2009. The legal notice and letters indicated the Forest website address, where the preliminary analysis and associated documents can be found; identified the beginning of the 30-day comment period; described the comment process, and identified a Forest Service contact person. Letters that were mailed were attached to the preliminary analysis and appendices. Copies of the preliminary analysis were also made available at the Siuslaw National Forest Headquarters in Corvallis, and the District offices in Hebo, Florence, Waldport and Reedsport. Comments on the preliminary analysis were due on April 6, 2009. 44 comments were received - 30 were generally supportive of the Project, and 14 were generally not supportive. Comments on the preliminary analysis and Forest Service responses are summarized in Appendix B, Table B-2.



## **Finding of Non-significant Amendment**

Implementation of this project requires a forest plan amendment to the Siuslaw National Forest Land and Resource Management Plan (Siuslaw Forest Plan). The 2008 planning rule provides for a three-year transition period for forest plan amendments (36 CFR 219.14 (b) (2)). During the transition period, amendments may be made using the procedures from the 1982 planning rule. This decision includes a forest plan amendment to the Siuslaw Forest Plan following the 1982 planning rule procedures. The Forest Service Land Management Planning Manual (Forest Service Manual 1926.51) lists four changes to the forest plan that may not be significant when those changes result from:

1. Actions that do not significantly alter the multiple-use goals and objectives for long-term land and resource management.

This amendment will not change any Forest Land and Resource Management goals or objectives.

2. Adjustments of management area boundaries or management prescriptions resulting from further on-site analysis when the adjustments do not cause significant changes in the multiple-use goals and objectives for long-term land and resource management.

Management area boundaries will not be adjusted.

3. Minor changes in standards and guidelines.

This amendment will change the standards or guidelines to identify an OHV designated trail after 3 years (1997) of the signing of the Dunes Plan. This amendment is specific to only this project.

4. Opportunities for additional projects or activities that will contribute to achievement of the management prescription.

No additional management practices are included in this forest plan amendment. This amendment does not apply to any other designations of OHV routes in the project area or on the Oregon Dunes National Recreation Area. This amendment does not eliminate any future opportunities to achieve the management prescription.

Finding: On the basis of the information and analysis contained in the EA and all other information available as summarized above, it is my determination that adoption of the management direction reflected in my decision does not result in a significant amendment to the Forest Plan.

## **Finding of No Significant Impact (FONSI)**

After considering the environmental effects described in the Travel Management Project Environmental Assessment, I have determined that the activities will not constitute a major Federal action and will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared. I base my finding on the following context and intensity of impacts (40 CFR 1508.27):

## Context

This action is a regulatory activity rather than project-level, ground-disturbing activity. The activities have been viewed and approved in a Regional context through the Siuslaw National Forest Land and Resource Management Plan (USDA 1990), as amended by the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl (USDA, USDI 1994). This action only affects the regulatory administration of the Siuslaw National Forest and the Forest is a very small portion of the Region.

## Intensity

1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

Actions associated with the Project will have both beneficial and adverse effects. Some minor adverse effects are expected by prohibiting off-highway vehicle access on the key road system and closing Management Areas 2, 3, 4, about 300 acres within 9, 14 and 15 (about 551,251 acres) cross country motorized use. Beneficial effects are expected to provide a safe and efficient forest transportation system that minimizes impacts to natural resources and serves public needs and management objectives. I have considered the benefits from implementing the Project actions and find that the overall beneficial effects outweigh any adverse effects. Further, I find that when considered alone, the adverse effects associated with the Project are not significant (EA, chapter 3).

2. The degree to which the proposed actions affect public health or safety.

No significant adverse effects to public health or safety have been identified (EA, page 19-33 and 51). Some beneficial effects are expected by not allowing OHV mixed use on the majority of the key road system.

3. Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas.

This action is a regulatory activity rather than project-level, ground-disturbing activity. This project designates existing roads, trails and open areas for motorized use and amends the Forest Plan to prohibit cross country motorized use in six Management Areas. Therefore, the characteristics of the geographic area do not make it uniquely sensitive to the effects of project actions (EA, chapter 3).

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects on the quality of the human environment are not likely to be highly controversial, because there is no known scientific controversy over the impacts of the Project (EA, chapter 1).

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The Project's environmental effects are not uncertain or unknown. The planned action is to designate existing roads, trails and open areas for motorized use and amends the Forest Plan to prohibit cross country motorized use in six Management Areas (EA, chapters 2 and 3). This action is a regulatory activity rather than project-level, ground-disturbing activity.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Actions that will be implemented by the Project do not set a precedent for future actions, because Project actions are not significant, and are expected to reduce existing adverse effects, and because the planned action is to designate existing roads, trails and open areas for motorized use and amends the Forest Plan to prohibit cross country motorized use in six Management Areas (EA, chapters 2 and 3). This action is a regulatory activity rather than project-level, ground-disturbing activity (EA, chapters 2 and 3).

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.

The Travel Management Project Environmental Assessment has disclosed direct, indirect, and cumulative effects to water, aquatic and terrestrial species, and other components of the human environment. There are no significant direct, indirect, or cumulative effects anticipated from implementing Project actions. Project actions are expected to reduce adverse impacts associated with resource, legal access, and trespass issues at Joshua Lane and Collard Lake open sand areas, resource damage in Management Areas currently open to cross country motorized use, resource damage associated with motorized use at some dispersed campsites, and providing for a safe and efficient forest transportation system. The analysis of cumulative effects considered past, present and reasonably foreseeable future actions on National Forest lands as well as for other ownerships in the Project area (EA, chapter 3).

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.

Based on the pre-project survey and record search of the Project area, actions associated with the Project will have "no effect" (as defined in 36 CFR 800.5 [b]) on any listed or eligible heritage (cultural) resources. (EA, page 51).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Based on specialists' reports and biological evaluations prepared for the Project, there will be no effects on endangered or threatened species or their critical habitats (EA, chapter 3).

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Actions implemented by the Project will not violate Federal, State, and local laws, or requirements designed for the protection of the environment. The Project will meet or exceed State water and air quality standards and is consistent with the Oregon Coastal Management Program, as required by the Coastal Zone Management Act (EA, page 56). The Project is consistent with the Siuslaw Land and Resource Management Plan, as amended by the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl (USDA, USDI 1994), and is consistent with the Management Plan for the Oregon Dunes National Recreation Area, Siuslaw National Forest (USDA 1994).

### **Other Disclosures**

The Project will have no significant adverse effects on wetlands, floodplains, farm land, range land, park land, wilderness, wild and scenic rivers, minority groups, civil rights, women, or consumers; Indian social, economic, subsistence rights, and sacred sites; and heritage resources (EA, pages 56).

### **Findings Required By Other Laws**

Based on the analysis in the Travel Management Project Environmental Assessment, and except for the non-significant amendment to the Siuslaw Forest Plan, I find the selected alternative consistent with the Siuslaw National Forest Land and Resource Management Plan (USDA 1990), as amended by the Northwest Forest Plan (USDA, USDI 1994); and the Management Plan for the Oregon Dunes National Recreation Area (USDA 1994) (EA, pages 2 to 6). The Project is designed to meet or exceed the objectives of the Aquatic Conservation Strategy as set forth in the Northwest Forest Plan (EA, page 52-55). The selected alternative is consistent with the National Forest Management Act (NFMA) 1976. The proposed project is consistent with the Coastal Zone Management Act.

### **Implementation Date**

Implementation of this project may not proceed until five working days after the close of the 45-day appeal-filing period.

### **Administrative Review and Appeal**

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.7. Written notice of appeal must be postmarked or received by the Regional Forester, Appeal Deciding Officer, USDA Forest Service, 333 SW First Avenue Portland, OR 97204 within 45 days of the date of publication of the notice for this decision in the Corvallis Gazette-Times (Corvallis, Oregon). Individuals or organizations

who have expressed interest in the Travel Management Project may file an appeal. The appeal must meet the content requirements of 36 CFR 215.14 "Appeal Content”:

- The appeal must state that the document is an appeal pursuant to 36 CFR 215;
- The name, address, and telephone number (if applicable) of the appellant must be included, and must identify the decision by title, subject, date of decision, and name and title of the Responsible Official;
- The appeal narrative must be sufficient to identify the specific change(s) to the decision sought by the appellant or portions of the decision to which the appellant objects, and must state how the Responsible Official’s decision fails to consider comments previously provided; and
- If applicable, the appeal should state how the appellant believes this decision violates law, regulation, or policy.

Appeals (including attachments) may be filed by regular mail, fax, e-mail, hand delivery, express delivery, or messenger service. The publication date of the notice for this decision in the newspaper of record is the sole means of calculating the appeal-filing deadline, and those wishing to appeal should not rely on dates or timelines from any other source.

E-mail appeals must be submitted to: [appeals-pacificnorthwest-regional-office@fs.fed.us](mailto:appeals-pacificnorthwest-regional-office@fs.fed.us), and must be in one of the following three formats: Microsoft Word, rich text format (rtf) or Adobe Portable Document Format (pdf). Electronic appeals must be submitted only to the e-mail address shown above as part of the actual email message, or as an attachment in Microsoft Word, rich text format or Adobe portable document format only. E-mails in other formats or containing viruses will be rejected. Note in the subject line the name of the project and that it is an appeal.

FAX appeals must be submitted to: 503-808-2255. Appeals may be hand-delivered to the Resource Planning and Monitoring Office, 333 SW First Ave., Portland, Oregon 97204 between 8:00 AM and 4:30 PM Monday-Friday.

It is the responsibility of all individuals and organizations to ensure their appeals are received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender’s responsibility to ensure timely receipt by other means.

**Contact Person**

For further information regarding this project, contact Frank N. Davis (541) 750-7077, Siuslaw National Forest, 4077 SW Research Way, P.O. Box 1148, Corvallis, OR 97333.

**Responsible Official:**

**Barnie T. Gyant**

May 11, 2009

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