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BUREAU OF LAND MANAGEMENT
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FINDING OF NO SIGNIFICANT IMPACT (FONSI)

For

**Environmental Assessment No. OR-030-08-006
Star Valley Road Maintenance Material Sites**

The FONSI is a document that explains the reasons why an action will not have a significant effect on the human environment and why, therefore, an EIS will not be required (40 CFR 1508.13). This FONSI is a stand-alone document but is attached to the Environmental Assessment (EA) and incorporates the EA by reference. The FONSI does not constitute the authorizing document: the decision record is the authorizing document.

“Significance” as used in NEPA requires considerations of both context and intensity (40 CFR 1508.27).

For context, significance varies with the setting of the proposed action. For instance, for a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. For this proposed action, the effects are confined to the southeast area of the Louse Canyon Geographic Management Area (GMA), and these effects are described and analyzed in the EA.

Intensity refers to the severity of effect. The BLM will conduct the actions described using the Best Management Practices (BMPs) referenced in the EA and limiting effects to the immediate vicinity of the material sites.

The Vale District BLM is tasked with maintaining the SVR to provide safe public and administrative access to public lands in the southeastern portion of the District. The maintenance of the SVR requires that rock material is available within a reasonable distance to the work area. Existing rock sources from designated community pits are between 12 and 40 miles from the primary road maintenance area. The Vale District BLM needs to develop three material sites along the SVR to allow cost effective and efficient maintenance of BLM transportation plan roads. Increased fuel and equipment maintenance cost would be buffered by reducing the haulage distance of rock materials to a maximum of 6 miles for the road maintenance projects. The material sites would be developed to provide aggregate material for the resurfacing and subsequent maintenance of the SVR and any adjacent roads.

BLM’s NEPA Handbook (H-1790-1) states that, “Several CXs include acreage limitations (Appendix 3, Departmental Categorical Exclusions and Appendix 4, BLM Categorical Exclusions). Where multiple treatments are proposed, for instance, consider the total area treated, rather than adding together overlapping acreage of different treatments.” The Handbook provides a CX for mineral

material sites in Appendix 4, F. Solid Minerals, 10 “Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas”. Individually, the material sites would meet the criteria for the CX, however, the EA prepared for this action analyzes the environmental consequences of the all three material sites satisfying the intent of NEPA and determines the best course of action to take within the constraints of the law.

One material site lies within an area identified in a citizen’s proposal as possessing wilderness characteristics. BLM has evaluated this area and has determined minimal impact will occur and does not fundamentally alter the determination of the wilderness characteristics evaluation.

Any land management action involving ground disturbance invariably, and by definition, entails environmental effects. I have determined, based upon the analysis of environmental impacts contained in the referenced EA (OR-030-08-006), that the potential impacts resulting from the proposed action would not be significant and that, therefore, preparation of an environmental impact statement is not required.

I find that the project’s affected region is localized and the effects of implementation are relevant to compliance with Federal and Oregon State law. There would be no adverse societal or regional impacts and no significant adverse impacts to the environment. I have evaluated the environmental effects, together with the proposed mitigating measures, against the tests of significance found at 40 CFR 1508.27. Although not a condition of my determination, implementation of all BMPs of the proposed project to protect native species and water quality during construction and operation of the pits would be critical to the success of the action.

I have determined that if the decision was made to implement the proposed action:

1. The proposed action would cause no significant impacts, either beneficial or adverse; all impacts would be insignificant; and the proposed activity will not have an adverse effect on water quality.
2. The proposed action would have no adverse effect on public health or safety.
3. The proposed action would not affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, or ecologically critical areas.
4. The proposed action would have no highly controversial effects. The BLM believes this is the best action to satisfy the purpose and need for the maintenance of the SVR while conforming to the rules and regulations governing the administration of public lands.
5. The proposed action would have no uncertain effects and would not involve unique or unknown risks.
6. The proposed action is not related to any other action being considered by BLM beyond that addressed in the EA. The EA analysis includes the effects from the planned maintenance of the Star Valley Road, which is a connected action to the proposed action of opening three material sites.
7. The proposed action would have no adverse effect to any property listed on or potentially eligible for listing on the National Register of Historic Places.
8. The proposed action would have no significant impact to areas having wilderness characteristics

because only one of proposed mineral material sites would occur within an area identified to possess wilderness characteristics. The one site would be located at the extreme edge of that area, affecting only 0.10% of the 9,134 acres of the area. Significance is further diluted when considered in the context of the 273,837 acres found to have wilderness characteristics within the Louse Canyon Geographic Management Area (LCGMA). The BLM is not required by policy, regulation or law to protect areas identified by citizen's wilderness proposals but has chosen to minimize impacts in the LCGMA.

9. The proposed action would have no adverse effect, significant or otherwise, to an endangered or threatened species or any habitat critical to an endangered or threatened species since none are present in the affected area. Furthermore, because Best Management Practices would be used, effects to any habitat would be insignificant.

10. The proposed action does not violate any law or requirement imposed for the protection of the environment.

11. The proposed action would allow beneficial effects to water and air quality by minimizing sediment-laden water run-off to local drainages and fugitive dust through improvement of the SVR surface.

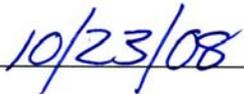
12. The proposed action would not significantly adversely affect permitted livestock grazing because only 0.03% of the pasture acreage would be affected. In reality, the three material sites are located at sites with existing rock outcrops where little forage is currently available.

13. The proposed action would not adversely affect wild horses or wildlife because there would be no fundamental changes to adequate sources of forage and water.

This proposed action is consistent with the Southern Malheur Management Framework Plan (1983), the Southeastern Oregon Resource Management Plan (2002) and Oregon State law.



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Vale District BLM



Date