

**UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District Office
Andrews Resource Area
Finding of No Significant Impact**

**UNNAMED SPRING PIPELINE
ENVIRONMENTAL ASSESSMENT
DOI-BLM-OR-B060-2013-0045-EA**

INTRODUCTION

In 2012, the Bureau of Land Management (BLM) discovered a series of improvements located on public lands within the Pueblo Mountain Wilderness Study Area (WSA) near a private residence just north of Denio, Nevada. These improvements were three pipelines (two buried and one above ground).

The private landowner has agreed to apply for a Federal Land and Policy Management Act (FLPMA) Right-of-Way (ROW) for the buried pipeline that provides spring water to the residence. The landowner has also agreed to remove the above ground pipeline that was built in the 1980s, and to rehabilitate the area.

Andrews Resource Area, Burns District, has prepared an Environmental Assessment (EA) to analyze the granting of a ROW for a pipeline from an unnamed spring to a private residence to resolve unauthorized development. Private landowner has submitted an application for the right to construct, operate, maintain, and terminate an existing pipeline that provides domestic water to her private residence.

SUMMARY OF THE PROPOSED ACTION

The BLM's Proposed Action is to grant, grant with terms and conditions, or deny the application for a buried pipeline ROW. The proposed project is detailed in the attached map, Exhibit A, and located at W.M., T. 41 S., R. 35 E., sec. 08, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The applicant removed the above ground pipeline that runs from the unnamed spring and was affixed to the fence enclosure. Removal of the above ground pipeline took place in the summer of 2013 with two people manually removing the pipeline from public land with hand tools. The debris from the removed pipeline was taken down the hill manually; no motor vehicles were used. This action qualified for Categorical Exclusion J. (10) Removal of structures and materials of no historical value, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.

According to the BLM National Environmental Policy Act (NEPA) handbook, H-1790-1, section 4.2.3.2, no documentation is required when actions have no environmental effect. Therefore, there is no documentation of environmental analysis for removal of the above ground pipeline.

FINDING OF NO SIGNIFICANT IMPACT

Consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of impacts, is described below:

Context

The Proposed Action would occur in Pueblo Mountain WSA and would have local impacts on affected interests, lands, and resources similar to and within the scope of those described and considered in Andrews Management Unit (AMU) Proposed Resource Management Plan (PRMP)/Final Environmental Impact Statement (FEIS) (2004). There would be no substantial broad societal or regional impacts not previously considered in the PRMP/FEIS. The actions described represent anticipated program adjustments complying with the AMU RMP/Record of Decision (ROD) (2005), and implementing Land and Realty and WSA management programs within the scope and context of this document.

Intensity

The CEQ's ten considerations for evaluating intensity (severity of effect):

1. *Impacts that may be both beneficial and adverse.*

The EA considered potential beneficial and adverse effects. Terms and conditions were incorporated to reduce impacts. None of the effects are beyond the range of effects analyzed in the AMU PRMP/FEIS, to which the EA is tiered.

Lands and Realty: Alternatives B and C would place a ROW in a ROW avoidance area as designated by the Andrews RMP/ROD. The RMP defines avoidance areas as "Areas with sensitive resource values where ROW and land use authorization will be strongly discouraged. Authorizations made in avoidance areas will have to be compatible with the purpose for which the area was designated and not be otherwise feasible outside the avoidance area." (Andrews RMP/ROD, Glossary-95).

ROWS can be granted within ROW avoidance areas if the ROW is deemed compatible with the purpose for which the ROW avoidance area was designated, in this case the ROW avoidance area was designated because it is a WSA. The inventory that was done on the Pueblo WSA in 1979 documented the presence of a trough and pipeline in the same location. Although it is unclear if the pipeline in question was the one noted in the inventory it is clear that the presence of a pipeline did not make the area ineligible for WSA status and therefore must be compatible with the purpose for which the area was set aside as an avoidance area.

In addition, to determining compatibility with a ROW avoidance area, BLM has to determine if the ROW would be feasible in another location outside of the avoidance area. This ROW would be infeasible at another location because there

is no spring in the vicinity that could also serve the domestic water purposes for the residence. Additionally, even if there were another spring available, the construction of a new pipeline may cause more damage to the wilderness values in the area than leaving the existing pipeline in place.

Wilderness Study Area (WSA): The Proposed Action is within Pueblo Mountain WSA. Wilderness characteristics include naturalness, outstanding opportunities for solitude or primitive and unconfined recreation, and the presence of special features.

Naturalness:

The spring is in an un-natural condition while in its current state of development. The head box and pipeline impair the natural flow of the spring waters. Ground disturbances due to maintenance of the head box or pipeline are temporary in nature, yet may occur more frequently as the components age. The use of the spring in the WSA for potable water creates a use that is not temporary, and which impairs naturalness.

Outstanding opportunities:

Removal of the pipeline and head box would impair opportunities for solitude or recreation for the period of time the work was being done. After the work is completed opportunities for solitude or recreation would return. As the work site is located only a few hundred yards from a nearby home on the boundary of the WSA the opportunities for solitude are not outstanding and are influenced by the dwelling, a reservoir, fences and other outbuildings.

Supplemental values:

The spring is currently encircled by a barbed wire fence. Access to the spring waters is impaired by the barrier, but not completely stopped. Granting a ROW would not change the supplemental values at this site.

2. *Degree to which the Proposed Action affects public health and safety.*

No aspect of the Proposed Action, Proposed Action with Terms and Conditions, or No Action Alternative would have an effect on public health and safety.

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.*

Other unique characteristics for the area surrounding the pipeline from the Unnamed Spring include Pueblo Mountain WSA are described in #1 above.

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

Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference among the alternatives. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action, Proposed Action with Terms and Conditions, or No Action Alternative.

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

The analysis has not shown there would be any unique or unknown risks to the human environment nor were any identified in the AMU PRMP/FEIS to which this proposal is tiered.

6. *Degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration.*

This project neither establishes a precedent nor represents a decision in principle about future actions. Granting of a temporary ROW within the Pueblo Mountain WSA is not considered to have a lasting effect within Pueblo Mountain WSA. Any future ROW applications within WSAs would need to be assessed on a case-by-case basis and decisions based on scope of impact.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the AMU PRMP/FEIS which encompasses the Pueblo Mountain WSA. The EA described the current state of the environment (Affected Environment by Resource, Chapter III) which included the effects of past actions, and included analysis of reasonably foreseeable future actions identified in the project area.

8. *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.*

Cultural inventories were completed as part of the EA and there are no features within the project area listed or eligible for listing in the *National Register of Historic Places*.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat.*

There are no known threatened or endangered species or their habitat affected by the Proposed Action, Proposed Action with Terms and Conditions, or No Action Alternative.

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

The Proposed Action, Proposed Action with Terms and Conditions, or No Action Alternative does not threaten to violate any law. The Proposed Action with Terms and Conditions is in compliance with the AMU RMP/ROD (2005), which provides direction for the protection of the environment on public lands.

On the basis of the information contained in the EA and all other information available to me, it is my determination that:

- 1) The implementation of the Proposed Action, Proposed Action with Terms and Conditions, or No Action Alternative will not have significant environmental impacts beyond those already addressed in the AMU PRMP/FEIS (2004);
- 2) The Proposed Action, Proposed Action with Terms and Conditions, or No Action Alternative is in conformance with the AMU RMP/ROD;
- 3) There would be no adverse societal or regional impacts and no adverse impacts to affected interests; and
- 4) The environmental effects, together with the proposed terms and conditions, against the tests of significance found at 40 CFR 1508.27 do not constitute a major Federal action having a significant effect on the human environment. Therefore, an EIS is not necessary and won't be prepared.

Rhonda Karges
Andrews/Steens Resource Area Field Manager, Burns

Date

UNNAMED SPRING
PIPELINE
ENVIRONMENTAL
ASSESSMENT

DOI-BLM-OR-B060-2014-0045-EA

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Bureau of Land Management
Burns District Office
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CHAPTER I: INTRODUCTION: PURPOSE AND NEED FOR ACTION

A. Introduction

In 2012, the Bureau of Land Management (BLM) discovered a series of improvements located on public lands within the Pueblo Mountain Wilderness Study Area (WSA) near a private residence just north of Denio, Nevada. These improvements were three pipelines (two buried and one above ground).

The initial investigation determined a private landowner uses the nearby unnamed springs and an unnamed creek for agricultural irrigation for fields, and to provide household water.

The investigation concluded that one buried pipeline had clearly been installed prior to the passage of the Federal Land Policy and Management Act (FLPMA) in 1976 (considered an authorized Pre-FLPMA Ditch and Canal (D/C) Right-of-Way (ROW) and acknowledged under Revised Statue (R.S.) 2339 (43 USC 661); one above ground pipeline was not built until the late 1980s, and is therefore considered an unauthorized improvement; and one buried pipeline the evidence was inconclusive to the date built (considered an unauthorized improvement).

The spring has been the only source of domestic water since the land was patented in 1891; there is no domestic water well at the residence. A water right was filed on the unnamed spring in 1986. Aerial photography is inconclusive as to the date when the buried pipeline may have been built. The private landowner believes the buried pipeline was built prior to 1976. However, there is no conclusive evidence to substantiate this claim.

The above ground pipeline is currently affixed to a fence that surrounds the spring and traverses downhill until it connects to a reservoir located on BLM land. The reservoir was authorized through a Cooperative Management Agreement (CMA) in 1983.

The private landowner has agreed to apply for a FLPMA ROW for the buried pipeline that provides spring water to the residence. The landowner has also agreed to remove the above ground pipeline that was built in the 1980s, and to rehabilitate the area.

The BLM's Proposed Action is to grant, grant with stipulations, or deny the application for a buried pipeline ROW, and to require natural resource rehabilitation associated with the removal of the unauthorized above ground pipeline. The proposed project is detailed in the attached map, Exhibit A, and located at W.M., T. 41 S., R. 35 E., sec. 08, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

B. Purpose and Need for Action

The purpose for the action is to allow an opportunity for the applicant to apply for a FLPMA ROW to maintain the existing pipeline domestic water to their residence, to remove the above ground pipeline, and complete rehabilitation of the area.

The need for the action is established by the BLM's responsibility under the FLPMA to respond to a request for an ROW grant. In addition, the Andrews Management Unit Record of Decision (ROD) and Resource Management Plan (RMP), dated August 2005, directs BLM to meet public needs for use authorizations such as ROWs, when appropriate, and to eliminate unauthorized use of public land.

C. Decision to be Made

The BLM Andrews/Steens Resource Area Field Manager will decide whether or not to grant, grant with stipulations, or deny the request to grant a ROW for an existing pipeline in settlement of trespass. In addition, BLM will decide what rehabilitation must occur.

D. Conformance with Land Use Plans, Laws, Regulations, and Policy

The Proposed Action and alternatives are in conformance with the Andrews Management Unit RMP/ROD, dated August 2005. Andrews Management Unit RMP Objective 2 directs the BLM to: “meet public, private, and Federal agency needs for realty-related land use authorizations and land withdrawals including those authorizations necessary for wind, solar, biomass, and other forms of renewable energy development.” Additionally, Objective 4 directs the BLM to “[eliminate unauthorized use of public land.” (RMP-59)

The Proposed Action has also been designed to conform to the following documents, which direct and provide the framework and official guidance for management of BLM lands within the Burns District:

- National Environmental Policy Act (NEPA) (42 U.S.C. 4321-4347), 1970
- Federal Land Policy and Management Act (43 U.S.C. 1701), 1976
- Code of Federal Regulations (CFR): Rights-of-Way (43 CFR 2800)
- Noxious Weed Management Program Environmental Assessment for the Burns District BLM (OR-020-98-05), 1998
- Greater Sage-Grouse and Sagebrush-steppe Ecosystems Management Guidelines (BLM-2000)
- BLM National Sage-grouse Habitat Conservation Strategy (2004)
- Greater Sage-Grouse Conservation Assessment and Strategy for Oregon (Hagen 2011)
- WO IM 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures
- Andrews Management Unit ROD and Resource Management Plan, August 2005
- Manual 6330, Management of WSAs
- Manual 8400- Visual Resource Management

E. Scoping and Issues

BLM conducted internal scoping during an Interdisciplinary Team (IDT) meeting on July 2, 2013, and through informal discussions with various specialists within the BLM. In addition, BLM has conducted numerous meetings with Oregon Water Resources Departments, undertaken on-site visits with the applicant, and has correspondence/communication with a grazing permittee and a nearby landowner.

Identification of Issues

See Table 1 in Chapter 3 for issues that were analyzed in this document.

Issues Considered but not Analyzed Further

The issue of water quality and safety was discussed at the internal scoping meetings. The BLM is unaware of any safety or health issues associated with the spring or the residence. The ROW would address water quality testing, and recommend that the applicant take appropriate measures to ensure that the water is suitable for domestic use.

Alternatives Considered but not Analyzed Further

The BLM considered requiring complete removal of the pipeline. The BLM believes that removal of the pipeline would cause more damage to the WSA than leaving the pipeline in place, and making it not functional. Therefore complete removal of the pipeline was not analyzed further.

BLM considered moving the location of the pipeline to a location outside of WSA. Because of the location of any nearby springs, the scope of applicant's water right, and the location of the Fields-Denio Road, there is no other feasible location for the pipeline ROW. Therefore, moving the location was not analyzed further

CHAPTER II: ALTERNATIVES INCLUDING THE PROPOSED ACTION

A. Actions Common to All Alternatives

The applicant removed the above ground pipeline that runs from the unnamed spring and is affixed to the fence enclosure. Removal of the above ground pipeline took place in the summer of 2013 with two people manually removing the pipeline from public land with hand tools. The debris from the removed pipeline was taken down the hill manually; no motor vehicles were used. This action qualified for Categorical Exclusion J. (10) Removal of structures and materials of no historical value, including those built in trespass and reclamation of the site when little or no surface disturbance is involved.

According to the BLM NEPA handbook, H-1790-1, section 4.2.3.2, no documentation is required when actions have no environmental effect. Therefore, there is no documentation of environmental analysis for removal of the above ground pipeline.

B. Alternative A - No Action Alternative

BLM would reject the FLPMA ROW application for the buried pipeline and head box.

The applicant would be required to remove the head box from the spring and both functional ends of the buried pipeline rendering it not visible and usable. The work would take place in the spring of 2014 with two people manually using hand tools.

There would be no ground disturbance for the removal of the head box and capping the buried pipeline with hand tools. There would be no requirement for seeding or additional rehabilitation.

The buried pipeline removal would be required to be completed within 10 days of the Authorized Officer (AO) signing the Decision Record.

C. Alternative B - Proposed Action (Private Landowner ROW Application)

BLM would grant a FLPMA ROW for an existing pipeline system 671 feet in length by 10 feet in width containing .15 acres that includes:

- A head box installed at the lower unnamed spring,
- A ditch that currently runs from the upper spring to the lower spring, and
- A 2½-inch diameter pipeline that is partially buried at depths from approximately 6 inches to 2 feet and runs along the fence line downhill to the applicant's private residence.

The FLPMA ROW would terminate upon any of the following contingencies:

- At the end of 30 years, or
- Upon the death of the ROW recipient (Holder), or
- Upon transfer of title of the Holder's real property to another party.

If the ROW Holder were to provide evidence to the BLM the pipeline was constructed prior to 1976; BLM would make a determination if the pipeline could be recognized as a Pre-FLPMA D/C ROW under R.S. 2339. If Congress were to release the WSA and make it public domain land, then BLM would determine if the ROW could be renewed at that time.

After the ROW is terminated the Holder, or the holders authorized successors or assignees would remove (1) the head box from the spring, and (2) both functional ends of the pipeline, rendering them not visible and unusable.

The pipeline is currently buried just below the ground surface from approximately six inches to two feet in most places, although there are a few spaces where the pipeline is not completely covered by the ground. The water system described above is already in place so no construction would be authorized or analyzed in this document. The water system is used year round and is the only source of household water for the private residence.

The applicant would be authorized to clean the head box and the ditch two times a year. In addition, ground disturbing activities may be necessary if the pipeline ceases to deliver water and needs to be maintained. The ground disturbing activities may include digging to a depth necessary to make pipeline repairs. In this event, the Holder would be required to bury the pipeline back in the ground as before and put the dirt back in place as much as possible. The applicant would then be required to reseed the area with a seed mix approved by the BLM AO.

The ROW grant would, at a minimum, be subject to the following terms and conditions:

The following terms and conditions are standard language on ROW Grant standard form:

1. This grant or permit is issued subject to the Holder's compliance with all applicable regulations contained in Title 43 CFR parts 2800 and 2880.
2. Upon grant termination by the AO, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the AO.
3. Each grant issued pursuant to the authority of paragraph (1)(a) for a term of 20 years or more shall, at a minimum, be reviewed by the AO at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a ROW or permit granted herein may be reviewed at any time deemed necessary by the AO.
4. The stipulations, plans, maps, or designs set forth in Exhibits A, B, C dated October 10, 2013 attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
5. Failure of the Holder to comply with applicable law or any provision of this ROW grant or permit shall constitute grounds for suspension or termination thereof.
6. The Holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

D. Alternative C - Proposed Action with Terms and Conditions

BLM would grant a FLPMA ROW for an existing pipeline system 671 feet in length by 10 feet in width containing .15 acres that includes:

- A head box installed at the lower unnamed spring
- A ditch that currently runs from the upper spring to the lower spring
- A 2½-inch diameter pipeline that is partially buried at depths from approximately 6 inches to 2 feet and runs along the fence line downhill to the applicant's private residence

The FLPMA ROW would terminate upon any of the following contingencies:

- At the end of 30 years, or
- Upon the death of the ROW recipient (Holder), or
- Upon transfer of title of the Holder's property to another party.

If the ROW Holder were to provide evidence to the BLM the pipeline was constructed prior to 1976; BLM would make a determination if the pipeline could be recognized as a Pre-FLPMA D/C ROW under R.S. 2339. If Congress were to release the WSA and the land became regular public domain land, then BLM would determine if the ROW could be renewed at that time.

After the pipeline is terminated the Holder would remove the head box from the spring and both functional ends of the pipeline would be removed so that it was neither visible nor usable.

The pipeline is currently buried just below the ground surface from approximately six inches to two feet in most places, although there are a few spaces where the pipeline is not completely covered by the ground. The water system described above is already in place so no construction would be authorized. The water system is used year round and is the only source of household water for the private residence.

The applicant would be authorized to clean the head box and the ditch two times a year. In addition, ground disturbing activities may be necessary if the pipeline needs to be maintained. The ground disturbing activities may include digging to a depth necessary to make pipeline repairs. In this event, the Holder would be required to bury the pipeline back in the ground as before and put the dirt back in place as much as possible. The Holder would then be required to reseed the area with a seed mix approved by the BLM AO.

The ROW grant would be subject to the standard Terms and Conditions as stated above in Alternative B. In addition, at a minimum, the following terms and would be included to ensure protection of the resources in the project area:

1. The Holder shall construct, operate, use, and maintain the existing pipeline within this ROW in conformance with the ROW application submitted January 18, 2013, unless otherwise modified by the terms and conditions contained herein. Any relocation, additional construction, or use that is not in accordance with the application, Plan of Development, or this grant shall not be initiated without the prior written approval of the AO.
2. All pipeline, maintenance, and use would be confined to a maximum authorized width of 10 feet, 5 feet from each side of centerline of the ROW.
3. Where possible, maintenance of the pipeline would occur using hand tools (such as a shovel). Major earthmoving equipment (such as a backhoe) would only be used when the conditions on the ground would not allow for the use of hand tools (i.e., the ground is too frozen for hand digging to occur).
4. The Holder shall be responsible for weed prevention and control within the limits of the ROW when new surface-disturbing activities on the ROW are proposed. In addition, prior to undertaking any weed prevention or control measures the Holder shall consult with the BLM AO regarding acceptable weed control methods, monitoring, reporting, and education of personnel on weed identification. Application of chemicals for control of noxious weeds or any other purpose shall be in accordance with applicable Federal and State law and shall be approved by BLM prior to application.
5. During conditions of elevated fire danger, construction or major maintenance operations (major maintenance operations would be those that include motorized equipment) shall be limited or suspended or additional fire control measures may be required by the AO. The Holder shall be liable for suppression costs and rehabilitation of lands damaged by fire resulting from his use of the ROW.
6. The Holder shall minimize disturbance to existing fences, pipelines, and other improvements on public land. The Holder is required to promptly repair improvements to at least their former state. Functional use of these improvements would be maintained at all times.
7. If ground disturbing activities are necessary the Holder would notify the BLM AO within 10 days of the ground disturbing activities taking place.
8. The holder shall be responsible for ensuring that any equipment used is cleaned prior to arriving at the location to prevent introduction of weeds. The holder shall seed all disturbed areas using a BLM agreed upon method for the location. Seed mix shall be approved by BLM AO. Seeding shall be repeated if a satisfactory stand is not obtained as determined by the AO upon evaluation after the second growing season.
9. In granting this domestic water use ROW, the United States makes no assertions

regarding, nor does it warrant, that the water obtained from United States lands is potable or suitable for any domestic use. The recipient assumes all responsibility for testing and, if necessary, treating water in order to ensure that it is potable and suitable for any domestic use. Such water treatment may only occur on land owned by [recipient]. The recipient is solely responsible for obtaining any State or local government permissions, permits, approvals, or tests respecting the water at issue, and any associated water conveyance system. The United States has no obligation to ensure, whether now or in the future, that the recipient will receive any specific amount or quality of water from BLM lands. The United States has no obligation to permit access to federal lands for the purpose of testing water quality, or repairing or upgrading the water conveyance system. Requests for access to federal land for these and other purposes will be made in writing to BLM, and will be either granted, granted with modifications, or denied, in writing, by an AO.

CHAPTER III: AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

A. Identified Resources with Issue Overview

1. Affected Environment

An IDT has reviewed and identified resources with issue questions affected by the alternatives. The following table summarizes the results of that review. Affected resources with issue questions are in **bold** in the table below:

Table 1: Affected Environment

Resources/Issues	Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
Air Quality (Clean Air Act)	Not Affected	No burning or release of noxious fumes is associated with this project.
American Indian Traditional Practices	Not Affected	No traditional use areas are known to occur in this specific location.
Areas of Critical Environmental Concern (ACECs)	Not Affected	There are no ACEC/RNAs (Research Natural Area) within the proposed ROW.
Cultural Resources and Archeology	Not Present	A clearance was conducted in the Summer of 2013 and no resources were found.
Environmental Justice (Executive Order 12898)	Not Present	The Proposed Action and alternatives would not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations; as such populations do not exist within the proposed project area.
Fire Management	Not Affected	No burning is associated with this project.
Fisheries	Not Present	The spring proposed for action is not occupied by fish, nor is it tributary to fish bearing streams.
Flood Plains (Executive Order 13112)	Not Affected	No flood plain has been established for this area by FEMA
Forestry/Woodlands	Not Affected	There is no forestry or woodlands present within the project area.

Resources/Issues		Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
Grazing Management and Rangelands		Not Affected	There would be no change in water use than what has been occurring in the past in this area.
Hazardous or Solid Waste		Not Affected	No concerns have been disclosed.
Migratory Birds (Executive Order 13186)		Not Affected	There would be no ground disturbance or change in water use than what has been occurring in this area, thus there is no effect to migratory birds or habitat for migratory birds.
Minerals		Not affected	If mineral material is used during any work from federal sources, is must be under a sales permit and no material shall be taken from the site without property approval.
Noxious Weeds (Executive Order 13112)		Not Affected	By following standard design features listed under the Proposed Action, noxious weed introduction and spread would be minimized to non-project levels.
Operations (Range Lead)		Not Affected	Grazing operations will continue as before.
Paleontological Resources		Not Present	A clearance was conducted in Summer of 2013 and not resources were found.
Prime and Unique Farmlands		Not Present	Prime and Unique Farmlands are not present within the project area.
Realty and Lands		Affected	<p>See Chapter III.B.1</p> <ul style="list-style-type: none"> • Would granting the ROW impact any authorized uses in the area? • Would granting the ROW in an avoidance area conflict with the reasons the avoidance area was created? • Would the ROW be feasible in any other location?
Reclamation (Engineering)		Not Affected	There are no reclamation efforts associated with this project.
Recreation and Off Highway Vehicles (OHV)		Not Affected	The Proposed Action would not affect recreational and OHV activities.
Social and Economic Values		Affected	<p>See Chapter III.B.2</p> <ul style="list-style-type: none"> • How would denying the ROW for the buried pipeline affect the applicant socio-economically?
Soils and Biological Crusts		Affected	<p>See Chapter III.B.3</p> <ul style="list-style-type: none"> • How would granting or denying the ROW affect Soils and Biological Soil Crust (BSC)s?
Wildlife/ Threatened or Endangered (T/E) Species or Habitat	Fish	Not Present	There are no known T&E aquatic species or habitat found within the project area.
	Wildlife	Not present	There are no known T/E species or habitat found within the project area.
	Plants	Not Present	There are no known T/E plant species or designated critical habitat within the proposed project area.
BLM Special Status Species (SSS) and Habitat	Fish	Not Present	There are no known SSS aquatic species or habitat found within the project area.
	Wildlife	Not present	There would be no ground disturbance or change in water use than what has been occurring in this area, thus there is no effect to SSS species or habitat for SSS species.
		Not Present	There are no known SSS plant species or designated critical habitat with the proposed project area.

Resources/Issues	Status	If Not Affected, why? If Affected, Reference Applicable EA Chapter
Plants		
Transportation and Roads	Not Affected	During a site visit in November 2013, Engineer/Road Specialists noted an existing road, located approximately 180 yards south of the proposed project, that is not documented in the Ground Transportation (GTRN) GIS data. The road provides access to a separate existing spring development and enclosure fence at Mapes Spring and is clearly visible on 1995 Aerial Imagery. This was the only road observed on BLM land within the immediate project area; however it will not be utilized for or affected by the proposed project.
Upland Vegetation	Affected	See Chapter III.B.4 <ul style="list-style-type: none"> • How will granting or denying the ROW affect upland vegetation?
Visual Resources	Not Affected	The existing spring/pipeline development is within VRM Class 1. The Proposed Action is to issue a ROW; therefore this Proposed Action does not affect visual resources
Water Quality (Surface and Ground)	Not Affected	Granting a ROW would not automatically affect water quality. Pipeline removal may create a short term and localized disturbance, but the effects to water quality would not be measurable.
Wetlands and Riparian Zones (Executive Order 11990)	Not Affected	Granting a ROW would not automatically affect wetlands or riparian areas Pipeline removal may create a short term and localized disturbance, but the effects to riparian areas would not be measurable. Wetlands are not present in the project area. In the event that the pipeline is removed the water flowing from the spring may do the following: 1 Create a new wetland area. 2 Flow and then sub underground resulting in the spring water returning to the aquifer. 3 Be piped to a trough for livestock and wildlife use.
Wild Horses and Burros	Not Affected	The project area is not within or adjacent to a Herd Management Area.
Wild and Scenic Rivers (W&SR)	Not Present	There are no Wild and Scenic Areas in the project area.
Wilderness/ WSAs/Wilderness Inventory Characteristics (WIC)	Affected	See Chapter III.B.5 <ul style="list-style-type: none"> • How would granting the ROW affect wilderness characteristics in the WSA? • Would granting the ROW affect the suitability of the WSA for designation as Wilderness?
Wildlife	Not Affected	There would be no ground disturbance or change in water use than what has been occurring in this area, thus there is no effect to wildlife or habitat for wildlife.

B. Resource Identified and Issue

1. Resource: Realty and Lands

Issue Questions:

- Would granting the ROW impact any authorized uses in the area?
- Would granting the ROW in an avoidance area conflict with the reasons the avoidance area was created?

- Would the ROW be feasible in any other location?

Affected Environment

There are several valid and existing rights in the vicinity of the proposed pipeline, these include: a Pre-FLPMA D/C ROW, a county road ROW, and a power line ROW. In addition, there are old mining claims in the area, but none currently are active. BLM would have to conduct compliance exams and could possibly have to respond to amendments to current ROW grants or renewal of those grants; subsequent actions would have to be analyzed under their own environmental analysis.

Alternatives B and C would place a ROW in a ROW avoidance area as designated by the Andrews RMP/ROD. The RMP defines avoidance areas as “Areas with sensitive resource values where rights-of-way and land use authorization will be strongly discouraged. Authorizations made in avoidance areas will have to be compatible with the purpose for which the area was designated and not be otherwise feasible outside the avoidance area.” (Andrews RMP/ROD, Glossary-95).

Environmental Consequences

Actions Common to All Alternatives

There is no environmental effect from the removal of the above ground pipeline.

Alternative A- No Action Alternative

BLM would not grant the ROW, and it would require the applicant discontinue use of the pipe line system that is currently in place.

The ROW applicant would no longer have access to household water. The applicant would have to have a private well drilled, which may cause a financial burden. If the applicant could not afford to have a well drilled she would have to haul water from the nearest town. The applicant may be able to haul drinking water from the town of Denio, roughly 5 miles south, or if there is no feasible place there to access household water she would have to drive either to Winnemucca or Burns, both over 100 miles away.

Alternative B- Proposed Action (Private Landowner ROW Application)

BLM would grant the ROW with no additional terms and conditions besides those required on the ROW grant standard form. The BLM would execute a ROW grant for the pipeline as described in Alternative B above. The ROW would not

conflict with any of the existing valid and existing rights in the area and the unauthorized use would be eliminated. The BLM would have to determine that the ROW would not be feasible in any other location.

ROWs can be granted within ROW avoidance areas if the ROW is deemed compatible with the purpose for which the ROW avoidance area was designated, in this case the ROW avoidance area was designated because it is a WSA. The inventory that was done on the Pueblo WSA in 1979 documented the presence of a trough and pipeline in the same location. Although it is unclear if the pipeline in question was the one noted in the inventory it is clear that the presence of a pipeline did not make the area ineligible for WSA status and therefore must be compatible with the purpose for which the area was set aside as an avoidance area.

In addition, to determining compatibility with a ROW avoidance area BLM has to determine if the ROW would be feasible in another location outside of the avoidance area. This ROW would be infeasible at another location because there is no spring in the vicinity that could also serve the domestic water purposes for the residence. Additionally, even if there were another spring available, the construction of a new pipeline may cause more damage to the wilderness values in the area than leaving the existing pipeline in place.

The ROW applicant would be able to maintain use of the pipeline giving the applicant access to drinking water for the remainder of applicant's time on her property.

Alternative C- Proposed Action with Terms and Conditions

Environmental impacts for Alternative C are the same as those described under Alternative B because the additional terms and conditions are related to other resources, and they have no direct impact on public lands resources.

2. Resource: Social and Economic Values

Issue Question:

- How would rejection of the ROW for the buried pipeline affect the applicant socio-economically?

Affected Environment

The applicant has used an unauthorized pipeline to provide domestic water to the residence since 1980 when the property was purchased under contract from relatives, who had originally purchased the property in 1962. The previous owners had also used the unauthorized pipeline for the provision of domestic water to the residence.

Environmental Consequences

Actions Common to All Alternatives

The applicant would be required to remove the above ground pipeline with hand tools. There would be no rehabilitation required. The assumption is the applicant would undertake the work with use of hand tools, and not contract the work. There would be a minimal cost to the applicant to remove the above ground pipeline.

Alternative A- No Action Alternative

Rejection of the ROW application for a pipeline for domestic water purposes would result in the applicant not having a source of domestic water. The applicant would have to obtain another source for domestic water or carry water to their residence. The most reasonable alternative would be for the applicant to drill for a water source which would cause a financial investment ranging from \$7,500 to \$20,000 depending on the location and the depth of the well.

Alternative B- Proposed Action (Private Landowner ROW Application)

The ROW applicant would be issued a ROW grant for use of the existing pipeline, which provides water for domestic water purposes, thereby resulting in no costs to the applicant for drilling a well.

Alternative C- Proposed Action with Terms and Conditions

The affects from alternative C would be the same as the affects from Alternative B.

3. Resource: Soils and Biological Crusts

Issue Questions:

- How would granting or denying the ROW affect Soils and BSCs?

Affected Environment

Current discussion and analysis of effects to soils and BSCs are tiered to the Andrews/CMPA RMP/FEIS (August 2005) and relevant information contained in the following sections is incorporated by reference: p. 21.

The dominate soil association within the proposed ROW is Spangenburg-Enko-Catlow. This association consists of very deep, well drained and moderately well drained soils that formed in lacustrine sediments and deposits and alluvium derived from volcanic rocks and is generally found on lake terraces and alluvial

fans and swales. Textures range from silty clay loam to very stony loams and can be found on slopes of 0-30 percent at elevations of 4,200 to 5,500 feet. Wind erosion is expected to occur with this soil association. Dominant vegetation for this soil association includes: Basin big sagebrush (*Artemisia tridentata tridentata*), Wyoming big sagebrush (*Artemisia tridentata wyomingensis*), beardless wildrye (*Leymus triticoides*), bluebunch wheatgrass (*Pseudoroegneria spicata*), Thurber needlegrass (*Achnatherum thurberianum*), basin wildrye (*Leymus cinereus*), Indian ricegrass (*Achnatherum hymenoides*) and needleandthread (*Hesperostipa comata*).

Identification of BSCs at the species level is often not practical for fieldwork. The use of some basic morphological groups simplifies the situation. Morphological groups are also useful because they are representative of the ecological function of the organisms (pg. 6, TR-1730-2). Using a classification scheme proposed in 1994 we can divide microbiota such as BSCs into three groups based on their physical location in relation to the soil: hypermorphic (above ground), perimorphic (at ground) and cryptomorph (below ground).

The morphological groups are:

1. Cyanobacteria - Perimorphic/cryptomorph.
2. Algae - Perimorphic/cryptomorph.
3. Micro-fungi - Cryptomorph/perimorph.
4. Short moss (under 10mm) - Hypermorph.
5. Tall moss (over 10mm) - Hypermorph.
6. Liverwort - Hypermorph
7. Crustose lichen - Perimorph.
8. Gelatinous lichen - Perimorph.
9. Squamulose lichen – Perimorph.
10. Foliose lichen - Perimorph.
11. Fruticose lichen - Perimorph.

Morphological groups 4, 5, 7, 8 and 9 are expected to be the dominant groups represented in the project area. Depending on precipitation amounts and microsites, groups 6, 10 and 11 may also be well represented where the site specific conditions required for their growth exist. Morphological groups 1, 2 and 3 are difficult to discern in the field as they require specialized tools which are not easily useable in the field. Soil surface microtopography and aggregate stability are important contributions from BSCs as they increase the residence time of moisture and reduce erosional processes. The influence of BSCs on infiltration rates and hydraulic conductivity varies greatly; generally speaking infiltration rates increase in pinnacled crusts and decrease in flat crust microtopography. The northern Great Basin has a rolling BSC microtopography and the infiltration rates

are probably intermediate compared to flat or pinnacled crustal systems. Factors influencing distribution of BSCs (TR-1730-2) include, but are not limited to: elevation, soils and topography, percent rock cover, timing of precipitation, and disturbance.

Possible disturbances that have occurred in the ROW include, but are not limited to: effects from livestock grazing, vehicles, crop cultivation and human footprints. The specific contribution of these activities to current BSC condition and cover is not discernible from other historic disturbances.

Environmental Consequences

Actions Common to All Alternatives

Impacts to soils and BSCs would be limited to soil compaction if a vehicle is used to remove the pipeline from the area with effects of compaction lasting no more than one freeze/thaw cycle or growing season. If no vehicles are utilized, there will be no impacts to soils or BSCs.

Alternative A - No Action Alternative

Under the No Action Alternative, the functional ends of the pipeline and head box at the spring would be removed causing disturbance to soils and BSCs in the immediate area of the spring. Impacts would be short term, less than five years, as vegetation re-establishes in the disturbed areas. Soil compaction from vehicles used to remove the structures may occur; however, impacts would be noticeable for less than one freeze/thaw and/or growing season.

Alternative B - Proposed Action (Private Landowner ROW Application)

Under the Proposed Action, the ROW would be granted allowing continued use and maintenance of the head box and pipeline. Disturbance would occur if maintenance is needed on the pipeline; however, disturbance to soils and BSCs would be expected to be less than ½ acre in size with impacts diminishing as vegetation re-establishes. Impacts would be short term, less than five years. Soils would continue to be compacted along the route used to access the springbox and pipeline for bi-annual maintenance.

Alternative C- Proposed Action with Terms and Conditions

Impacts to soils and BSCs would be similar to both the Proposed Action and No Action Alternatives. Impacts will be the same as the Proposed Action until Terms and Conditions are met at which time the impacts will be the same as the No Action Alternative.

4. Resource: Upland Vegetation

Issue Questions:

- How will granting or denying the ROW affect upland vegetation?

Affected Environment

The proposed ROW occurs within three ecological sites: 024XY016OR, 024XY032OR and 024XY033OR. All three occur within the 6 – 10 precipitation zones either on arid north slopes or south slopes. The potential native plant community is dominated by Wyoming big sagebrush and Thurber needlegrass. Bluebunch wheatgrass and Indian ricegrass are prominent. Bottlebrush squirreltail and Sandberg bluegrass are common. Needle and thread is variable. Spiny hopsage and a variety of forbs are present. Desert needlegrass, purple sage and Mormon tea are sporadic. Vegetative composition of the community is approximately 70-80 percent grasses, 5-20 percent forbs and 15-30 percent shrubs. The approximate ground cover is 20-60 percent (basal and crown).

The ROW area has been used for domestic uses for over three decades and is expected to have some degree of cheatgrass infestation and other non-native species within the vicinity.

Reasonably Foreseeable Future Action (RFFA)s include the continued use of the ROW for maintenance of the pipeline and head box. Other actions may include the removal of the pipeline and head box.

Environmental Consequences

Actions Common to All Alternatives

Impacts to upland vegetation would be limited to “crushing” vegetation if a vehicle is used to remove the pipeline from the area with effects of crushing lasting no more than one growing season. If no vehicles are utilized, there will be no impacts to upland vegetation.

Alternative A - No Action Alternative

Under the No Action Alternative, the functional ends of the pipeline and head box would be removed disturbing the immediate and adjacent vegetation. Vegetation would be removed if it becomes necessary to dig to access the functional ends of the pipeline; however, impacts would be short term, less than five years, once vegetation re-establishes.

Alternative B - Proposed Action (Private Landowner ROW Application)

Vegetation would continue to be impacted along the route used to maintain the head box and pipeline. Vegetation may be removed if the pipeline needs to be repaired or replaced; however, impacts would be short term, less than five years, as vegetation recovers. Recovery time would decrease with the seeding of an approved seed mix after disturbance. Continued use of the current route would have no noticeable impacts to vegetation.

Alternative C- Proposed Action with Terms and Conditions

Impacts to upland vegetation would be similar to both the Proposed Action and No Action Alternatives. Impacts will be the same as the Proposed Action until Terms and Conditions are met at which time the impacts will be the same as the No Action Alternative.

5. Resource: Wilderness/WSA/Wilderness Characteristics

Issue Questions:

- How would granting the ROW affect wilderness characteristics in the WSA?
- Would granting the ROW affect the suitability of the WSA for designation as wilderness?

Wilderness Study Areas

BLM continues resource uses on lands designated as WSAs in a manner that maintains the area's suitability for preservation as wilderness. The BLM protects the wilderness characteristics of all WSAs in the same or better condition than they were on October 21, 1976 (or for Section 202 WSAs not reported to Congress, the date the WSA was designated), until Congress determines whether or not they should be designated as wilderness.

BLM maintains the suitability of each WSA by following the non-impairment standard or one of the exceptions.

As defined in BLM Manual 6330 the non-impairment standard means the use or facility is temporary, needed for a defined time period to respond to a temporary need and would be terminated and removed prior to or upon wilderness designation, and the use or facility would not create new surface disturbances.

Affected Environment

Wilderness characteristics of Pueblo Mountains WSA are summarized from Volume I of the Oregon BLM Wilderness Study Report (1991).

Naturalness:

Pueblo Mountains WSA is in a natural condition. This WSA has unique natural features in respect to vegetation, wildlife, and geology. The ecosystem representation within the Pueblo Mountains is unique in that species diversity is prominent and is not commonly found throughout other WSAs with this species combination in Eastern Oregon. The geology of the Pueblo Mountains is spectacular as the main ridge line and Pueblo Mountain itself rises majestically from the valley floor to form jagged cliffs and small terraces, which provide for a healthy herd of bighorn sheep and mule deer with prime and secluded habitat.

The WSA has habitat to support a large population of bighorn sheep. California bighorn sheep were released in the Pueblo Mountains in 1976, 1980, and 1983 by Oregon Department of Fish and Wildlife. California bighorn sheep are a candidate for Federal listing as threatened or endangered. The good interspersions of water, forage, and thermal cover provides good summer range for both mule deer and antelope. The eastern and western slopes of the WSA are crucial deer winter range. Some of the other mammals in the WSA include mountain cottontail rabbit, black-tailed jackrabbit, bushy-tailed woodrat, canyon mouse, deer mouse, long-eared myotis (bat), coyote, and bobcat.

Chukars are abundant in the rocky canyons and rimrock found over much of the area. Sage-grouse, a candidate for Federal listing as threatened or endangered, are found near some of the meadows and low sagebrush flats, such as 10 Cent Meadow. Valley quail are found near brushy drainages. A large variety of songbirds also exist in this WSA.

Reptiles are found throughout the WSA and include sagebrush lizards, side-blotched lizards, western rattlesnakes, and bullsnakes.

Whitehorse cutthroat trout were released in Van Horn Creek and Denio Creek in 1976 and 1980. They have become established in 2.5 miles of Van Horn Creek and 0.2 mile of Denio Creek in the WSA and another mile of Denio Creek outside the WSA.

The Riding's satyr butterfly was recently reported on the Pueblo Mountains.

The unnatural developments of the study area are not substantially noticeable within the study area as a whole. Because the steep topography of much of the WSA precludes development in many locations and because the diversity of the landscape screens many of the developments, the unnatural influences on the natural quality of the study area are slight.

Unnatural developments within the study area include 6 reservoirs, 6 developed springs, 3 fences totaling 4 miles, 33 miles of vehicle ways, 18 areas of past mining activity, 1 power line totaling 4 miles, 4 ditches totaling 4 miles, 1

cemetery, and 2 dumps. Generally the developments are scattered, screened by topography, and can be seen from only small localized areas. Approximately 4 percent of the study area is influenced by these features.

The reservoirs, developed springs, and ditches are each visible only from small areas. The ditches, when maintained in the future, would be slightly more noticeable. The mining scars are localized and often screened by topography, so they are visible only from the immediate vicinity.

The power line runs adjacent to the paved county road (the eastern boundary road) in the lowlands and is only visible along the road. The cemetery lies close to the county road and is not a substantial visual disturbance. The vehicle ways are generally located in drainages where they are seen only from small areas. In addition, many of the ways are overgrown and barely visible.

Within the present WSA boundary are six unnatural features that were overlooked during the WSA inventory process. These unnatural and non-inventoried features include 3 water ditches, a power line, a buried pipeline, and a cemetery. The three water ditches are located in three different areas along the boundary: T41S, R35E, middle of Sections 7 and 8; another at T40S, R34E, middle of Sections 2; and T40S, R 34E, middle of Section 31. The high voltage power line is located on the eastern boundary slightly within the WSA and parallels the county road for approximately six miles. The power line is between Red Point School and the town of Denio. A buried pipeline is located on the extreme southeastern boundary of the WSA at W.M., T. 41 S., R. 35 E., section 20 NW corner. The cemetery is located along the southeastern boundary adjacent to the town of Denio. A corner of the town's cemetery is located at W.M., T. 41 S., R. 35 E., section 20 within the WSA.

Developments outside the study area do not detract from the natural character of the WSA. Outside developments which influence the study area are boundary roads (including 12 roads which penetrate the WSA), fences, power lines, and ranches. Most of these features are visible only from points around the perimeter of the area and are not an overwhelming influence on the landscape. Those developments which are occasionally visible from the higher elevations are distant and unobtrusive.

Solitude:

Pueblo Mountains WSA has outstanding opportunities for solitude due to the size, configuration, and topography of the area. The Pueblo Mountains' diverse landscape includes rugged ridges with steep escarpments, high-elevation basins and meadows, and deeply-cut drainages. All of these physical features enhance the opportunities for solitude within the area and provide numerous settings for a visitor to find seclusion.

Vegetative screening, sufficient to enhance solitude, is limited to portions of the drainages, meadows, and spring areas. Vegetation such as aspen, cottonwood, alder, willow, and chokecherry provide some screening in the wetter locations, while mountain mahogany occurring in the higher meadows and east-facing slopes in the central part of the WSA also provides some screening.

Primitive and Unconfined Recreation:

Outstanding opportunities for primitive and unconfined types of recreation in the Pueblo Mountains WSA include day hiking, backpacking, hunting, horseback riding, sightseeing, wildlife viewing, and photography. The high quality of these activities is due to the abundance and attractiveness of the area's physical features.

The drainages and steep slopes around the perimeter of the WSA provide the best opportunities for day hikes. The drainages (primarily those on the eastern side) also provide access to the interior of the study area for longer backpacking and horseback riding trips. Opportunities for sightseeing and photography can be found throughout the WSA and range from vast distant views from the summit of Pueblo Peak and the western ridge to more localized viewing of waterfalls in the upper reaches of Cottonwood Creek and the numerous wild flowers.

Opportunities for hunting and viewing wildlife are also available within the study area. Mule deer and upland game birds (chukar, quail, and dove) are the most commonly hunted species, while numerous nongame types of wildlife are frequently visible throughout the area.

Winding through the central portion of the study area for 11 miles is the Pueblo Mountain segment of the Desert Trail. The trail has been marked and designated in the Pueblo Mountains through a cooperative venture between Desert Trail Association (a private organization), the Parks and Recreation Division of the State of Oregon, and BLM. BLM and the Desert Trail Association have joined in a CMA to share responsibilities for maintaining this portion of the trail and developing other portions. The trail is part of the Oregon State Recreation Trails System.

Special Features:

The Pueblo Mountains WSA contains several special features which contribute to the value of the area as wilderness. These include distinctive geological, botanical, wildlife, and scenic qualities.

Geological features include the enormous westward-tilted fault block, of which the Pueblo Mountains form the southern part. This is an impressive example of the Basin and Range type of structure which covers much of Nevada. It is characterized by a series of parallel fault blocks forming elongated mountain

ranges and broad intervening valleys. The Steens-Pueblo fault block represents the northernmost extension of this type of structure.

Eastward from the metamorphic rocks is a related geological feature. Basin and Range faulting offsets cobbles and gravels that were deposited in alluvial fans during the Pliocene and now form low rounded foothills. In addition, a faulted alluvial fan of Pleistocene to Recent age at the mouth of Cottonwood Creek indicates continuing Basin and Range faulting.

Another interesting geological feature is the pre-Tertiary metamorphic rocks that are exposed along the east side of the eastern ridge between Arizona Creek and Denio, Nevada. Except for an outcrop in the Trout Creek Mountains, these are the only outcrops of metamorphic rocks in southeastern Oregon and are the oldest rocks in southeastern Oregon as well. Also present are pre-Tertiary granitic rocks that are exposed in the southeastern part of the WSA, about 1.5 miles northwest of Denio. They represent an igneous body that is somewhat younger than the metamorphic rocks they intrude.

Vegetation occurring in the WSA is a special feature because of the presence of six plant species of special interest and because of the Research Natural Area portion of the study area which contains uncommon plants and a narrowleaf cottonwood/Mormon tea community.

The presence of bighorn sheep and sage-grouse (both candidates for Federal listing under the Endangered Species Act) and crucial deer and antelope winter range make wildlife values a special feature of the WSA. The study area also provides habitat for native species of trout. The Whitehorse cutthroat trout, another candidate for Federal listing under the Endangered Species Act, has been restocked into its assumed native habitat in Van Horn Creek. This species is found only in a few streams other than Van Horn Creek and Denio Creek in the Pueblo Mountains, including the streams which drain the eastern side of Steens Mountain and two drainages in the Trout Creek Mountains.

The outstanding scenery of the study area is another special wilderness feature. The high quality scenic area includes most of the central portion of the WSA and consists of the western slope of the eastern ridge, the western ridge, and the high basins and meadows in the interior.

A way, leading to Mapes Well, from the Fields-Denio road near the project site has been found. The way is not mentioned in the 1991 Wilderness Study Report, but is visible on aerial photos of the area from 1974. The way served as a maintenance route for Mapes Well.

RFFAs include the continued use of the ROW for maintenance of the pipeline and headspring box. Other actions may include the removal of the pipeline and head box at the spring.

Environmental Consequences

Actions Common to All Alternatives

While not a consequence of the Proposed Action, grazing will continue within the WSA allotment as a grandfathered exception to the non-impairment standard.

Alternative A - No Action Alternative (No ROW granted, removal of features)

Naturalness:

Removing the pipeline and head box would positively affect the naturalness characteristic by restoring the area to a more natural condition. The ground disturbance involved in removing the features would temporarily negatively affect naturalness; however, once the features are removed ecological processes would restore natural conditions over time. The spring would flow freely, unimpeded by the works of man. The area which lies adjacent to the spring is a home site. While the removal of the pipeline and head box would positively affect naturalness, additional features such as a reservoir, fences, and nearby outbuildings on private land limit the effect.

Outstanding opportunities:

Removal of the pipeline and head box would negatively affect opportunities for solitude for the period of time the work was being done. After the work is completed solitude would return. As the work site is located only a few hundred yards from a nearby home on the boundary of the WSA the opportunities for solitude are not outstanding and are influenced by the dwelling, a reservoir, fences and other outbuildings.

Supplemental values:

There would be no effect to the supplemental values.

Alternative B - Proposed Action (Private Landowner ROW Application)

Naturalness:

The spring is in an un-natural condition while in its current state of development. The head box and pipeline impair the natural flow of the spring waters. Ground disturbances due to maintenance of the head box or pipeline are temporary in nature, yet may occur more frequently as the components age. The use of the spring in the WSA for potable water creates a use that is not temporary, and which impairs naturalness.

Outstanding opportunities:

Removal of the pipeline and head box would impair opportunities for solitude or recreation for the period of time the work was being done. After the work is completed, opportunities for solitude or recreation would return. As the work site is located only a few hundred yards from a nearby home on the boundary of the WSA the opportunities for solitude are not outstanding and are influenced by the dwelling, a reservoir, fences and other outbuildings.

Supplemental values:

The spring is currently encircled by a barbed wire fence. Access to the spring waters is impaired by the barrier, but not completely stopped. Granting a ROW would not change the supplemental values at this site.

Alternative C- Proposed Action with Terms and Conditions

Naturalness:

Effects on naturalness are the same as Alternative B. However, setting a term limit on the ROW limits the length of time that naturalness is impaired.

Outstanding opportunities:

Effects on outstanding opportunities are the same as Alternative B. However, setting a term limit on the ROW limits the length of time that solitude and recreation are impaired.

Supplemental values:

Effects on supplemental values are the same as Alternative B.

C. Cumulative Effects Analysis

As the Council on Environmental Quality (CEQ), in guidance issued on June 24, 2005, points out, the “environmental analysis required under NEPA is forward-looking,” and review of past actions is required only “to the extent that this review informs agency decision-making regarding the Proposed Action.” Use of information on the effects on past action may be useful in two ways according to the CEQ guidance. One is for consideration of the Proposed Action’s cumulative effects, and secondly as a basis for identifying the Proposed Action’s direct and indirect effects.

The CEQ stated in this guidance that “[g]enerally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions.” This is because a description of the current state of the environment inherently includes the effects of past

actions. The CEQ guidance specifies that the “CEQ regulations do not require the consideration of the individual effects of all past actions to determine the present effects of past actions.” Our information on the current environmental condition is more comprehensive and more accurate for establishing a useful starting point for a cumulative effects analysis, than attempting to establish such a starting point by adding up the described effects of individual past actions to some environmental baseline condition in the past that, unlike current conditions, can no longer be verified by direct examination.

The second area in which the CEQ guidance states that information on past actions may be useful is in “illuminating or predicting the direct and indirect effects of a Proposed Action.” The usefulness of such information is limited by the fact that it is anecdotal only, and extrapolation of data from such singular experiences is not generally accepted as a reliable predictor of effects. However, the basis for predicting the direct and indirect effects of the Proposed Action and its alternatives is based on the general accumulated experience of the resource professionals in the agency with similar actions.

Scoping for this project identified the following past actions: granting of past ROWs, such as those for power lines along the highway to the east of the project area and ROW for the Fields-Denio Road itself, as well as discovery of a Pre-FLPMA D/C ROW that is shown on the map, Exhibit A. Actions on these ROWs could include maintenance and ground disturbing activities within the direct project area.

Scoping for this project identified only the current actions identified in this document under the alternatives in Chapter 2 as present actions.

The environmental consequences discussion describes all expected effects including direct, indirect and cumulative on resources from enacting the proposed alternatives. Direct and indirect effects, and past actions become are part of the cumulative effects analysis; therefore, use of these words may not appear. The EA described the current state of the environment (Affected Environment by resource, Chapter III) which included the effects of past actions. In addition, the Introduction Section of this EA, specifically the Purpose of and Need for Action, identifies past actions creating the current situation.

RFFAs include those Federal and non-Federal activities not yet undertaken, but that are sufficiently likely to occur, which a responsible official of ordinary prudence would take into account in reaching a decision. These Federal and non-Federal activities must be taken into account in the analysis of cumulative impact. They include, but are not limited to, activities for which there are existing decisions, funding, or proposals identified by the bureau. RFFAs do not include those actions that are highly speculative or indefinite. Scoping for this project identified only the continued grazing that occurs in the project area as a RFFA.

Cumulative effects were addressed throughout Chapter III by resource, as appropriate.

CHAPTER IV. CONSULTATION AND COORDINATION

A. List of Preparers

- Caryn Burri, Natural Resource Specialist, Botany, Bachelor of Science (BS) Nature Resource Management, 3 years' experience;
- Andrew Daniels, Wildlife Biologist, BS Field Biology, 10+ years' experience;
- Lisa Grant, Natural Resource Specialist (9 years' experience), Wild Horse and Burro Specialist (1 year) BS Wildland and Range Science;
- Eric Haakenson, Outdoor Recreation Planner, Range Management Degree, 22 years' experience;
- Richard Knox, Rangeland Management Specialist, Rangeland Ecology and Management, 6 years' experience
- Tara McLain, Realty Specialist, BS Interdisciplinary Writing and Rhetoric/History; Masters of Education; Beginning Lands and Realty Training, Intermediate Lands Tenure Training, 3 years' experience
- Holly Orr, Planning and Environmental Coordinator (Social and Economic Values and Environmental Justice Sections of Table1/EA),BS Business Administration, 1 year experience
- Bill Pieratt, District Range Program Lead, , BS in Forestry and Range 49 years and 11 months' experience;
- Marsha Reponen, Resource Protection Specialist, BS Natural Resource Management, 5 years' experience;
- Lesley Richman, Weed Specialist, MS Rangeland Management, 25 years' experience;
- Chad Rott, District Fuels Specialist, Biological Sciences for Federal Land Managers 0401 Program. 20 years' experience;
- Scott Thomas, District Archaeologist, BS Zoology, MA Anthropology, 27 years' experience;
- Joe Toelle, District Engineer, BS Agricultural Engineering, 3 years' experience;
- Rick Wells, Geologist, BS and MA in Geology, Registered Geologist and Professional Geologist, 28 years' experience;
- Jana Wilcox, Hydrologist, Water Rights Specialist, BS in General Agriculture, Masters in Water Conflict Management and Transformation. 3 years' experience;
- Tom Wilcox, Wilderness Specialist, Arthur Carhartt Wilderness Center Certified, 1.5 years' experience.

B. List all Persons, Groups, and Agencies Contacted

BLM conducted numerous meetings with the Oregon Water Resources Department, on-site visits with the applicant, and correspondence/communication with the grazing permittee and nearby landowner.

C. Public Notification

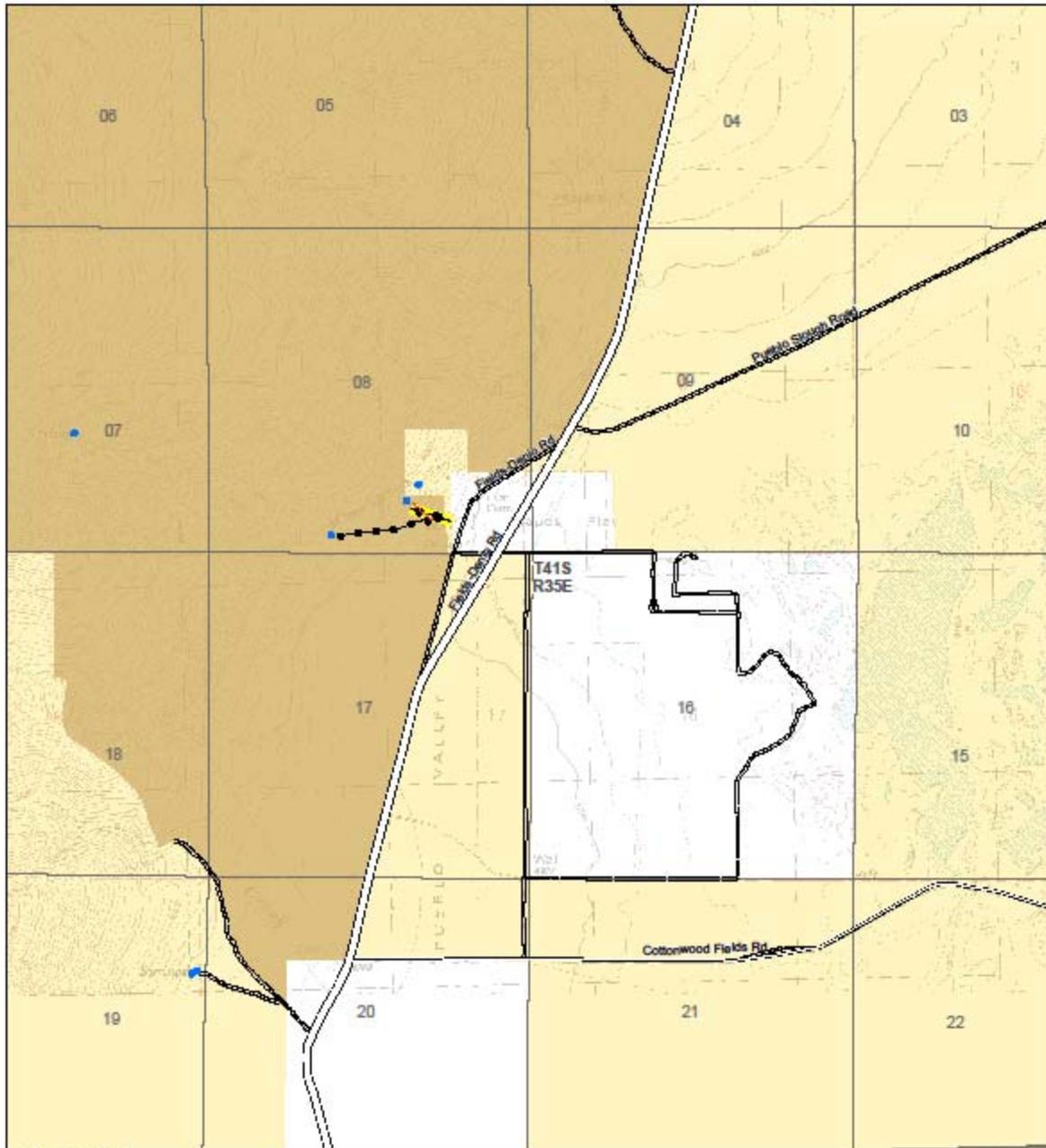
A newspaper announcement of the availability of this EA will be published in the Burns Times Herald on **January 29, 2014**.

This EA will be posted on the BLM Burns District Web site at:
<http://www.blm.gov/or/districts/burns/index.php> on **January 29, 2014**.

A “Dear Interested Parties” letter will be mailed to the Realty and Land mailing list on **January 29, 2014**.

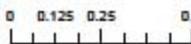
CHAPTER V. MAPS

- A. *Exhibit A – Vicinity Map (OR-67666)*
- B. *Exhibit B – Project Map (OR-67666)*



OR-87888 Exhibit A

- Springs
- Pre-FLPMA d/c ROW
- Hall Proposed ROW
- Paved Road
- Non-Paved Improved Road
- Natural/Unknown Road Surface
- Bureau of Land Management
- Private/Unknown
- Pueblo Mtn. WSA
- Pipeline to be removed



US DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District, Oregon



Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification. webteam@blm.gov, OR67988.mxd, 07/02/2013

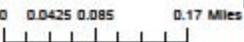
Ownership Boundaries are accurate within plus or minus 200 feet



**OR-47668 Exhibit B
Project Map**

- Hall Proposed ROW
- Pre-FLPMA d/c ROW
- Springs
- Paved Road
- Non-Paved Improved Road
- Natural/Unknown Road Surface

- Pipeline to be removed
- Pueblo Mtn. WSA
- Bureau of Land Management
- Private/Unknown



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Bureau District, Oregon

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Ownership Boundaries are accurate within plus or minus 200 feet