# Ferry Canyon and Hay Creek Fences
# Environmental Assessment

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March 15, 2010
Prineville District Bureau of Land Management
Prineville, Oregon
Sixmile Allotment Number 2547 and
Sid Seale Allotment Number 2619, Ferry Canyon Pasture

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## CHAPTER I. INTRODUCTION: PURPOSE OF AND NEED FOR ACTION

1.1 Introduction

This Environmental Assessment (EA) has been prepared for the Central Oregon Field Office's proposed Ferry Canyon and Hay Creek fences and spring development. The EA is a site-specific analysis of potential impacts that could result with the implementation of a proposed action or alternatives to the proposed action. The EA assists the BLM in project planning and ensuring compliance with the National Environmental Policy Act (NEPA), and in making a determination as to whether any "significant" impacts could result from the analyzed actions. "Significance" is defined by NEPA and is found in regulation 40 CFR 1508.27. An EA provides evidence for determining whether to prepare an Environmental Impact Statement (EIS) or a "Finding of No Significant Impact" (FONSI). A FONSI is a document that briefly presents the reasons why implementation of the proposed actions would not result in "significant" environmental impacts (effects) beyond those already addressed in the John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments (John Day River Plan) (2001) and Two Rivers Management Plan Record of Decision, Rangeland Program Summary (1986). If the decision maker determines that this project has "significant" impacts following the analysis in the EA, then an EIS would be prepared for the project.

A decision record (DR) may be signed following public comment on the EA to document the decision.

1.2 Hay Creek and Ferry Canyon have been scrutinized by the public and BLM staff for many years. Discussions have focused on the riparian, fisheries, water quality, recreation, and wildlife values they provide on the landscape. These canyons also provide values of water quality, water quantity and fisheries to the Lower John Day Wild and Scenic River.

1.3 The proposed action is to construct fencing to facilitate livestock management and distribution that are consistent with riparian, fisheries, water quality, recreation, and wildlife values in the area. Activities include fence construction, installation of gates, spring development, spring restoration and fence removal and maintenance. The fencing in Hay Creek would be in concert with up and downstream fencing on private land. The Hay Creek fence would be located in Township 2 South, Range 20 E, sections 3, 4, 5, 9, and 10. The Ferry Canyon fence would be located in Township 2 South, Range 19 East, sections 19, 20, 29, and 32. This project area is approximately 13 miles northwest of Condon, Oregon.

1.4 This action is driven by the need to improve livestock management along lower John Day River tributaries in Hay Creek and Ferry Canyon. Following the installation of a Coordinated Resource Enhancement Program (CREP) livestock exclusion fence on private lands along Hay Creek, livestock use patterns have shifted to focus grazing pressure on public land riparian areas. In Ferry Canyon, an opportunity exists to improve livestock handling and distribution patterns to make better use of vegetation.

1.5 The purpose of the proposed action is to restore riparian areas, water quality, and fish. Existing guidance includes the John Day River Plan decision to "manage lands adjacent to the river to meet state water quality requirements, satisfy obligations of the Clean Water Act, and to protect and enhance outstandingly remarkable values, especially anadromous salmonids" (page 14). Additional purposes are to promote healthy sustainable rangeland ecosystems; accelerate restoration and improvement of public rangelands to properly functioning conditions; promote the orderly use, improvement and development of the public lands; establish efficient and effective administration of grazing on public rangelands; and provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy public rangelands (43 CFR 4100). There is also a need to blend BLM livestock management with the management of the entire livestock operation in the allotment and adjacent lands. The site specific objectives are as follows:

Objective: Improve livestock gathering and compliance; and restore fish habitat, water quality, and riparian vegetation. Indicators: Water temperature, width of riparian vegetation, and miles of stream achieving properly functioning condition.

1.6 Scoping Summary: BLM has had brief conversations with related land owners, the National Resource Conservation Service, the Oregon Department of Fish and Wildlife, and others.

1.7 Potential issues include:

- "What would be the effect of the alternatives on fish habitat, water quality and riparian vegetation trend in grazed riparian areas?"
- "How well would fences and spring developments on BLM land affect grazing management of adjoining lands?"
- "How would fences and spring developments on BLM land affect trespass livestock in the summer and fall and ease of livestock handling?"
- "How would the alternatives affect wilderness character and Wilderness Study Areas (WSAs)?"
- "How would the alternatives affect upland vegetation and livestock distribution throughout the pasture?"
- "How would the alternatives affect visual resources?"
- "How would the alternatives affect use by increasing recreationist hiking up Ferry Canyon from the Wild and Scenic River?"

1.8 This action conforms to state and local land use plans, and is consistent with conservation efforts underway throughout Gilliam County. This action is also in compliance with the BLM land use plans (as cited in section 1.5 above).

## CHAPTER II. ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.1 No Action Alternative: The existing management and fencing would remain in place. In Ferry Canyon, livestock use dates are March 1 to May 1. In Hay Creek, livestock graze a rotation of December 18 to February 28 one year and February 19 to May 1 the next year. No fencing or spring development would occur under the no action alternative.

2.2 Action Alternative: Exclude livestock from Hay Creek by constructing riparian corridor fencing (approximately 6 miles) to create a riparian pasture. Water gaps and / or pumps and troughs would be used to provide water to livestock grazing the allotment. See Map 1 for fence and water gap locations. Generally livestock permits would specify exclusion within the fenced corridor along Hay Creek. However, livestock may pass through the riparian pastures for 1-2 days per year to facilitate their removal from the surrounding pasture. Within the fenced corridor along Hay Creek, livestock may be used as a tool to conduct short term vegetation and weed treatment.

In Ferry Canyon, the construction of fences (approximately 5 miles) would extend up ridges, cross side canyons, create drift fences and form a water gap across Ferry Canyon. These fences would facilitate livestock distribution into the uplands during the spring grazing use, improve the ability of the livestock operator to clear the pasture and decrease the likelihood of trespass livestock grazing after the end of the annual grazing season (May 1). The existing fences would be maintained and upgraded so that their design and location include the mitigations included for the new fences (see section on mitigation measures further below). See Map 2 for fence and water gap locations.

Riparian vegetation near the springs and stream channels of Hay Creek and Ferry Canyon would be restored to desirable non-invasive vegetation by spraying and burning Himalayan blackberry plants (see “Spring Work” on maps). Herbicide use would be limited to those approved for aquatic applications and are covered by the National Vegetation Treatments EIS and Prineville District Integrated Weed Management (IWM) Environmental Assessment (OR-053-3-062). After blackberry is treated, springs would be replanted with native riparian vegetation. Springs would be developed with a spring box and water would be piped to an off channel trough. Trough sites would be located away from cultural sites, free of special status plants, and in areas not prone to erosion into stream channels. Spring boxes would be equipped with automatic shutoff valves and the spring areas would be fenced off from livestock use (1-2 acres areas each).

The fences on public land would be constructed using barbless bottom and top wires and barbed middle wires. The bottom wire would be 18 inches from the ground, the next wire 4 inches above the first, the third wire 4 inches above the second, and the fourth wire 12 inches above the third. Post spacing would be one rod (16.5 feet). .

Two, 30 inch long metal twist stays would be installed equal-distance between posts. Metal clips would be used to fasten the wires to the fence posts. Although metal stays are more desirable because of their fire resistance, one wood stay may be used in the place of the two metal twist stays. Existing topographic barriers would be utilized where feasible to decrease costs of construction and maintenance. Stress panels would be installed every quarter mile. All corner panels would be either three-post or five-post depending on the amount of stress that would be placed on each corner. Where fences would cross the canyon, hiker and hiker friendly gates would allow travel to continue unencumbered.

Live juniper trees may be used in place of fence posts when the trees are on the fence line. Tree limbs would be removed to a height of approximately six feet. Two, two-by-fours or two-by-sixes, at least 30 inches long, would be nailed to the tree and the wires stapled to the boards.

Vegetation clearing of trees and brush would be allowed only where it interferes with the efficient placement of wires and posts. All areas where vegetation would be removed must be flagged and authorized for vegetation removal prior to construction starting. If approved, an area no greater than four feet on either side of the fence line would be cleared. Only trees and brush would be removed, but no digging or pulling-out by the roots would be allowed. Also, no blading with heavy equipment would be authorized.

Riparian vegetation plantings would be conducted along Ferry Canyon, Hay Creek and within spring exclosures. Plantings would be designed to meet the requirements of the Coordinated Resource Enhancement Program specifications. No changes to livestock grazing season of use, type of livestock or permitted use levels are proposed.

Mitigation measures are included to protect existing wilderness study areas (WSAs), wilderness character, cultural resources, suspected special status plants, existing wildlife, areas susceptible to noxious weed invasion, visual resources, water quality, and fish habitat. These mitigation measures are described below.

The WSA mitigation includes special design features and no net increase in fencing. The naturalness of the WSA is maintained because there is no net increase in fencing within the WSA. Approximately 50 yards of existing fence at the mouth of Ferry Canyon (less than 50 yards) would be removed. Approximately 50 yards of fence in the WSA would be installed. To mitigate potential effects to scenery in the WSA, fence posts, corner fence panels and other potentially brightly colored construction materials would be painted flat grey to blend in with the landscape.

Mitigation measures to protect areas with wilderness character include, minimizing ground disturbing activities, taking advantage of topographic barriers rather than fencing to control livestock, and restoring the naturalness of the wilderness character by enhancing riparian vegetation and removing weeds. The installation of the fence

would slightly reduce naturalness, but the use of flat gray fence posts would make the fence less visible. In addition, no roads would be created in areas with wilderness character. Fence construction would improve the ability of the livestock operator to keep track of their livestock using the minimum tool (usually by horseback in Ferry Canyon). Fencing would be located off of ridgelines which are highly visible from Ferry Canyon (specifically the ridgeline between Buck Hollow and Ferry Canyon).

Mitigation measures for the portion of the landscape identified as Visual Resource Management (VRM) Class I landscapes are those identified above for WSAs. Mitigation measures identified for VRM Class II landscapes are those identified above for wilderness character. The proposed action and mitigations in VRM Class III landscapes fit with the prescriptions for VRM Class III, and no additional mitigations are required.

To mitigate any encountered special status plants or cultural sites, fencing may be re-routed around any locations discovered prior to construction or overland access related to construction. Fence lines and spring sites would be cleared for special status plants prior to construction.

All recorded cultural sites would be evaluated in accordance with Section 106 of the National Historic Preservation Act prior to any proposed actions to determine if there would be an adverse effect and to assign one or more of the Cultural Resource Use Categories. Cooperative efforts with other entities to manage selected cultural and paleontological resources would be encouraged, if appropriate. Proposed spring development locations associated Ferry Canyon would be surveyed prior to construction. Fence lines would be moved to ensure that sites on the Hay Creek canyon bottom are included within the exclosure area.

To mitigate for weeds and erosion concerns, all motorized vehicles would be washed free of weeds/weed seeds prior to accessing the sites during fence removal, fence construction, and weed treatments. Crossing of streams by OHVs would be restricted to existing road/stream crossing sites. Livestock water gaps would be located at existing road/stream crossings, where stable crossing are already well established.

To mitigate for wildlife concerns, the fence construction includes the use of a barbless top and bottom wire to allow wildlife to pass under the fence and specific spacing to protect big game wildlife in the area. While mitigations for wilderness character and visual resources require placement of fencing off highly visible ridgelines, mitigating for wildlife would require placement of fences along the flatter areas. Locating fences off ridgelines, but on ground with lower slope improves the ability of large game animals like bighorn sheep to pass through or over the fencing and minimizes the jump height. The use of existing topographic features in place of fencing also mitigates for effects on big game wildlife. Livestock watering troughs would be equipped with escape ramps for small birds and mammals.

2.3 Objective Attainment

**Table 1 – Comparison of Alternatives and Objectives**

| Objective | No Action Alternative | Proposed Alternative: Exclosure with Water Gaps and Cross Fencing on Ferry Canyon |
|---|---|---|
| Improve livestock gathering and compliance; restore fish habitat, water quality, and riparian vegetation. Indicators: Water temperature, width of riparian vegetation, and miles of stream achieving properly functioning condition. | Maintain stream channel rating of PFC at Risk – with a slightly downward trend on Hay Creek and a slight upward trend on Ferry Canyon. Livestock handling doesn't change. Public land on Hay Creek remains the only riparian habitat accessible to livestock, potentially decreasing the rate of recovery. Objective not fully achieved. | Move stream channel rating to PFC at risk with an upward trend in 1 year. Attain PFC in 5-10 years. Livestock handling is facilitated. Hay Creek riparian areas receive equal protection regardless of public versus private status. Attain state water quality standards in 10 years. Objective fully achieved. |

2.4 Alternative Considered but Eliminated from Further Analysis: BLM considered constructing corridor fencing along Ferry Canyon, similar to Hay Creek. However, the corridor fencing did not meet the purpose and need to "establish efficient and effective administration of grazing on public rangelands." Corridor fencing did not meet the purpose and need because it did not mesh with the management of livestock across private lands in the rest of the allotment, which emphasizes herding livestock by horseback and would have been inefficient for the livestock operator. In addition, the corridor fencing would have been highly visible; affecting wilderness character and visual resources in Ferry Canyon.

BLM also considered creating an alternative where grazing would be discontinued. However, that alternative did not meet the purpose and need "to blend BLM livestock management with the management of the entire livestock operations in the allotments and adjacent lands."

2.5 Issues Considered but Eliminated: Cultural resources were examined. There is no known current use of the area by Native Americans for religious or traditional subsistence activities.

## CHAPTER III. AFFECTED ENVIRONMENT

### 3.1 Riparian, Water Quality and Fish Habitat

Both Hay Creek and Ferry Canyon contain Middle Columbia distinct population segment (DPS) summer steelhead listed under the Endangered Species Act (1973) as Threatened (12/23/2005). They are also listed as water quality limited under section 303(d) of the Clean Water Act for the parameter of water temperature.

In Ferry Canyon, trout, dace, shiners and bass were observed during a 2006 ODFW habitat inventory. Pools make up 32% of the stream reach and provide adequate fish habitat. Several active and abandoned beaver dams add pool habitat for fish. In comparison to nearby drainages, organic and fine sediment made up a large portion of the substrate (28%), but actively eroding banks were rare.

The current resource condition for the riparian areas varies by reach. A 2006 Properly Functioning Condition Assessment rated Ferry Canyon near the mouth and the confluence of Rose Briar Canyon as Properly Functioning. The approximate 1.25 mile reach upstream was rated as Functioning At-Risk with an upward trend. This upper reach lacks a sufficient quantity of stabilizing vegetation species necessary to withstand high streamflow events. The assessment noted that one year of unmanaged hot season grazing could quickly cause a downward trend. Blackberry plants, which sometime create monocultures in riparian areas, were noted along Ferry Canyon.

No fish habitat surveys are available from ODFW in Hay Creek. However, a Properly Functioning Condition assessment was completed for the lower and upper BLM reaches in 2006. Both reaches were assessed as Functional – At Risk. However, the 2 mile long downstream reach had a downward to static trend, possibly due to the seasonal nature of the flow. The shorter upstream reach had a slight upward trend, possibly due to the perennial nature of the flow. Both reaches exhibited colonizer plant species, but need stabilizing plant species to be able to withstand high flow events. A small floodplain is developing, but overall, the stream and its riparian area is too wide, shallow, and straight, compared to its potential.

### Upland Vegetation and Existing Livestock Use

Within this project area, Ferry Canyon runs through the Ferry Canyon Pasture of the Sid Seale allotment and Hay Creek runs through the Sixmile allotment. Permitted use in these pastures is early spring use in Ferry Canyon, and a winter and early spring rotation system in Hay Creek, with livestock removed by the first of May.

Upland vegetation in the Ferry Canyon pasture is predominantly Idaho fescue and bluebunch wheatgrass (See Table 2 – Sid Seale Allotment, Ferry Canyon Pasture Upland Vegetation). Shrubs include big sagebrush, shrubby buckwheat, snakeweed and stiff sagebrush. Where surveyed, 80% of the upland vegetation is in late seral condition to potential natural community. Cheatgrass and bulbous bluegrass are

common along the valley bottoms and lower slopes.

**Table 2 – Sid Seale Allotment, Ferry Canyon Pasture Upland Vegetation**

| | Acres | | | Percent | | |
|---|---|---|---|---|---|---|
| **Upland Plant Community** | **BLM** | **Private** | **Total** | **BLM** | **Private** | **Total** |
| bluebunch wheatgrass | 1,446 | 1,541 | 2,987 | 18% | 19% | 38% |
| Idaho fescue | 653 | 562 | 1,215 | 8% | 7% | 15% |
| shrubby buckwheat / cheatgrass | 324 | 27 | 351 | 4% | 0% | 4% |
| stiff sagebrush / bluebunch wheatgrass | 290 | 305 | 595 | 4% | 4% | 7% |
| big sagebrush / cheatgrass | 211 | 45 | 256 | 3% | 1% | 3% |
| big sagebrush / Idaho fescue | 191 | 340 | 531 | 2% | 4% | 7% |
| unsurveyed | 175 | 923 | 1,099 | 2% | 12% | 14% |
| snakeweed / cheatgrass | 164 | 10 | 173 | 2% | 0% | 2% |
| stiff sagebrush / Sandberg bluegrass | 114 | 268 | 383 | 1% | 3% | 5% |
| big sagebrush / Sandberg bluegrass | 91 | 130 | 221 | 1% | 2% | 3% |
| big sagebrush / bluebunch wheatgrass | 21 | 109 | 130 | 0% | 1% | 2% |
| **Range Condition Class** | | | | | | |
| Potential natural community | 812 | 803 | 1,615 | 10% | 10% | 20% |
| Late seral | 1,681 | 2,140 | 3,821 | 21% | 27% | 48% |
| Mid seral | 225 | 279 | 504 | 3% | 4% | 6% |
| Early seral | 788 | 115 | 902 | 10% | 1% | 11% |
| Unsurveyed | 175 | 923 | 1,099 | 2% | 12% | 14% |
| **Grand Total** | **3,681** | **4,260** | **7,941** | **46%** | **54%** | **100%** |

Upland vegetation in the Sixmile allotment is predominantly Idaho fescue (See Table 3 – Sixmile Allotment Upland Vegetation). Shrubs include big sagebrush, shrubby buckwheat, snakeweed and stiff sagebrush. Where surveyed, 80% of the upland vegetation is in late seral condition to potential natural community. Cheatgrass and bulbous bluegrass is common along the valley bottoms and lower slopes.

Construction of the proposed fences may align with the needs of the permittee to either exclude cattle from riparian areas or facilitate their movement through riparian areas. The proposed fences are also in alignment with fence construction and grazing management on co-mingled private lands.

**Table 3 – Sixmile Allotment Upland Vegetation**

| | Acres | | | Percent | | |
|---|---|---|---|---|---|---|
| **Upland Plant Community** | **BLM** | **Private** | **Total** | **BLM** | **Private** | **Total** |
| Sandberg bluegrass | 721 | 904 | 1625 | 15% | 18% | 33% |
| gray or green rabbitbrush/Idaho fescue | 686 | 358 | 1044 | 14% | 7% | 21% |

| | | | | | | |
|---|---|---|---|---|---|---|
| stiff sagebrush / Sandberg bluegrass | 407 | 548 | 955 | 8% | 11% | 19% |
| big sagebrush / bluebunch wheatgrass | 366 | 409 | 775 | 7% | 8% | 16% |
| unsurveyed | 123 | 343 | 467 | 3% | 7% | 9% |
| Idaho fescue | 49 | 10 | 60 | 1% | 0% | 1% |
| **Rangeland Condition Class** | | | | | | |
| Potential Natural Community | 176 | 259 | 435 | 4% | 5% | 9% |
| Late seral | 1647 | 1422 | 3069 | 33% | 29% | 62% |
| Mid seral | 407 | 548 | 955 | 8% | 11% | 19% |
| Unsurveyed | 123 | 343 | 467 | 3% | 7% | 9% |
| **Totals** | **2352** | **2572** | **4925** | **48%** | **52%** | **100%** |

**Special Status Species – Plants and Crusts**
Of particular focus in rare plant surveys are three Oregon Sensitive species likely to occur in Lower John Day River watersheds: disappearing monkeyflower (*Mimulus evanescens*), Laurence's milkvetch (*Astragalus collinus var. laurentii*), and arrow-leaf thelypody (*Thelypodium eucosmum*). Additionally, historic occurrences of disappearing monkeyflower and Laurence's milkvetch have been documented on or near the Lower John Day River watersheds.

A globally threatened species of biological soils crust, woven spore lichen (*Texosporium sancti-jacobi*) is widespread in the John Day Basin. This species is found in windy locations, such as ridgelines and hilltops. It occurs in both loamy and sandy soils. These allotments have not been surveyed, but their windy ridgetops fit the habitat description for *Texosporium.*

**Recreation**
Ferry Canyon provides river boaters with a short day hike off the river in the evenings of an overnight boating trip. These visitors take in the scenery and quiet experience Ferry Canyon affords.

**Wilderness Study Areas**
Portions of the Ferry Canyon pasture overlap with portions of the Lower John Day Wilderness Study Area (Maps 2 – Ferry Canyon Fences).

**Wilderness Character**
Inventories conducted for the planning process of the John Day Basin RMP (in draft) identified wilderness character on the BLM lands surrounding Ferry Canyon. The Hay Creek Portion of the project area was not found to have wilderness character.

**Visual Resource Management**
Most of the project area is allocated as a Visual Resource Management (VRM) Class III landscape. VRM Class III allows management activities that may attract attention, but their results should not dominate the view of the casual observer. Changes should

repeat the basic elements found in the predominant natural features of the characteristic landscape.

Approximately 100 yards in Ferry Canyon are allocated as VRM Class I landscape (Wilderness Study Area near Ferry Canyon). This class provides for natural ecological changes; however, it does not preclude very limited management activity. The level of change to the characteristic landscape should be very low and should not attract attention.

Approximately half a mile of Ferry Canyon is allocated as VRM Class II landscape (visible from Wild and Scenic River). This class retains the existing character (low change) of the landscape. Management activities in VRM Class II may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements of form, line, color, and texture found in the predominant natural features of the characteristic landscape.

**Wildlife**

Oregon Department of Fish and Wildlife (ODFW) have a California Bighorn reintroduction program in the area. Bighorn sheep have been successfully reintroduced into this part of the lower John Day River watershed, and populations are expanding.

No allotment specific information on special status animals has been documented. Information has been compiled, however, for species that may occur or are suspected to occur on the allotment based on recent records, regional data, and county specific documentation. In reference to this data the following special status species would be suspected of occurring on the allotment: Western toad (*Bufo boreas*), burrowing owl (*Athene cunicularia*), Ferruginous hawk (*Buteo regalis*), Swainson's hawk (*Buteo swainsoni*), bald eagle (*Haliaeetus leucocephalus*), loggerhead shrike (*Lanius ludovicianus*), bank swallow (*Riparia riparia*), and Western bluebird (*Sialia mexicana*).

Special status species that may occur or have the potential to occur based on compiled information include: tiger salamander (*Ambystoma tigrinum)*, long-billed curlew (*Numenius americanus*), grasshopper sparrow (*Ammodramus savannarum*), tricolored blackbird (*Agelaius tricolor*), white-tailed jackrabbit (*Lepus townsendii*), pallid bat (*Antrozous pallidus*), and Townsend's big-eared bat (*Plecotus townsendii*).

A complete list of wildlife species and habitat types with which they are normally associated is contained in the Two Rivers RMP (BLM, 1985).

**Noxious Weeds**

Several species of noxious weeds occur in the planning area, primarily in the drainage bottoms, low elevation uplands and historic agricultural fields. The total acre of each species is not known. Table 4 lists the noxious weed species which are known to occur in the planning area. In addition to the species listed, Himalayan blackberry has

been noted in riparian areas and appears to be increasing in aerial extent.

**Table 4. Noxious weeds known to occur on public land within the Lower John Day Basin**

| Common Name | Scientific Name |
|---|---|
| Diffuse knapweed | Centaurea diffuse |
| Russian knapweed | Centaurea repens |
| Dalmation toadflax | Linaria dalmatica |
| Bull thistle | Cirsium vulgars |
| Canada thistle | Cirsium arvense |
| Scotch thistle | Onopordum acanthium |
| Whitetop / Hoary cress | Cardaria draba |
| Medusahead rye | Taeniatherum caput-medusae |
| Western Water Hemlock | Cicuta douglasii |
| Poison Hemlock | Conium maculatum |

## CHAPTER IV. ENVIRONMENTAL CONSEQUENCES

4.1 Generally, fence construction would have little impact. The area is very rocky and there are existing roads close to the proposed fence locations that would be used as access for construction.

**Riparian, Water Quality and Fish Habitat**

Under the No Action Alternative, livestock are managed through herding and riparian areas are grazed during the spring. This management has allowed the expression of riparian vegetation in areas previously lacking riparian vegetation. However, in Ferry Canyon, occasional cows migrate down into these riparian areas in the fall and summer. This does not halt the expression of riparian vegetation, but it does result in some utilization of riparian vegetation by livestock during the hot season. As noted above and in PFC assessments, one year of unmanaged hot season grazing could quickly change the upward trend in riparian function to a downward trend.

In Hay Creek, under the no action alternative, livestock management is likely to continue the current static trend. The recent exclusion of livestock grazing via corridor fencing on the adjacent private land in the allotment may focus grazing onto the public stream reaches. If this occurs, the livestock's utilization of riparian vegetation may result in a downward trend in stream function.

In Hay Creek, under the action alternative, fencing would exclude grazing from Hay Creek and its riparian areas, except for a few days when livestock leave the pasture for the season. Landowners all along Hay Creek are constructing fence to exclude grazing from Hay Creek and its riparian areas. Fencing the BLM portions of Hay Creek would be consistent with adjacent land management which is emphasizing riparian recovery through exclusion of grazing along most of the stream channel. The effect of restoring Hay Creek riparian vegetation would be to connect a length of healthy stream habitat, through various ownerships, across the landscape. Increasing shade would cool water temperatures. Increasing riparian vegetative cover would create hiding cover for fish. Increased bank stability would create deep, stable pool habitat for fish.

In Ferry Canyon, under the action alternative, the combination of discouraging cattle use in the majority of Ferry Canyon and spring grazing would allow recovery of the stream channel's riparian area to Properly Functioning Condition and eventually to site capability. It is anticipated that reducing livestock grazing would improve the ability of stabilizing plant species to spread. As these species spread, their strong roots would stabilize the stream channel and floodplain. As the channel stabilizes, water quality and physical function would improve (similar effects to Hay Creek above).

In Ferry Canyon, under Alternative 2, cross fencing would allow the permittee to exclude grazing and prevent trespass cows from wandering up Ferry Canyon. This alternative would also reduce potential conflicts between the increasing number of

recreationists at the Wild and Scenic River near Ferry Canyon and cattle grazing. Ferry Canyon and the John Day River have already exhibited excellent recovery of riparian vegetation and improved fish habitat, due to past changes in grazing management. Expediting the gathering and herding of livestock would continue the trend of riparian and fish habitat recovery.

The effect of the spring development, spring livestock exclusion, and treatment of weeds in springs would increase the diversity and amount of riparian vegetation associated with the springs. In the short term, some disturbance of the spring soils and biotic community would occur during development. In the long run, the use of shutoff valves, removal of invasive species and exclusion from livestock use would increase the biologic diversity in the spring's riparian area. Some, slight long term water quality improvements are anticipated under the alternative. Water temperatures are likely to decrease as shade expands with expanding height and width of riparian vegetation near the streams and springs.

**Upland Vegetation**

Under the No Action alternative, no change in livestock distribution is anticipated. Under the Action Alternative, improved livestock distribution is likely to improve the condition and utilization of upland vegetation. Increasing livestock dispersal across the pasture would decrease the utilization of individual uplands plants along valley bottoms and increase it across the rest of the upland vegetation in the pasture. The ecological condition of the upland vegetation is generally in late seral to potential natural community (excellent to good condition-See Chapter III) and would be able to sustain more utilization. However, it is unlikely that the BLM would be able to measure the improvement in distribution and use of upland vegetation under the Action Alternative.

**Recreation**

Under the No action alternative, hikers would encounter few fences, but observe riparian habitats in moderate ecological condition (see riparian section). Under the Action Alternatives, hikers would encounter one or two more fences as they hike, but would also observe riparian and fish habitats in an improved ecological condition (See riparian section). In the locations where fences would cross the canyon, hiker-friendly gates would allow travel to continue unencumbered.

**Special Status Species – Plants and Crusts**

Site specific surveys have not revealed any special status species in the project area, but some species are suspected or have potential to exist in the area (see Chapter III). Under the No Action Alternative, there would be no change to special status species potential or suspected habitat in the project area. Under the Action Alternative, the actions would further improve riparian habitat and potentially improve habitat for special status species which use this type of riparian habitat. Although it is unlikely that special status species inhabit these sites, increasing riparian vegetation's height and aerial extent could slightly improve potential habitat for these riparian special status species. Site clearances completed prior to construction would provide further

assurance of the protection of special status plant species.

None of the alternatives are likely to affect the *Texosporium* lichen.

**Wilderness Study Areas**
Under the No Action Alternative, no change in the suitability for preservation as wilderness is anticipated.

The analysis of effects of the project proposal on the WSA was conducted in accordance with H-8850-1 - Interim Management Policy for Lands Under Wilderness Review (II.B.) A complete copy of the analysis is on file at the Prineville BLM office. The proposed project as designed would not impair the WSA's suitability for preservation as wilderness. The proposed project would enhance aquatic habitat for Mid Columbia summer steelhead which is one of the special features described in the WSA intensive inventory. Mitigations are included in the design of the project. Under the action alternative, the naturalness of the WSA is maintained because there is no net increase in fencing within the WSA.

**Wilderness Character**
Under the No Action Alternative, there is no impact to the wilderness character.

Under the Action Alternative, improvements in steelhead habitat and riparian function would enhance naturalness. The simplified livestock handling would minimize the duration and overall need for administrative motorized access to locate and remove trespass livestock. Although fence construction would slightly decrease wilderness character, the action alternative include mitigations for protection of wilderness character.

**Wildlife**
Site specific surveys have not revealed any special status animal species in the project area, but some species are suspected or have potential to exist in the area (see Chapter III). Under the No Action Alternative, there would be no change to special status species potential or suspected habitat in the project area. Under the Action Alternative, the objective is to further improve riparian habitat. Improvements in riparian habitat and water quality would benefit a broad spectrum of the wildlife species found in the project area. Fence design and construction by ODFW would mitigate any potential restriction of movement, entrapment, or other common effects of fencing on bighorn sheep.

**Cumulative Effects**
The current conditions on the lands affected by the proposed action have resulted from a multitude of natural and human actions that took place over many decades. A catalogue and analysis, comparison, or description of all individual past actions and their effects which have contributed to the current environmental conditions would be practically impossible to compile and unduly costly to obtain. Ferreting out and cataloguing the effects of each of these individual past actions would be a time consuming and expensive task which will not add any clearer picture of the existing

environmental conditions. Instead of incurring these exorbitant costs in terms of time and money it is possible to implement easier, more accurate, and less costly ways to obtain the information concerning past actions which is necessary for an analysis of the "impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions." (See definition of cumulative impact" in 40 CFR § 1508.7.)

A description of the current state of the environment inherently includes the effects of past actions and serves as a more accurate and 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. The importance of "past actions" is to set the context for understanding the incremental effects of the proposed action. This context is determined by combining the current conditions with available information on the expected effects of other present and reasonably foreseeable future actions. Here the cataloguing and analysis of the effects of other present and reasonably foreseeable actions relevant to the effects of the proposed action is necessary, and has been described above. By comparing this total effect of the "no action" alternative to the effects described when adding the proposed action or any action alternative, we can discern the "cumulative impact" resulting from adding the "incremental impact" of the proposed action to the current environmental conditions and trends.

The information on individual past actions is anecdotal only, and would not be a scientifically acceptable methodology to illuminate or predict the direct or indirect effects of the proposed action and its alternative. The basis for predicting the direct and indirect effects of the proposed action and its alternative should be based on generally accepted scientific methodologies such as empirical research. Scoping for this project did not identify any need to exhaustively list individual past actions or analyze, compare, or describe the environmental effects of individual past actions in order to complete an analysis which would be useful for illuminating or predicting the effects of the proposed action.

4.2 **Monitoring.** Effects of the project would be monitored by repeating quarter mile photo points every 5 years and inventorying the riparian species along the channel. The question to answer is whether stabilizing species are increasing in extent and diversity, leading to improved riparian conditions. Annual monitoring of the effectiveness would be completed and reported as part of the programmatic consultation for Mid Columbia summer steelhead. This monitoring is in accordance with the Two River Land RMP and would comply with the draft John Day Basin RMP.

## CHAPTER V. CONSULTATION AND COORDINATION

Tom Rietmann – livestock operator
Wally Powell – Natural Resource Conservation Service
M.K. Campbell – livestock operator
Sam Seale - landowner
Various ODFW personnel and fencing crews

## CHAPTER VI. LIST OF PREPARERS AND REVIEWERS

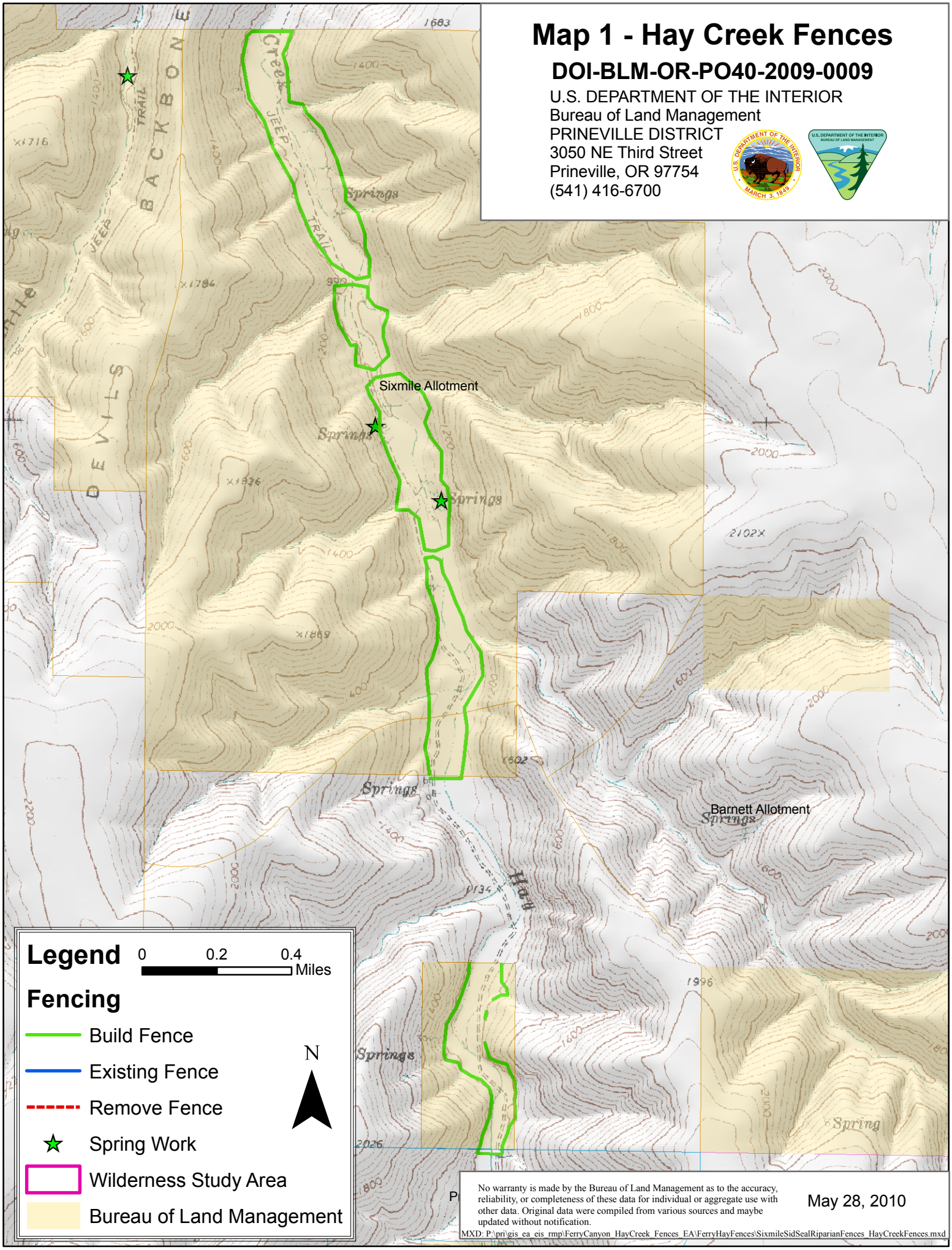
JoAnne Armson – special status plants
Jeff Moss – fisheries
Craig Obermiller - rangelands
Anna Smith – hydrology, team lead
Angela Huster – cultural resources
John Zancanella – cultural resources
Rick Demmer – wildlife
Matt Shaffer – NEPA
Teal Purrington - NEPA
Heidi Mottl – Wilderness Study Areas, recreation, wilderness character and VRM

**APPENDICES-Maps**

# Map 1 - Hay Creek Fences

## DOI-BLM-OR-PO40-2009-0009

U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
PRINEVILLE DISTRICT
3050 NE Third Street
Prineville, OR 97754
(541) 416-6700




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 were compiled from various sources and maybe updated without notification.

May 28, 2010

MXD: P:\pri\gis_ea_eis_rmp\FerryCanyon_HayCreek_Fences_EA\FerryHayFences\SixmileSidSealRiparianFences_HayCreekFences.mxd

# Map 2 - Ferry Canyon Fences

## DOI-BLM-OR-PO40-2009-0009

U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management
PRINEVILLE DISTRICT
3050 NE Third Street
Prineville, OR 97754
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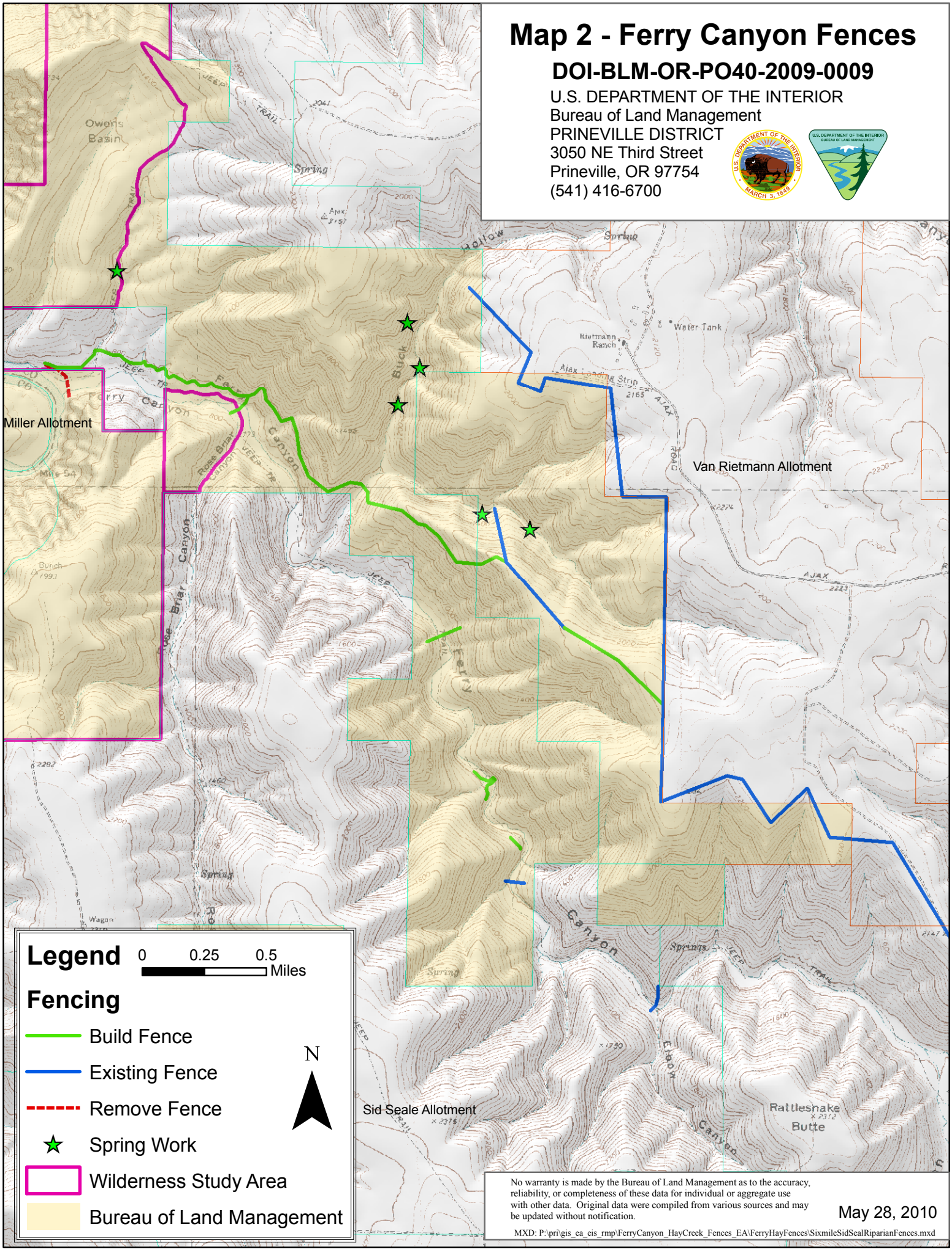


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May 28, 2010

MXD: P:\pri\gis_ea_eis_rmp\FerryCanyon_HayCreek_Fences_EA\FerryHayFences\SixmileSidSealRiparianFences.mxd

# Finding of No Significant Impact

Ferry Canyon and Hay Creek Fences-DOI-BLM-OR-PO40-2009-0009-EA
US Department of the Interior, Bureau of Land Management
Prineville Field Office, Oregon

## Background

The Prineville District, Bureau of Land Management (BLM) has conducted an environmental analysis (Environmental Assessment (EA) # DOI-BLM-OR-PO40-2009-0009) for a proposed action to address riparian recovery and livestock distribution concerns in the Sixmile grazing allotment (#2547) and Sid Seale grazing allotment (#2619) in Gilliam County. The primary purpose and need of this project is to address the following objective:

> Improve livestock gathering and grazing compliance, restore fish habitat, water quality, and riparian vegetation. Indicators: Water temperature, width of riparian vegetation, and miles of stream achieving properly functioning condition.

The project would involve:

- -construction of corridor fencing along Hay Creek to either match adjacent Conservation Reserve Enhancement Program (CREP) fencing or adjacent improve livestock handling.
- -reconstruction of existing fencing to meet wildlife mitigation standards.
- -restoring springs, developing off channel water and fencing springs from livestock use
- -treatment of springs to remove invasive species and replanting with native riparian vegetation
- -installing water gaps and gap fencing to discourage utilization of riparian vegetation and improve livestock handling.

Chapter 2 of the EA fully describes the alternatives considered, Chapter 1 elaborates on issues raised during scoping and Chapter 4 identifies potential impacts related to the different alternatives.

## Finding of No Significant Impact

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 will not have significant environmental impacts beyond those already addressed in Two Rivers Resource Management Plan, June 1986; Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and Portions of California, 1995; and John Day River Management Plan, Two Rivers, John Day and Baker Resource Management Plan Amendments, February 2001, (2) the Proposed Action is in conformance with the Resource Management Plan; and (3) the Proposed Action does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact

statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA or as articulated in the letters of comment.

## Context

The project is a site-specific action directly involving approximately 5 miles of stream and approximately 20 acres of land administered by the BLM, which by itself does not have international, national, regional, or state-wide importance.

## Intensity

I have considered the potential intensity/severity of the impacts anticipated from the Ferry Canyon and Hay Creek Fences project decision relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. Impacts that may be both beneficial and adverse. The proposed action would impact resources as described in the EA. Mitigations to reduce impacts to the ground were incorporated in the design of the proposed action. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the Two Rivers RMP/FEIS and John Day River Management Plan FEIS.
2. The degree to which the proposed action affects public health and safety. The proposed action is designed to control livestock grazing along approximately 2.5 and 1.5 miles of Hay Creek and Ferry Canyon (respectively). There are no known affects to public health or safety.
3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. The historic and cultural resources of the area have been reviewed by an archeologist and potential impacts mitigated in the design of the proposed action. There are none or slight effects on park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.
4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. There are no effects which are expected to be highly controversial.
5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The project is not unique or unusual. The BLM has implemented similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.
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. The

actions considered in the proposed action were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. An analysis of the effects of the proposed action is described in the EA.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in the EA.
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. The project will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources.
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. Mitigations to reduce impacts to wildlife and fisheries have been incorporated into the design of the proposed action. The Mid Columbia Steelhead use Hay Creek and Ferry Canyon for spawning and rearing during good water years. This project is in compliance with PACFISH standards and guidelines for Steelhead. No threatened or endangered plants or animals were observed in the area.
10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The project does not violate any known Federal, State, Local or Tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests are given the opportunity to participate in the environmental analysis process. Furthermore, the project is consistent with applicable land management plans, policies, and programs.
11. Comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only). The project would comply with the intent of the Fish and Wildlife Coordination Act, Executive orders 11988 and 11990.
12. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan. There are no unresolved conflicts not already approved in land use plans.
13. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice). This project does not have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice).
14. Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites). Have significant adverse effect on Indian Trust Resources. This project does not restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such

sacred sites; Executive Order 13007 (Indian Sacred Sites). This project does not have significant adverse effects on Indian Trust Resources.

15. Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species). This project does not contribute to the introduction, existence, or spread of: Federally listed noxious weeds or invasive nonnative species.
16. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects). This project does not have a direct or indirect adverse impact on energy development, production, supply, and/or distribution.

_____ _____

H.F. "Chip" Faver Date

Field Manager, Central Oregon Resource Area

# Finding of No Significant Impact

Ferry Canyon and Hay Creek Fences-DOI-BLM-OR-PO40-2009-0009-EA
US Department of the Interior, Bureau of Land Management
Prineville Field Office, Oregon

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_____ _____

H.F. "Chip" Faver Date

Field Manager, Central Oregon Resource Area