

Prineville District
Finding of No Significant Impact
Determination

Introduction

The Prineville District, Bureau of Land Management (BLM) has conducted an environmental analysis [Environmental Assessment (EA) No. OR-056-06-067] concerning a proposal for the reconstruction, removal and replacement of fences on public lands within its geographic area of jurisdiction. The purpose of this proposal is to assist Prineville District BLM personnel, permittees, cooperators, volunteers and others in maintaining current wildlife, fish, watershed, recreation, rights-of-way, rangeland management, and other BLM programs that are reliant upon or related to existing fences.

The project area includes existing fence corridor areas on public lands within the Prineville BLM District boundary. A Proposed Action and a No Action Alternative were analyzed in the EA.

The Proposed Action includes a variety of fence removal, reconstruction and replacement actions that would be implemented as site conditions warrant. It also includes a number of coordination and mitigation measures designed to ensure that current management programs (relating to fences) are maintained or enhanced.

This EA fully describes the alternatives considered and identifies known or potential impacts related to these actions.

Plan Conformance

The proposed project has been reviewed and found to be in conformance with the following BLM Resource Management Plans (RMP's) and their accompanying Records of Decision: John Day (1985), Two Rivers (1986), Baker (1989), Brothers/La Pine (1989) and Upper Deschutes (2005). These RMP's each include fences as structural elements of their associated management programs. In that this proposal would facilitate the continued accomplishment of these programs, it conforms to and is consistent with these RMP's.

Finding of No Significant Impact Determination

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. None of the environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the above RMP's and their final environmental impact statements (FEIS's). Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described:

Context: The project area is confined to existing fence corridor areas and by itself does not have international, national, regional, or state-wide importance.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and additional criteria as required by the following Instruction Memorandum, Acts and Executive Orders: Instruction Memorandum No. 99-178, the Lacey Act, as amended; the Federal Noxious Weed Act of 1974; the Endangered Species Act of 1973, as amended; Executive Order 13112 on Invasive Species; Executive Order 12898 on Environmental Justice; Clean Water Act of 1987; Safe Drinking Water Act Amendments to the Clean Water Act of 1996; Executive Order 12088 on federal compliance with pollution control standards, as amended; Executive Order 12589 on Superfund compliance; and Executive Order dated July 14, 1982 on intergovernmental review of federal programs.

1. **Impacts may be both beneficial and adverse.** The Proposed Action would impact resources as described in Chapter 2 and 4 of the EA. Mitigations to reduce impacts to both natural resources and users were incorporated into the design of the Proposed Action. Environmental effects discussed in detail in the EA are neither considered significant, nor do they exceed those effects described in the RMP's or FEIS's. Achievement of the purpose specified above would benefit both natural resources and their users. Short-term, adverse impacts associated with this activity include temporary vegetation and soil disturbance, resulting primarily from temporary vehicle and equipment use necessary to implement this action.
2. **The degree to which the selected alternative will affect public health or safety.** The proposal includes removal of fences no longer required for management, and application of design features to reduce risks that fences can pose to human safety.
3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.** Fence corridors are often present within and adjacent to wild and scenic river corridors, park lands, ecologically critical sites, historic and cultural resource areas. Removal of old fences, improved designs of new fences, and clearance and mitigation measures contained in the EA will ensure that these values are protected or enhanced.
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** There are no known controversial human environmental elements within the project area.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The BLM has extensive experience implementing fencing actions within the project area. 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.** Actions contained in the proposal were considered by BLM specialists within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects

are not predicted. A complete analysis of the effects of the Proposed Action and its alternatives is included in the EA.

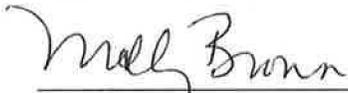
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** BLM specialists evaluated the possible actions in the context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of project effects is contained in the EA.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other 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 historical resources.** The project would 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. By reducing risks for livestock entry onto highways, the proposal would improve public safety therein.
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 avoid impacts to special status wildlife, fish and vegetation species have been incorporated into the design of the Proposed Action. The requirement for wildlife, fish and botanical clearances (and, as required, project modification) would further ensure that these impacts would be avoided.
10. **Whether the action threatens a violation of a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements.** 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 were 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).** These are located within the project area. The Proposed Action includes a requirement that interested public and other agency/governmental entities would be afforded the opportunity to participate in individual project design and implementation activities. This would ensure the existing laws and policies relating to the above would be adhered to.
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 would not have disproportionate significant adverse impacts on low-income or minority populations.
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, or ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such 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). The EA documents that current noxious weed importation and spread rates would not be expected to change as a result of implementing the Proposed Action.

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 would not have a direct or indirect adverse impact on energy development, production, supply, and/or distribution.

Approved By:



Molly Brown
Field Manager
Deschutes Resource Area
Prineville District
Bureau of Land Management

10/13/06

Date