Prineville
Finding of No Significant Impact
Determination

Introduction:

The of Land Management (BLM) has conducted an environmental analysis (Environmental Assessment (EA) # OR-054-07-072) for a proposed action to address grazing management in the Pryor Farms (#2607) grazing allotment in Gilliam County. The primary purpose and need of this project is to address the following objectives:

- Conserve Threatened and Endangered Species and the ecosystems upon which they depend, and do not contribute to the need to list a species (Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 et seq.), as amended);
- Restore and maintain the chemical, physical, and biological integrity of the Nation's water (Clean Water Act, as amended, 33 U.S.C. 1251);
- 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 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).
- Modify grazing practices (e.g., accessibility of riparian areas to livestock, length of grazing season, stocking levels, timing of grazing, etc.) that retard or prevent attainment of Riparian Management Objectives (RMOs) or likely to adversely affect listed anadromous fish. Suspend grazing if adjusting practices is not effective in meeting RMOs and avoiding adverse effects on listed anadromous fish (Interim Strategies for Managing Anadromous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and Portions of California, 1995);
- Maintain current livestock grazing levels and riparian and upland vegetation objectives; manage all streams with fisheries or fisheries potential to achieve a good to excellent aquatic habitat condition (Two Rivers Resource Management Plan, Record of Decision, 1986 (RMP), page 10);
- Implement changes in periods of use, or exclusion through construction of riparian protection fence, or combination of both to meet objectives; implement intensive management to encourage a change in ecological condition toward climax (RMP, page 14).

The EA is attached to and incorporated by reference in this Finding of No Significant Impact (FONSI) determination. A no action alternative and four action alternatives were analyzed in the EA.

The project would follow the recommendations of the BLM interdisciplinary team that completed the S&G Assessment. A fence would be constructed along the west side of Hay Creek and the existing fence on the ridge separating Tenmile pasture from East pasture would be extended north to intersect with the fence built along Hay Creek. The existing fence separating East and Tenmile pastures from North pasture would be removed. A rotation grazing system

would be implemented that confined use of riparian areas along Hay Creek to the month of April. Water gaps and / or pumps and troughs may be used to provide water to livestock grazing west of the fence.

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

Plan Conformance:

The proposed project has been reviewed and found to be in conformance with the following BLM plans and associated Record of Decision(s): Two Rivers Resource Management Plan, June 1986; Interim Strategies for Managing Anadrornous Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and Portions of California, 1995.

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 will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No 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 Two Rivers RMP/FEIS. 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 is a site-specific action directly involving approximately 800 acres of land administered by the BLM, which 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 the 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 011 intergovernmental review of federal programs.

1. Impacts may be both beneficial and adverse. The proposed action would impact resources as described in the EA. Mitigations to reduce impacts to the physical, ecological, and social environment 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.

2. The degree to which the selected alternative affect public health or safety. The propose action is designed to adjust the grazing system. There are no known affects to public health or 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. The historic and cultural resources of the area have been inventoried and potential impacts mitigated in the design of the proposed action. There are no 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 experience implementing 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. A complete 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 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 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 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 action alternatives. One listed fish species occupies habitat within the project boundary, no other species occupies habitat adjacent and immediately downstream within watersheds of the project boundary. The project has been designed to meet PACFISH objectives. No other threatened or endangered plants or animals were observed in the area. Endangered Species Act Consultation is ongoing with the National Marine Fisheries Service, an agency representative has been involved in project design. Formal consultation will be completed before the final decision is signed.

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). There are no floodplains, wetlands or water resource projects that would be adversely affected by this project.

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 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 native 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 not have a direct or indirect adverse impact 011 energy development, production, supply, and/or distribution.

Approved By: Christina M. Welch 8/22/2007

Christina Welch, Central Oregon Field Manager Date