

**United States Department of the Interior**  
BUREAU OF LAND MANAGEMENT  
Wenatchee Field Office  
915 North Walla Walla Avenue  
Wenatchee, Washington 98801

**FINDING OF NO SIGNIFICANT IMPACT (FONSI)**  
**For**  
**Douglas Creek Road Stabilization**  
**Environmental Assessment**  
**DOI-BLM-OR-134-2012-006**

**BACKGROUND**

Approximately 20 years ago, a large flood event on Douglas Creek in Douglas County, WA damaged Douglas Creek County Road in several places (Township 23N, Range 23E, section 14). Subsequent flood events and minimal road maintenance have exacerbated road and riparian area damage to the point that public safety has been affected and public access within the area has been impeded. Five areas of concern have been identified, one under BLM administration and four under Douglas County administration. The purpose of this action is to:

- Restore, protect, or enhance riparian resources and water quality.
- Maintain or restore public safety including safe ingress and egress to and from the area.

Although the Proposed Action would entail five construction actions designed to stabilize Douglas Creek Road, minimize sediment delivery due to road damage and potential failure, and improve public safety; the BLM only has authority to authorize one action, which is identified as Action 1 in the proposed action of the EA. Under Action 1, the BLM would repair a section of undercut bank beneath the existing road. This is the only action addressed in this FONSI. Douglas County will decide whether to prepare a determination of significance and separate documentation under the Washington State Environmental Policy Act (SEPA) for the other actions.

See the Environmental Assessment (EA) for additional background on the proposed project.

**FINDING OF NO SIGNIFICANT IMPACTS (FONSI)**

Based on the effects discussed in the Douglas Creek Road Stabilization Environmental Assessment, I have determined that the Proposed Action Alternative does not constitute a major federal action which would significantly affect the quality of the human environment either individually or cumulatively when combined with other actions in the general area.

None of the environmental effects identified for this alternative meet the definition of significance in context or intensity as defined in 40 CFR 1508.27. Therefore, an Environmental Impact Statement (EIS) is not necessary and will not be prepared.

This Finding of No Significant Impact (FONSI) is based on a review of the following Council of Environmental Quality (CEQ) criteria, consistent with 40 CFR 1508.27. Pursuant to 40 CFR 1508.13 and 1508.27, the potential “significance” of all reasonable alternatives has been evaluated. I have concluded that there will be no significant effect on the human environment (including the natural and physical environment and the relationship of people with that environment). No significant irreversible or irretrievable resource commitments have been made, and long-term productivity has not been sacrificed in order to meet the project objectives. This determination is based on *Context* and *Intensity*, defined and examined below.

*Context:* This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant. The disclosure of effects in the EA found the actions to be limited in context. The Proposed Action and its effects are limited to five very short segments of Douglas Creek County Road, adjacent riparian areas, downstream reaches to the tributary junction with McCarteney Creek, and adjacent upland areas affected by construction noise. Because the project area is limited in size, the proposed construction activities are limited in duration, and the effects are local in nature, this alternative’s effects are not likely to significantly affect regional or national resources.

*Intensity:* This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following ten factors have been considered in evaluating the intensity of this action:

**1. Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effects will be beneficial**

Impacts associated with the project are discussed in the Affected Environment and Environmental Consequences Sections of the EA. The project will result in both beneficial and adverse effects to resources in the Project Area. For example, the Proposed Action will stabilize Douglas Creek County Road, improving safety, and enhance riparian habitat through plantings and installation of a rock barb. However, road stabilization will have short-term, localized adverse effects on sediment and trout behavior. None of the anticipated effects, beneficial or adverse, are expected to be significant.

**2. The degree to which the proposed action affects public health or safety**

The Proposed Action is not expected to have any impacts related to public health. It will have beneficial impacts to public safety in the action area (EA p. 9); however, these impacts are not expected to be significant.

**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.**

The Proposed Action would occur in proximity to historic or cultural resources; however, there would be no adverse impacts to these cultural resources (EA pp. 34-35). Consultation with the

State Historical Preservation Organization concurs with this determination. The project will remove a small amount (200 ft.<sup>2</sup>) of disturbed riverine wetland dominated by an invasive exotic plant (EA pp. 16); this wetland impact will be mitigated at a rate of 3:1. This wetland does not represent a unique characteristic or ecologically critical area. The geographic area surrounding the project does not support park lands, prime farmlands, 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.**

The degree of the effects to the human environment is not highly controversial.

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

The Proposed Action does not contain any unique or unknown risks to the human environment.

**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 Proposed Action does not set a precedent or alter existing management direction for the analysis area. The BLM will continue to manage for multiple uses (including recreation, wildlife habitat, grazing, and plants) in this area.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.**

A review of the cumulative impacts associated with the Proposed Action and reasonably foreseeable future actions found there would be no significant cumulative effects on the environment. The Proposed Action's direct and indirect effects on resources in the project area are minor and generally benign, with some exceptions. The incremental contribution of this project's relatively benign effects to the effects of other past, present, and reasonably foreseeable future action is not anticipated to result in any significant cumulative effects.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.**

There would be no adverse impacts to cultural resources identified in the analysis area (EA pp. 34-35). The State Historical Preservation Organization (SHPO) concurs with this determination.

**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.**

The Action Area directly affected by the Proposed Action does not contain suitable or potential habitat for federally threatened or endangered animal or plant species. No federally threatened or endangered or sensitive fish species is present in Douglas Creek. One (non-federally listed) sensitive plant species occurs in the Action Area but would be avoided during construction. Sensitive wildlife species occur within 2.5 miles of the project; BLM will avoid impacts to these

species by maintaining distance from suitable habitat and through restriction of construction activities to fall/winter months.

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

The Proposed Action does not violate any Federal, State, or local laws or requirements imposed for the protection of the environment.

/s/ Michael J. Phillips

February 9, 2012

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Michael J. Phillips  
Wenatchee Field Manager

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Date

# **United States Department of the Interior**

**BUREAU OF LAND MANAGEMENT**

Wenatchee Field Office  
915 North Walla Walla Avenue  
Wenatchee, Washington 98801

## **DECISION RECORD**

**For the Douglas Creek Road Stabilization**

**DOI-BLM-OR-134-2012-006-EA**

**Douglas County, Washington**

### **I. BACKGROUND**

Approximately 20 years ago, a large flood event on Douglas Creek in Douglas County, WA damaged Douglas Creek County Road in several places (Township 23N, Range 23E, section 14). Subsequent flood events and minimal road maintenance have exacerbated road and riparian area damage to the point that public safety has been affected and public access within the area has been impeded. Five areas of concern have been identified, one under BLM administration and four under Douglas County administration. The purpose of this action is to:

- Restore, protect, or enhance riparian resources and water quality.
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Although the Proposed Action would entail five construction actions designed to stabilize Douglas Creek Road, minimize sediment delivery due to road damage and potential failure, and improve public safety; the BLM only has authority to authorize one action, which is identified as Action 1 in the proposed action of the EA. Under Action 1, the BLM would repair a section of undercut bank beneath the existing road. This is the only action addressed in this Decision.

I have reviewed the EA OR-134-2012-006 dated February, 2012.

### **II. DECISION**

It is my decision to implement the Proposed Action.

For the Proposed Action, the BLM would repair a section of undercut bank beneath the existing Douglas Creek Road in Township 23N, Range 23E, section 14. BLM would place approximately 250 linear feet of large boulder riprap at the toe of the undercut bank slope under the road to reduce silt and sediment delivery into the stream. A large boulder barb would be installed upstream of the undercut bank to direct high flows away from the undercut bank. During construction, Douglas Creek would be diverted around the construction site through a historic side channel. Original channel topography at this location would be re-established, following construction. Riparian vegetation would be planted within installed boulders, and native seed would be used to establish vegetative cover for erosion control. The Proposed Action and Design Features to implement it are described in detail in the EA (pages 8-12).

### **III. AUTHORITIES**

The following sources provide direct authority for the BLM to improve, treat, and/or protect renewable resources on lands managed by the BLM:

- National Environmental Policy Act of 1969 (42 U.S.C. 4321-47; 83 Stat. 852; P.L. 91-190).
- Endangered Species Act of 1973, as amended (16 U.S.C. 1531, et seq.).
- Federal Noxious Weed Act of 1974 (7 U.S.C. 2801-2813).
- Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801-1802, 1811-1813, 1821-1825, 1851-1861, 1882; 90 Stat. 331; P.L. 94- 265).
- The Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701. et seq.).
- Executive Order 11988 of May 1977 (Floodplain Management). This directs Federal agencies to take actions to reduce the risk of flood loss, to minimize the impacts of floods, and to restore and preserve the natural and beneficial values of floodplains.
- Executive Order 13112. Invasive Species
- Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901, et seq.).
- Fish and Wildlife Improvement Act of 1978 (92 Stat. 3110; P.L. 95-616).

### **IV. PLAN CONFORMANCE AND CONSISTENCY**

The Proposed Action and No Action Alternatives conform to the Record of Decision and Approved Resource Management Plan for the Spokane District dated May 1987, and amendments produced in 1992 and 1993. Although the Proposed Action is not specifically provided for in the 1987 RMP it is consistent with RMP direction for the Douglas Creek Management Area to “protect existing values” and to prioritize recreation and wildlife first (ROD, pg. 18). I have also determined that the proposed action is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments

### **III. ALTERNATIVES CONSIDERED**

The EA for the Project considered two alternatives: a No Action Alternative, and a Proposed Action Alternative. The No Action alternative provides for an assessment of the effects of not implementing road stabilization in this section of road. This alternative provides a benchmark, enabling the decision maker to compare the magnitude of the environmental effects of the Proposed Action. The Proposed Action alternative provides for stabilizing Douglas Creek road at a failing point. This alternative includes many Design Features to minimize disturbance and disruption of Douglas Creek as well as wetland mitigation and riparian planting direction.

The BLM considered changing management or designation of Douglas Creek County Road as an alternative, but found that this would not meet the Purpose and Need for this project and was therefore not analyzed in detail.

### **IV. RATIONALE FOR DECISION**

The decision to approve the proposed action is based upon the following: 1) the purpose and need for the action 2) consistency with resource management plan and land use plan; 3) national policy; 4) agency statutory requirements; 4) relevant resource and economic issues; 4)

application of measures to avoid or minimize environmental impacts; and 5) finding of no significant impact. The Proposed Action was chosen as being the most environmentally sound alternative.

The Proposed Action meets the Purpose and Need for this Action. The Need for this Action includes an unstable roadway affecting public safety and negatively impacting riparian and water quality resources (EA, pg. 4). The Purpose for this Action is to maintain public safety and to enhance riparian resources and water quality.

#### **V. AVAILABLE INFORMATION**

The Environmental Assessment, Finding of No Significant Impact, and Decision Record are available for review online at: <http://www.blm.gov/or/districts/spokane/plans/index.php>.

#### **VI. APPEALS**

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. To appeal you must file a notice of appeal at the BLM Wenatchee Field Office, 915 N. Walla Walla Ave., Wenatchee, Washington 98801, within 30 days from receipt of this decision. The appeal must be in writing and delivered in person, via the United States Postal Service mail system, or other common carrier, to the Wenatchee Field Office as noted above. *The BLM does not accept appeals by facsimile or email.* The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards: (a) The relative harm to the parties if the stay is granted or denied, (b) The likelihood of the appellant's success on the merits, (c) The likelihood of immediate and irreparable harm if the stay is not granted, and (d) Whether the public interest favors granting the stay.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Office of the Solicitor (see 43 CFR 4.413); Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, Lloyd 500 Building, Suite 607, 500 N.E. Multnomah Street, Portland, OR 97232; at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

| /s/ Michael J. Phillips

February 9, 2012

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Michael J. Phillips  
Wenatchee Field Manager

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Date