

**Finding of No Significant Impact (FONSI)**  
**Lakeview Ranch Proposed OHV Route**  
Environmental Assessment  
OR135-08-EA-016

**Background**

The Bureau of Land Management (BLM) has prepared an Environmental Assessment (DOI-BLM-OR 135-08-EA-016) which analyzes the effects of a proposal to designate a motorized route in the Lakeview Ranch Unit of the BLM administered lands in Lincoln County, WA.

**Finding of No Significant Impact**

Based on the effects discussed in the *Lakeview Ranch Proposed OHV Route* Environmental Assessment (EA), I have determined that Alternative 4 - No Action (No 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:

Context

The No Action Alternative does not represent a marked change from existing conditions or trends. Furthermore, it does not rescind or impair any existing uses or opportunities on BLM managed lands in the Lakeview Ranch area. Therefore, the selection of the No Action Alternative is unlikely to significantly affect the quality of the human environment locally (Town of Odessa) or beyond (regionally, statewide or beyond) in either the short- or long-term timeframes.

Intensity of Effects

*1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed. The physical and biological effects are limited to the site of the selected action and adjacent lands.*

The No Action Alternative would result in continued management of wildlife-based recreation, livestock grazing, cultural resource sites, vegetation, and wildlife resources consistent with the 1987 Spokane District Resource Management Plan (RMP) and 1992 Amendment. The continuation of current management direction is not anticipated to result in any additional detrimental effects to existing resources nor result in any major deviations from current resource conditions (refer to each resource's discussion of *Environmental Consequences* for the No Action Alternative). Furthermore, the No Action

Alternative would result in no additional ground disturbance. Therefore, the effects, if any, are limited to the site of the selected action.

*2. Public health and safety would not be adversely impacted.*

The No Action Alternative is not expected to introduce new public health or safety concerns or exacerbate any existing issues in the Lakeview Ranch area. Overall, the No Action Alternative is anticipated to result in no change to public health and safety considerations in the project area.

*3. There would be no adverse impacts to wetlands, floodplains, areas with unique characteristics or ecologically critical areas.*

The No Action Alternative would have no adverse effects on the unique characteristics of the area. The Lakeview Ranch area is itself considered a unique and ecologically critical area. Therefore, selecting Alternative 4 – No Action, which would prevent additional OHV access to the area at this time, would ultimately preserve the characteristics for which the area is considered unique and/or ecologically critical: shrub-steppe habitat, species diversity, rare species occurrences, etc.

*4. There are no highly controversial effects on the environment.*

The EA and public comment period did not reveal any highly controversial effects of the project. Although there is considerable interest in the project at the local level, the comments and input received to date have not provided any compelling indication of contradictory effects or substantial scientific controversy surrounding the effects analysis presented in the EA.

*5. There are no known effects that are highly uncertain or involve unique or unknown risk.*

No highly uncertain or unknown risks to the human environment were identified during analysis of the No Action Alternative.

*6. This alternative does not set a precedent for other projects that may be implemented in the future.*

The No Action Alternative neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration.

*7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.*

No significant adverse cumulative effects were identified. The EA describes the current state of the environment (see *Affected Environment* section for each resource), which includes the effects of past actions, and analyzes present and reasonably foreseeable future actions. The potential for direct and

indirect impacts as a result of the No Action Alternative is limited. Therefore, the potential for this project to incrementally contribute to the effects of other actions is also quite limited.

*8. Based on previous and ongoing cultural resource surveys, and through required mitigation, no adverse impacts to cultural resources were identified or anticipated.*

The No Action Alternative would not result in any additional direct or indirect impacts to cultural resources in the project area (EA, p. 37).

*9. No adverse impacts to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act was identified.*

No federally listed species occur within the project area. Therefore, there is no potential to affect these species or their habitat.

*10. This alternative is in compliance with relevant Federal, State, and local laws, regulations and requirements for the protection of the environment.*

The No Action Alternative, which would continue existing management, is compliant with all relevant environmental laws, regulations, and requirements.

/s/ June E. Hues \_\_\_\_\_  
June E. Hues  
Field Manager, Border Field Office

10/05/2010  
Date

**Decision Record**  
**Lakeview Ranch Proposed OHV Route**  
Environmental Assessment  
OR135-08-EA-016

**Decision**

I have decided to implement Alternative 4 – No Action (EA, pp. 7-8), hereinafter referred to as the “selected alternative”. This decision is based on site-specific analysis in the *Lakeview Ranch Proposed OHV Route Environmental Assessment* (OR135-08-EA-016), the supporting project record, as well as the management direction contained in the 1987 Spokane District Resource Management Plan (RMP) and 1992 RMP Amendment to which the EA tiers. The *Lakeview Ranch Proposed OHV Route Environmental Assessment* Finding of No Significant Impact (FONSI) indicates that the selected action has been analyzed in an EA and has been found to have no significant environmental effects. Therefore, an Environmental Impact Statement is not required and will not be prepared.

My decision is summarized as follows:

- The BLM will not construct or designate any additional OHV trails in the Lakeview Ranch area of the Upper Crab Creek Management Area at this time.
- The BLM will continue existing management in the Lakeview Ranch Area; specifically, approximately seven miles of existing designated trails will remain open to motorized vehicle use.

**Background**

In 2007, the BLM was approached by the Odessa Citizens Action Committee (OCAC), a non-profit motorized recreation advocacy group, with a proposal for a designated motorized route across BLM managed lands in the Lakeview Ranch area. The OCAC requested that the BLM consider a motorized designation on this route specifically for off-highway vehicle (OHV) use. Through a motorized designation, the OCAC envisioned increasing OHV recreational opportunities on the Lakeview Ranch area and creating an OHV-designated route linking the town of Odessa to existing motorized use routes in the northern part of the Lakeview Ranch area as well as a potential future network of trails extending beyond BLM lands. OCAC’s efforts extend to trying to establish a much larger network of OHV trails in the future, primarily on private lands, linking a number of small rural communities within the region. However, none of this extensive network currently exists.

The town of Odessa has passed ordinances allowing limited OHV travel within the city limits and dedicating a small tract of land for a new OHV trailhead. Lincoln County has unofficially agreed to approve regulated OHV travel on Lakeview Ranch Road, a county road that would complete the link between Odessa and the north end of the management unit, contingent on BLM’s designation of the proposed motorized route connecting the town of Odessa to Lakeview Ranch Road.

The BLM agreed to consider and evaluate a potential motorized use designation for the proposed route. The BLM initiated the NEPA process and determined that an Environmental Assessment was the appropriate level of documentation and analysis for the proposed project. The BLM conducted scoping in the spring of 2008 and, in collaboration with the OCAC, Washington Department of Fish and Wildlife

(WDFW), and the Eastern Washington Resource Advisory Council (EWRAC), made a concerted effort to identify all reasonable alternatives to the proposed route. Ultimately, a total of four alternatives were carried forward for analysis in the EA; two alternatives were considered but eliminated from further analysis. An Interdisciplinary Team (ID Team) of resource specialists completed all necessary environmental analyses to identify and document the potential effects, including both beneficial and adverse effects, of each of the alternatives. The BLM released the EA for public review in the summer of 2009.

### **Rationale for the Decision**

Ultimately, the analysis revealed that none of the action alternatives could be implemented in a manner consistent with:

- resource management goals and objectives,
- ongoing cooperative management efforts with WDFW, and/or
- the intent of the acquisitions of the Lakeview Ranch area parcels.

Given that each of the action alternatives would be in conflict with one or more of these considerations, the No Action Alternative is therefore selected for implementation.

### Management Direction

The 1992 RMP Amendment established the Upper Crab Creek Management Area, which includes the project area, as well as specific management direction for the area. Of the four alternatives considered in the EA, the selected alternative best fulfills the area-specific guidance outlined in the 1992 RMP Amendment. Specifically, the selected alternative perpetuates the overall management goals to:

- “...enhance native riparian and sagebrush steppe habitat, enhance opportunities for wildlife-based recreation, identify and protect significant cultural values and to protect significant sensitive species habitat,” in the area (1992 RMP Amendment, p. 9), and
- manage the Upper Crab Creek Management Area “...under multiple use guidelines compatible with plant and animal habitat management goals,” (1992 RMP Amendment, p. 13).

The effects analysis reveals that the proposed OHV trail would be incompatible with established resource management objectives specified in the RMP Amendment. These incompatibilities, as well as specific resource and management concerns are described in the remainder of this section. Under 43 C.F.R. 8342.1, the BLM considers protection of public land resources (including, but not limited to, wildlife, soil, and vegetation), promotion of public safety, and minimization of conflicts among various public land uses in designating areas for off-road vehicle use.

#### *Sensitive Species Considerations*

The proposed project is located in a Washington Department of Fish and Wildlife (WDFW) and BLM focus area for securing and/or managing shrub-steppe habitat in eastern Washington. Shrub-steppe is now considered a state priority habitat warranting special management consideration due to numerous wide-spread human threats and disturbance mechanisms (WDFW 2001 and 2008).

The Lakeview Ranch area, and project area specifically, provides valuable shrub-steppe habitat for numerous sensitive and sagebrush obligate species. With respect to the proposed OHV route, two species are of particular concern: the greater sage-grouse and the Washington ground squirrel.

The Lakeview Ranch area is one of the largest blocks of shrub-steppe habitat in WDFW's Crab Creek Sage Grouse Management Unit. The loss of high quality shrub-steppe habitat to trail conversion and OHV disturbances in the BLM's Lakeview Ranch parcel would severely hinder recovery and augmentation efforts for sage-grouse in this area (EA, p. 25). Conversely, the selected alternative is consistent with WDFW's recovery and management objectives for the Crab Creek Sage Grouse Management Unit.

Two small and declining Washington ground squirrel colonies are located on the proposed OHV route. Because the colonies are centered directly on the proposed route, the potential for direct and indirect effects is high. Ongoing or long-term noise disturbance or habitat degradation would be likely to have major, long-term, adverse effects on this colony (EA, p. 25). The consequences of losing or impairing these colonies, among the largest in the area, when satellite colonies are also declining, would likely include major adverse effects to the overall meta-population size, connectivity, and viability of the species (EA, p. 25).

With the exception of the selected alternative, all of the action alternatives are anticipated to result in decreased survival or reproduction rates or diminished re-establishment success due to frequent noise disturbance, direct mortality (e.g., trampling), or habitat conversion (e.g., proliferation of noxious weeds), to these two sensitive species, specifically, as well as other wildlife species and habitats, in general (e.g., migratory birds, mule deer, burrowing mammals, etc.).

#### *Recreation Management Considerations*

At only 13 miles in length, the combined total mileage of the existing and proposed routes is still considerably shorter than a desired day's ride for most OHV enthusiasts. Unless a connecting trail system outside of BLM managed lands is co-developed, OHV use on the existing and proposed routes are likely to be comprised mostly of local OHV users, thereby defeating the primary objectives of the OCAC to stimulate the local economy, and simultaneously increasing the likelihood of off-trail or unauthorized use of the area. Furthermore, without additional or inter-connected riding opportunities, OHV traffic on the proposed trail is anticipated to be relatively heavy. Heavy use, whether consistent or sporadic, would diminish recreational experiences for all users, motorized and non-motorized, and is therefore unlikely to fulfill OCAC and town of Odessa's vision for the trail.

The following factors would likely contribute to a significant amount of unauthorized OHV use as a result of implementing any of the other alternatives considered:

- 1) The proposed route is too short to fulfill user expectations for a full-day or destination trail ride.
- 2) There is no adjoining trail network to expand ride options or opportunities; the options for longer rides are quite limited.
- 3) In the absence of a more robust trail network, the open, largely accessible terrain (e.g., free of natural obstacles) and scenic nature of the project area is likely to draw riders off-trail in pursuit of additional riding opportunities.
- 4) There is limited BLM law enforcement presence to enforce compliance with trail designations.
- 5) Heavy use is likely to perpetuate unauthorized or off-trail riding as users may disperse from designated routes to avoid crowded conditions.

### *Other Resource Considerations*

I have also considered the following resource concerns or potential impacts into my decision to select Alternative 4 – No Action:

- Alternatives 1, 2, and 3 all have the potential to increase the spread and establishment of noxious weeds throughout the Lakeview Ranch area (EA, p. 16 and 17). The BLM has limited resources to treat and monitor new infestations.
- Five of the six soil types present along the proposed route are ranked as “Severe” in the Lincoln County Soil Survey (EA, p. 11-12). A “Severe” ranking indicates that soil properties are unfavorable for recreational development and that limitations can be offset only through costly soil reclamation, site-specific design and engineering, intensive maintenance, limited use, or any combination of these measures (Stockman 1981).
- The proximity of the proposed trail to the Sand Springs livestock water development and enclosure, which is the only viable livestock watering source in Section 36, may cause livestock to avoid the area as a result of repeated or continuous OHV presence (EA, p. 52). This could change the distribution of livestock and utilization patterns, which would require additional monitoring and, potentially, revisions to the existing Allotment Management Plan.

### Conclusion

The Border Field Office acknowledges that off-road vehicle use may be an acceptable use of public lands. At this time, however, and consistent with the BLM’s National OHV Strategy, the Border Field Office also recognizes that the proposed additional off-road vehicle use is not compatible with established resource management objectives and priorities.

Relative to larger blocks of BLM managed public land typical in other western states, the 12,000-acre Lakeview Ranch area is much too small and constrained to effectively balance the development of an OHV-riding destination with other current public land uses including, but not limited to, non-motorized recreation activities, grazing, or wildlife resource management.

The selected alternative, Alternative 4 – No Action:

- Is consistent with the intent of the Lakeview Ranch area acquisitions, past and ongoing cooperative efforts (e.g., WDFW), and current resource management goals and objectives.
- Complies with the Spokane Record of Decision and Resource Management Plan (1987), RMP Amendment (1992), and applicable laws, regulations, and policies.
- Has been adequately analyzed in the *Lakeview Ranch Proposed OHV Route Environmental Assessment* (OR135-08-EA-016).
- Will not have significant impacts on the affected elements of the environment (see also *Lakeview Ranch Proposed OHV Route Environmental Assessment* Finding of No Significant Impact [FONSI]).

### **Public Involvement**

On June 1, 2007, the BLM held a public meeting in Odessa to discuss the tentative proposal for a motorized route in the Lakeview Ranch area. The EWRAC, an advisory council for the BLM and U.S.

Forest Service, helped to facilitate the meeting. The information exchanged at the meeting was used to identify issues and formulate preliminary alternatives.

In 2008, the BLM prepared a scoping letter and made it available for public review from April 24 to May 23, 2008. The BLM received 23 scoping comment letters and emails. The specific concerns identified in the scoping comments helped identify the issues for analysis, refine the proposed action, and develop alternatives.

In June 2009, consultation was initiated with the Department of Archaeology and Historic Preservation (DAHP), the Colville Confederated Tribes (CCT), and the Spokane Tribe of Indians.

The EA was circulated for public review on August 5, 2009. Approximately 400 interested parties were notified of its availability by either U.S. Mail or electronic mail. The Border Field Office received a total of 15 comment letters or e-mails.

Each of the comments received were reviewed by an ID Team of resource specialists to determine if the comment prompted a revision to or additional analysis in the EA.

The comments received addressed a number of concerns, issues, or opportunities associated with the proposed action. However, none of the comments received offered information requiring additional analysis, identified information or issues as incorrect, or identified new alternatives warranting further consideration. Substantive comments were received and, although they did not indicate that revisions to the EA were necessary, have been considered in my decision. Specifically, substantive comments received from WDFW regarding effects to shrub-steppe habitat are reflected in the Decision Rationale.

The following list briefly summarizes the nature of or issues presented in each of the comments received:

- Access to public lands, including accessibility (e.g., ADA access)
- Economics benefit to the Town of Odessa
- Non-motorized recreation experiences
- Off-trail/unauthorized use
- Wildlife, including sensitive species and habitats
- Grazing conflicts
- Private property and adjacent landowners
- Public safety
- Liability
- Law enforcement
- Expression of opinion regarding the proposed action (e.g., in favor of, opposed to)

With the exception of minor typographical or grammatical corrections to improve the readability of the document, the EA has not been modified since the time of public review.

### **Administrative Appeal**

Any person who is adversely affected by this decision and who feels it is incorrect may appeal to the Interior Board of Land Appeals in accordance with Federal Regulations (43 CFR Part 4). A person who

wishes to appeal must file a written notice with the Border Field Office within 30 days of the date this decision is made available for public review (e.g., legal notice, posting on the BLM website, etc.). Notices of appeal must be mailed or delivered to:

June E. Hues  
Border Field Manager  
Bureau of Land Management  
1103 N. Fancher Rd.  
Spokane Valley, WA 99212

Within 30 days after filing a notice of appeal, the appellant must file a complete statement of reasons with:

U.S. Department of the Interior  
Office of Hearings and Appeals  
Interior Board of Land Appeals  
801 N. Quincy Street, MS 300-QC  
Arlington, VA 22203

If a statement of reasons is included with the notice of appeal, then no additional statement is necessary.

If a person wishes to file a petition for stay of the effectiveness of this decision during the time that their appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany the notice of appeal and be based on the following standards:

- (1) the relative harm to the parties if the stay is granted or denied
- (2) the likelihood of the appellant's success on the merits
- (3) the likelihood of immediate and irreparable harm if the stay is not granted
- (4) whether the public interest favors granting the stay

/s/ June E. Hues  
June E. Hues, Field Manager  
Border Field Office

10/05/2010  
Date

**References:**

WDFW. 2001. Priority habitats and species. Washington Department of Fish and Wildlife. Olympia.

WDFW. 2008. Priority habitats and species. Washington Department of Fish and Wildlife. Olympia.