

FINDING OF NO SIGNIFICANT IMPACT

Tree Spring Pipeline Extension
NEPA Register Number DOI-BLM-OR-V060-2009-041-EA
U.S. Department of the Interior
Bureau of Land Management, Vale District
100 Oregon Street, Vale, Oregon 97918
<http://www.blm.gov/or/districts/vale/plans/index.php>

Introduction

The Bureau of Land Management (BLM) has completed an Environmental Assessment (EA, No. DOI-BLM-OR-V060-2009-041-EA) that analyzes the effects of a no action (continued management) and two action alternatives to address the unauthorized construction of a fence line modification and pipeline/trough extensions from an existing authorized pipeline in the Eiguren Allotment (No. 11305).

The considered actions include analyzing: whether the unauthorized projects are reasonable modifications to existing grazing management and resource needs, and if so, whether to formally authorize those projects; if the appropriate solution is to disable the projects and; if the projects are not acceptable solutions, whether to leave the disabled projects in place or to remove and rehabilitate any resource impacts as appropriate.

The Council on Environmental Quality (CEQ) regulations state that the significance of impacts must be determined in terms of both context and intensity (40 CFR 1508.27). These are described below.

Context

The project is a site-specific action directly involving less than an acre of BLM administered public land that does not in and of itself have international, national, regional, or state-wide importance.

The Eiguren Allotment (11305) is an individual allotment with an active grazing preference of 5,799 active animal unit months (AUMs). The season of use is from 03/05 to 11/30. Livestock grazing will not change as a result of the proposed or alternative actions.

Livestock water in the Chimney Creek pasture is mostly supplied by five reservoirs, only one of which is reliable annually during the grazing period. It was the intent of the unauthorized actions to provide an additional source of water to this pasture to enable better grazing distribution. As indicated on the project map in the EA, another intent by the permittee of the development was to minimize impacts by construction through limiting modifications to the boundary of the pasture.

The unauthorized range improvement projects lie within the Rattlesnake Creek Unit (OR-036-028), an area identified in a citizen's proposal as possessing wilderness characteristics. While completing Wilderness Characteristics inventory, BLM found that the unauthorized projects would not significantly impact the wilderness characteristic values within the Rattlesnake Creek Unit (OR-036-028). Although the unauthorized projects would not change the wilderness

character determination of the unit as a whole, they could minimally decrease the size of the unit, if authorized, and that could be in violation of the settlement agreement (ONDA v. BLM, 2010).

Intensity

I have considered the potential intensity and severity of the impacts anticipated from the implementation of a Decision on this EA relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)? No.

Rationale: The alternatives included tradeoffs between beneficial and adverse impacts. None of the effects would be potentially significant, due to the very limited area impacted by the unauthorized actions. A summary of the effects is presented in sections 7 and 9 of the EA. Beneficial impacts include rehabilitating the constructed projects in alternative 3 and improving grazing distribution in the pasture in alternative 2.

Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2)? No.

Rationale: None of the actions in any of the alternatives would have any effect on human health or safety because none of the actions have a dangerous or hazardous component, nor will they be generated by the actions. Appropriate safety precautions will be required for any field operations.

Would any of the alternatives have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (ACECs, RNAs, significant caves)) (40 CFR 1508.27 (b)(3)? No.

Rationale: The affected area does not include any unique geographic characteristics, with the single exception of the Rattlesnake Creek (OR-036-028) wilderness characteristics inventory unit. None of the actions would impact wilderness values associated with the unit's determination to possess those characteristics. There is some concern that those characteristics could be impacted by the alternatives which retain the developments; however, this was analyzed and was determined to be consistent with the settlement agreement in ONDA v. BLM (Settlement Agreement, 2010)

Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4)? No.

Rationale: There are a no known controversial effects related to the alternatives.

Would any of the alternatives have highly uncertain effects or involve unique or unknown risks? No.

Rationale: There are no uncertain effects or unique or unknown risks associated with this project. All effects are described in Chapter 7 of the EA.

Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6)? No.

Rationale: The effects for all actions in these alternatives are common for public land management and would not set a precedent for future actions.

Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7)? No.

Rationale: In no instance would the effects of this project, combined with other management activities, produce a significant cumulative effect.

Would any of the alternatives have significant adverse impacts on scientific cultural or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8)? No.

Rationale: There are no cultural resources in the project area. A Class III pedestrian survey was conducted in June, 2009.

Would any of the alternatives have significant adverse impacts on threatened or endangered species or their critical habitat (40 CFR 1508.27(b)(9)? No.

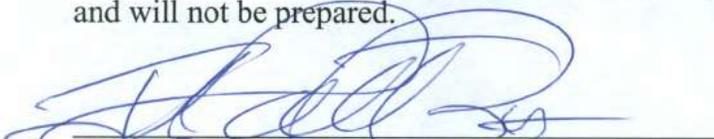
Rationale: There are no known threatened or endangered species present in the project area, and no critical habitat is present. No negative impacts would result by authorizing or decommissioning use of the pipeline or by the fence line modification.

Would any of the alternatives have effects that threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)? No.

Rationale: None of the alternatives would have effects that threaten to violate any laws.

Finding

On the basis of the information contained in the EA, the consideration of the intensity factors described above, and all other information available to me, it is my determination that: (1) the alternatives are in conformance with the Southeastern Oregon Resource Management Plan; and (2) none of the alternatives would constitute a major federal action having a significant effect on the human environment. Therefore, an EIS or supplement to the existing EIS is not necessary and will not be prepared.



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1/22/2015
Date