

**BEULAH ROAD REALIGNMENT
RIGHT OF WAY
Serial Number OR-66478**

**Environmental Assessment
DOI-BLM-OR-V040-2012-015**



**Prepared by:
U.S. Department of the Interior
Bureau of Land Management
Malheur Resource Area
100 Oregon Street
Vale, Oregon 97918
January, 2013**



As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering the wisest use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all our people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

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1 INTRODUCTION

1.1 Background

The Malheur Resource Area (MRA) within the Vale District Bureau of Land Management (BLM) was provided with an application (OR-166478) from the Rural Road Assessment District #4 (RRAD#4) for a road realignment Right-of-Way (ROW) on August 30, 2010. In Malheur County, Oregon public roads are built and maintained by the State, the County, the incorporated Cities, the BLM, and Road Assessment Districts. The four Road Assessment Districts are special districts with taxing authority that were created for road maintenance. They are responsible for county roads within their districts, which surround Ontario, Nyssa, Juntura, and Ironside. The road realignment ROW is on Beulah Road (County Road No. 510) approximately 12 miles north of Juntura, OR. The portion of Beulah Road to be realigned is located in Malheur County, Oregon in the NE1/4, NE1/4, Section 27, Township 19 South, Range 37 East, Willamette Meridian (33).

1.2 Purpose and Need

The purpose of the BLM action is to evaluate the effects of the proposed action and to determine under what conditions a Right-of-Way (ROW) would be issued by the BLM to Juntura Road District. The need for the action is based on the Road District's application for a ROW and plans for realigning the road for safety considerations.

Under the Federal Land Policy and Management Act (FLPMA) of 1976 it is BLM's responsibility to respond to ROW applications. BLM is also required to comply with the National Environmental Policy Act (NEPA) and the Council of Environmental Quality (CEQ) regulations. The BLM's Malheur Resource Area has determined that an Environmental Assessment is necessary to evaluate and disclose the potential environmental impacts associated with this proposed action and any reasonable alternative to the proposed action including a no action alternative.

1.3 Decision to be Made

The BLM will make the decision to grant, deny, or grant with modifications the proposed ROW to RRAD#4 for the realignment of Beulah Road to remove a sharp blind curve partially located on public lands within the Vale District. The decision would also include a determination of ROW duration currently anticipated to be 30 years with the provision for extension.

1.4 Scoping and Issues

Internal Scoping through BLM Interdisciplinary (ID) Team generated resource issues pertinent to the proposed project. Issues include the potential to increase the spread of noxious weeds, the

potential for impacts to cultural and historical sites, and surface runoff and erosion due to land disturbance activities. Rural Road Assessment District presented the issue of public safety due to the blind curve currently on Beulah Road.

Those resources found in Table 1 marked as “not present” are not present within or adjacent to the proposed realignment. Those elements or resources marked as “present not affected” may be present within or adjacent to the ROW but would not be impacted by the proposed action. Those elements or resources marked as “present affected” may be found within or are adjacent to the ROW and may be subject to direct, indirect and cumulative effects. Only those elements marked as present and affected must be analyzed within the Environmental Effects section of this environmental assessment.

Table 1. Critical Elements and Issues generated by Internal and External Scoping

Critical Elements	Not Present Not Affected	Present Not Affected	Present Affected	Issue
Air Quality/Climate Change		X		Discussed below
ACECs	X			No designated, proposed or identified ACEC within or adjacent to project area
Cultural and Historic Resources			X	Discussed Below
Noxious and Invasive Weeds			X	Discussed Below
Migratory Birds		X		Discussed Below
Threatened & Endangered Species		X		Discussed Below
Hazardous or Solid Waste	X			Not present nor would any be generated by the proposed action
Wetlands & Riparian Zones		X		Discussed below
Wild & Scenic Rivers	X			Wild and Scenic portion of North Fork Malheur is all upstream of Beulah Reservoir
Wilderness Resources	X			No designated, proposed, or identified wilderness resources within project area
Soils and Watershed Resources			X	Discussed Below
Mineral Resources	X			
Vegetation			X	Discussed Below
Wildlife and Fish		X		Discussed Below
Livestock Grazing	X			BLM administered land included in the ROW is unallotted for grazing
Recreation		X		Discussed below
Visual Resources		X		Discussed below
Special Status Plants	X			Survey complete; No known species in the vicinity
Lands & Realty		X		Discussed Below

1.5 Relationship to Laws, Regulations, Policies, and Plans

The BLM's Malheur Resource Area has determined that an Environmental Assessment (EA) would be needed to evaluate and disclose the potential environmental impacts associated with this proposed action and any reasonable alternatives to the proposed action, including a no action alternative. The EA has been prepared in accordance with the following statutes and implementing regulations:

- The National Environmental Policy Act (NEPA) of 1969, as amended (Public Law [PL] 91-190, 42 U.S.C. 4321 (*et seq.*));
- 40 CFR 1500 (*et seq.*). Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act;
- USDI requirements (Departmental Manual 516, Environmental Quality [USDI 2004]);
- The Federal Land Policy and Management Act of 1976 (PL 94 579, 43 U.S.C. 1761 (*et seq.*); 43 CFR 2800, Rights-of-Way, Principles and Procedures;
- Rights-of-Ways under the Federal Land Policy and Management Act and the Mineral Leasing Act; final Rule, April 22, 2005.
- BLM NEPA Handbook (H-1790 1), as updated (BLM January, 2008);
- Considering Cumulative Effects under the NEPA [CEQ 1997];
- Proposed Southeastern Oregon Resource Management Plan and Final Environmental Impact Statement (BLM, 2001) (SEORMPFEIS).
- Southeastern Oregon Resource Management Plan Record of Decision (BLM, 2002)

All actions approved or authorized by the BLM must conform to the existing land use plan where one exists (43CFR 1610.5-3, 516 DM 11.5). Although it is not a NEPA requirement, the BLM includes within all its NEPA documents a statement about the conformance of the proposed actions and alternatives with the existing land use plan. The BLM's planning regulations state that the term "conformity" or "conformance" means that "...a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or amendment" (43 CFR1601.0-5(b)). The SEORMP (2002) is the applicable land use plan for the location of the proposed ROW and gives guidance for ROW applications (Objective 2 on page 109).

2 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

This section of the EA describes the Proposed Action and alternatives, including any that were considered but eliminated from detailed analysis. Two alternatives are considered in detail.

2.1 Alternative 1: (Proposed Action) Grant Right-of-Way

The proposed action is for BLM to grant a ROW to RRAD#4 to construct a realigned portion of Beulah Rd in the NE1/4, NE1/4, Section 27, Township 19 South, Range 37 East, Willamette Meridian (33) in accordance with the applicant's ROW application and Plan of Development (POD). The acreage under the ROW would allow for field adjustment of the surface disturbances associated with road construction. The ROW would be approximately 2 acres (100 feet by 900 feet) on BLM administered land (see Figure 2).

By issuing the ROW, RRAD#4 would construct and maintain a new section of Beulah Road by realigning an existing sharp, blind curve. The new road construction would begin on private property approximately 450 feet south of the BLM ownership boundary along the existing road (Figure 1 & Figure 2). Construction would consist of cut and fill to create a gradual transition from the existing road bed across the private land north towards the natural drainage and BLM property boundary. Material from the cuts would be used as fill where it is needed. Landowner approval has been granted for the portion of the project on private land. The private portion of this project would be approximately 785 feet long making the new proposed route approximately 1680 feet long in total.

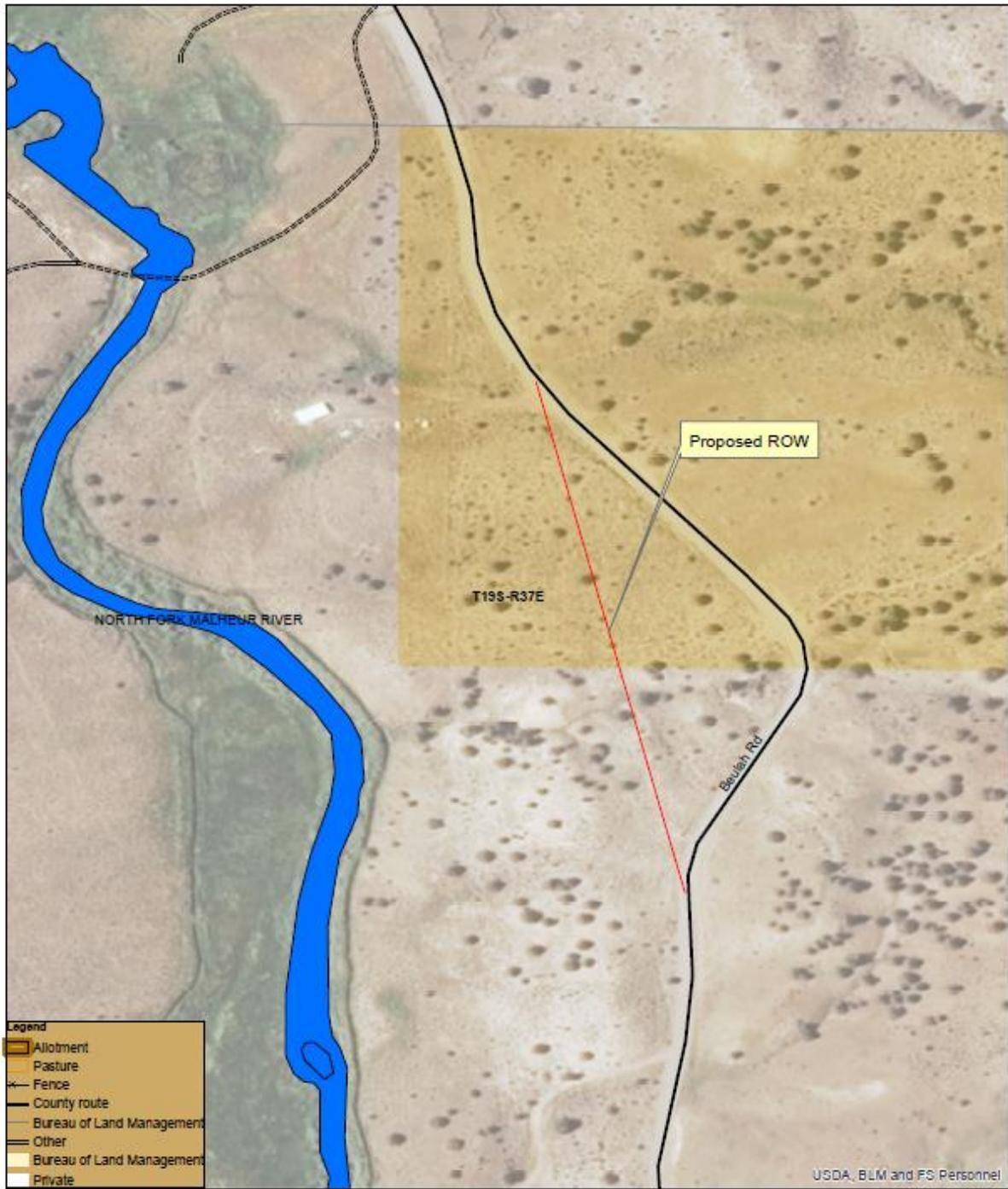
Transition between the private land portion and the BLM ROW would begin with a fill and culvert across a natural drainage. A 120-foot long, 15-inch diameter steel culvert would be used to facilitate drainage. Approximately 1200 cubic yards of fill would be used in the drainage to a depth of approximately 48 feet. The majority of fill material for this realignment would be hauled from a separate road district project located approximately one mile south on private property and consists primarily of broken rock with some dirt. Width of the fill at the catch points would be approximately 120 feet. A shallow fill of 1-3 feet would continue north across the ROW to raise and level the new road bed where necessary. On the north end of the ROW for approximately 150 feet, a cut would be made to allow gradual access back onto Beulah Road. This cut is to be 5 feet deep at a maximum and have 1:1 shoulder slope as the cut material allows. A shallow barrow ditch would facilitate drainage. Material from the cut would be used as fill in the ROW. (Figure 3)

During construction, traffic would remain on the currently existing Beulah Road, so traffic control and dust abatement should not be an issue.

When completed, the road surface would be approximately 35 feet wide and covered with 6-8 inches of pit run gravel from the BLM Juntura Grade pit. The district has a FUP (#OR-046713) for this pit on file with the BLM.

The existing road segment would remain, but would no longer be maintained.

Figure 2 Site Detail



0 0.025 0.05 0.1 Miles

Proposed Project Area



BLM is working to recover land management authority, authority, or compliance of the...
 U.S. Department of Interior
 Bureau of Land Management
 Vale District

2.1.1 Design Features

Construction

- Area disturbed by construction on BLM administered land would be no more than 100 feet wide and 900 feet long (2.06 acres).
- Existing road segment would remain, but would no longer be maintained by RRAD#4.
- RRAD#4 would use mechanized equipment to construct the proposed project.
- Vehicles and equipment from outside the area would be cleaned before traveling onto the site in order to assist in reducing the potential spread of noxious weeds.
- Sand, gravel, or rock extracted from public land to support the project will require a free-use permit prior to any material movement.
- Compliance with Vale BLM Best Management Practices for erosion control and runoff water management would be implemented.
- Seeding post construction would be done using a BLM approved native seed mix.
- Precautionary signs would be placed on the county road at both ends of the construction zone during and post construction.

Stipulations for 30 –year ROW

- All disturbances must occur within the proposed ROW of 100 feet wide and 900 feet long
- Current cooperative agreement with the county to treat Noxious Weeds along Beulah Road would apply to the realigned portion of the road.
- Road maintenance would be responsibility of RRAD#4

2.2 Alternative 2: No Action

The No Action Alternative would continue the present management of the area without granting the ROW for the proposed road. No new disturbances would occur on BLM land and traffic would remain on the existing Beulah Road and the blind curve would continue to be a potential hazard and public safety concern.

2.3 Alternatives Considered but Not analyzed in Detail

The NEPA Handbook directs the BLM to “study, develop, and describe appropriate alternatives to recommended courses of action in any proposal that involves unresolved conflicts concerning alternative uses of available resources...”¹

No unresolved conflicts or issues have been identified to drive the creation of a third alternative. Therefore, no alternatives (other than the required “No Action Alternative”) will be analyzed in detail in this EA. One other alternative was considered but eliminated from detailed evaluation. This alternative would have reclaimed the existing road once construction of the new portion was complete.

¹ BLM NEPA Handbook H-1790-1, January 2008, Section 6.6.1

Alternative to Decommission and Reclaim Existing Route

An alternative to the Proposed Action Alternative would be to decommission and reclaim the old road bed once construction of the realignment was complete. The decision not to analyze this alternative in detail was due to the following issues:

- Telephone line is buried along the existing route and access is needed for future maintenance
- Access to BLM administered land from road for fence and livestock water maintenance
- Provides a safe pullout for cattle trucks and ranchers so to not leave vacated vehicles on road
- A larger niche would be created for noxious weed invasion and soil erosion

3 DESCRIPTION OF THE AFFECTED ENVIRONMENT

3.1 Vegetation

Vegetation in the project area historically supported a sagebrush steppe plant community. Disturbance factors such as wildfires, domestic livestock grazing use, and invasive plants have converted a portion of the shrub and perennial grass rangeland to annual grasses and local invasive species.

Currently the project area is dominated by Big Sagebrush (*Artemisia tridentata*), Rubber Rabbit brush (*Ericameria nauseosa*), Sanberg's Bluegrass (*Poa secunda*), and annual grasses like cheat grass (*Bromus tectorum*) intermixed with annual and perennial forbs. Western Juniper (*Juniperus occidentalis*) is also located in the proposed project area and considered an invasive native plant due to encroachment on the sagebrush steppe plant community. A moderate amount of bare ground also exists among the plant interspaces in the project area

3.2 Noxious Weeds

A variety of noxious weeds of varying significance are scattered throughout Beulah Road project area. The designated road ROW is disturbed to a degree from its close proximity to the existing county road and nearby ranch. Native perennials are intermixed with annual/winter-annual grasses including cheatgrass/downy brome (*Bromus tectorum*), Japanese brome (*B. japonicas*) and medusahead rye (*Taeniatherum caput-medusae*). Various annual mustards, including clasping pepperweed (*Lepidium perfoliatum*) and *Sisymbrium* spp., are scattered throughout the area, as are other annuals including Russian thistle (*Salsola iberica*), curlycup gumweed (*Grindelia squarrosa*), and lambsquarter (*Chenopodium* spp.). Scotch thistle (*Onopordum acanthium*), a biennial, is found intermittently along the road, at the site and into rangeland and private ditches and hayfields. Thistle species known to be in the immediate vicinity in wetter areas near reservoirs, springs, seeps and North Fork Malheur River include bull thistle (*Cirsium vulgare*), another biennial, and the perennial Canada thistle (*Cirsium arvense*). A small patch of Canada thistle was found within the ROW. Yellow sweetclover (*Melilotus officinalis*), an annual, winter-annual or bi-ennial noxious weed is also on site. Table 2 is a list of the Oregon Department of Agriculture (ODA) noxious weed policy and classification system and Malheur County classification for species present in the vicinity of the proposed ROW authorization.

Several noxious weeds are found in isolated patches within a 10-mile radius of the area, including the perennials whitetop or hoary cress (*Lepidium* spp.), perennial pepperweed

(*Lepidium latifolium*), and Russian knapweed (*Acroptilon repens*) and bi-ennials, houndstongue (*Cynoglossum officinale*) and Mediterranean sage (*Salvia aethiopis*).

Any of these weeds could establish in the disturbed area, including the more moisture-dependent bull thistle and Canada thistle along the existing drainage, as they are easily moved around by various means including vehicles, wind, water, all human activities, livestock and wildlife.

Table 2: ODA and Malheur County Noxious Weed Policy and Classification System

Weed Species: Scientific Name	Weed Species: Common Name	ODA Classification*	County Classification**	Not Classified
<i>Bromus tectorum</i>	Cheatgrass		C	
<i>Bromus japonica</i>	Japanese brome			X
<i>Taeniatherum caput-medusae</i>	Medusahead rye	B	C	
<i>Lepidium perfoliatum</i>	Clasping pepperweed			X
<i>Sysymbrium altissimum</i>	Tumble mustard			X
<i>Chenopodium sp</i>	Lambsquarter			X
<i>Kochia scoparia</i>	Kochia	B	C	
<i>Salsola iberica</i>	Russian thistle			X
<i>Grindelia squarrosa</i>	Curlycup gumweed			X
<i>Cirsium arvense</i>	Canada thistle	B	B	
<i>Onopordum acanthium</i>	Scotch thistle	B	B	
<i>Cirsium vulgare</i>	Bull thistle	B	C	
<i>Salvia aethiopis</i>	Mediterranean sage	B	A	
<i>Lepidium latifolium</i>	Perennial pepperweed	B	B	
<i>Acroptilon repens</i>	Russian knapweed	B	C	
<i>Lepidium sp (Cardaria)</i>	Whitetop species	B	B	
<i>Lepidium latifolium</i>	Perennial pepperweed	B, T	B	
<i>Cynoglossum officinale</i>	Houndstongue	B	B	
<i>Melilotus officinalis</i>	Yellow sweet clover		C	

*ODA Noxious Weed Policy and Classification System: http://egov.oregon.gov/ODA/Plant/weed_index.shtml

**County Classification: <http://www.malheurco.org/weeds>

3.3 Special Status Plants

The BLM Geographic Biotic Observations database (GeoBOB) was searched for known special status plant locations in the project area on May 17, 2012. No known sites of threatened or endangered or sensitive were located in the project area. An expanded search found two locations of the sensitive species *Stanleya confertiflorus* (Malheur Prince's plume) located approximately 4.5 miles north of the project area. A ground survey of the project area was conducted on June 4, 2012 by BLM botanist Susan Fritts. Results of the survey show no special status species in the project area. The survey was conducted within the flowering/fruitlet window for *Stanleya confertiflorus* which is April-June for flowering and May-July for fruiting (Holmgren et al 2005). Due to no known occurrences, Special Status Plants will not be discussed in further detail in this environmental assessment.

3.4 Sensitive, Threatened or Endangered Species

Wildlife

A BLM sensitive and federal candidate species for listing, Greater Sage-Grouse, may occur in the proposed project area; however, the project area does not possess the vegetative qualities

(contiguous canopy cover) needed to provide suitable nesting and brood-rearing habitat. Most of the vegetation around the project is rabbit brush, juniper and annual grasses. Habitat for Greater Sage-Grouse and other species that require continuous sagebrush cover with a forb understory component to survive and reproduce are generally lacking. The project area for the ROW does not fall within the ODFW core or low density sage grouse habitat (Hagen, et al 2011). The nearest lek is 8.6 miles from the ROW.

Pygmy rabbits are a special status species, but during the site visit on May 11, 2012 the habitat in the proposed ROW was surveyed and the habitat did not support the Big Sagebrush habitat needed for pygmy rabbits.

Fish

Bull trout, which are protected under the Endangered Species Act, were listed by the USFWS as a threatened species throughout the Columbia and Klamath River basins in 1998, and Oregon has listed the North Fork Malheur River population “Of Special Concern”. The mainstem Malheur above Highway 20 and the North Fork Malheur River from its headwaters to Agency Valley dam (including Beulah Reservoir) are considered critical habitat for the Bull trout.

3.5 Wildlife/Migratory Birds/Fish

Wildlife

Wildlife in the proposed project area is typical of Wyoming big sagebrush/bluebunch wheatgrass and sagebrush/cheat grass disturbed habitat types in the northern Great Basin. Historically, the project area supported a wide variety of sagebrush perennial grassland cover types. Currently, only a remnant shrub component with predominantly annual grass understory is present within the designated site due to disturbance factors such as historic wildfire, domestic livestock grazing use, and invasive plants.

Project area and the surrounding ecosystem is used by a variety of species including; Greater Sage-Grouse, Chukar, Quail, and pheasant. Small mammals found in the project area include coyotes, badgers, beavers and cottontails. Reptile species common to the area include bull snakes, western rattlesnakes, and several species of lizard. The area serves as winter habitat for mule deer and elk. The vegetative cover composed of sagebrush, grass, and occasional juniper, provides wildlife habitat for mule deer and elk in addition to the small mammals and birds.

Migratory Birds

Beulah Reservoir, located approximately 1.5 miles north of the proposed ROW, and the North Fork Malheur River, which feeds the reservoir, supports a wide variety of migrating waterfowl, with heavy use by Canada Geese. Several raptor species common to southeast Oregon live throughout the area. No formal breeding bird surveys have been conducted in the area; however there is record of Loggerhead shrikes a few miles away. The higher elevation of the ridges surrounding the area provide potential nesting sites for various raptor species while adjacent sagebrush stands provide habitat for nesting songbirds. There is a lack of sagebrush structure and

cover for nesting birds within and adjacent to the proposed project area due to disturbance from the existing adjacent road and past fire history.

3.6 Recreation and Visual Resources

Recreation

Beulah Road is a County road that provides access for local residents and the general public into Chukar Park Campground, Beulah Reservoir and Campground, North Fork Malheur River, as well as other public lands further to the northwest, north and northeast. Public lands off Beulah Road offer a range of recreational activities such as: camping, backpacking, day hiking, fishing, hunting, site seeing, OHV use and many other recreational opportunities. The area receives almost year-round public use.

Visual Resources

The BLM initiated the visual resource management (VRM) process to manage the quality of landscapes on public land and to evaluate the potential impacts to visual resources resulting from development activities. VRM class designations are determined by assessing the scenic value of the landscape, viewer sensitivity to the scenery, and the distance of the viewer to the landscape. These management classes identify various permissible levels of landscape alteration, while protecting the overall visual quality of the region. They are divided into four levels; Classes I, II, III, and IV. Class I is the most restrictive and Class IV is the least restrictive.

The proposed action is located in a VRM Class III. The project begins on private lands and goes onto BLM where it occurs entirely within VRM Class III lands directly to the west of the existing Beulah road. The management objectives for VRM class III can be found in Appendix J of the Southeastern Oregon RMP and Record of Decision. Low impacts are anticipated to occur during and after implementation of this project due to existing modified landscape conditions. The proposed action is consistent with the SEORMPFEIS. As a result, visual resources will not be discussed further in the environmental assessment.

3.7 Cultural and Paleontological Resources

Cultural Resources

Cultural resource identification in the Beulah Road Right of Way Analysis focused on three primary types of resources: prehistoric archaeological sites, historic archaeological sites, and places that support resources of contemporary tribal interest. Throughout the project area, one historic refuse site was located and deemed “not eligible” for inclusion in the National Register of Historic Places. This historic site had sustained numerous impacts from 20th century land use. Existing condition effects of historic sites that were deposited by cultural occupation during the 20th century are primarily a result of their general location, they are almost always situated at or very near to the surface of the ground and are therefore more vulnerable to surface disturbances such as weathering, recreational activities, large ungulate trampling, burning, and artifact collecting.

Paleontological Resources

Miocene, Pliocene, and Pleistocene fossil flora and fauna have been located in volcanic tuffs, sandstone and siltstone beds and Pleistocene gravels in areas of southeastern Oregon. Fossil fauna include fish and Miocene mammals. A wide variety of plant species have been identified by leaf fossils of trees, shrubs, herbs, and vines.

3.8 Air Quality and Climate Change

A growing number of scientific analyses indicate, but cannot prove, that rising levels of greenhouse gases in the atmosphere are contributing to climate change. In the coming decades, scientists anticipate that as atmospheric concentrations of greenhouse gases continue to rise, average global temperatures and sea levels will continue to rise as a result and precipitation patterns will change (Climate, 2007). A conclusion can be reached that changes in resource impacts as a result of climate change would be highly sensitive to specific changes in the amount and timing of precipitation, but specific changes in the amount and timing of precipitation are too uncertain to predict at this time. Because of this uncertainty about changes in precipitation, it is not possible to predict changes in vegetation types and condition, wildfire frequency and intensity, streamflow, and wildlife habitat.

The additional contribution of greenhouse gases to the atmosphere as a result of implementing the proposed action when compared to the No Action Alternative is limited to that contribution from fossil fuel consumption by the equipment accessing the site, and constructing the realigned road. When compared to greenhouse gas emissions on a world-wide, national, regional, or local scale, and when compared to the contributions from other sources of greenhouse gases, the potential impacts from the proposed actions are inconsequential. In addition, a short-term increase in dust would occur during construction, and maintenance of the proposed project. This potential impact to air quality is considered minimal. As a result, no further analysis of climate, climate change, or air quality will be completed.

3.9 Geology

Rock types in the vicinity of the project area consist of Tertiary (Miocene) basalt and andesite volcanic flow rocks overlain by sedimentary rocks deposited in lacustrine or fluvial environments. The geologic characteristics of the area will be unaffected by the proposed action and will not be discussed further except as related to rock material required for potential road construction.

3.10 Soils

No soil survey data are available through the Natural Resource Conservation Service (NRCS); however, soil data are available from the BLM through a fourth order soil survey. The soils found in the area of the proposed project were surveyed and described in Oregon's Long Range Requirements for Water 1969, Appendix I-11, and Owyhee Drainage Basin. Major soils found in the area are listed below.

The Proposed ROW has Unit 76 soils which are shallow, clayey, very stoney, well drained soils over basalt, rhyolite, or welded tuff. These soils occur on gently undulating to rolling lava plateaus and some very steep faulted and dissected terrain. Native vegetation consists mostly of big sagebrush, low sagebrush, bluebunch wheatgrass, and Sandberg bluegrass. Stones limit the potential of this soil for rangeland seeding. Moderate to slow permeability and rapid runoff can lead to high erosion hazards within this soil type.

3.11 Hydrology and Aquatic Resources

The project area is located in the Upper Malheur Hydrological Subbasin, 4th-field HUC number 17050116. The watershed encompasses approximately 1,553,293 acres and 3,278 stream miles according to Table 2-9, page 55 and Map HYDR-3M in the SEORMP (USDI, 2002).

The proposed action is located immediately adjacent to Beulah Road, a county road maintained year round by the RRD#4. The drainage channels within and adjacent to the proposed project area are intermittent ephemeral channels flowing only during or immediately after precipitation, or spring runoff, but dry the rest of the year. The nearest perennial stream is the North Fork Malheur River located approximately 700 ft due west of the proposed action on private, irrigated land.

3.12 Lands and Realty

The proposed action is located immediately adjacent to Beulah Road, a road that is maintained by Malheur County and also by the Rural Road District #4. Based on information contained in the master title plat maps of the area, one 69 kV single phase transmission line provides power to local residents in the Beulah Reservoir area. This ROW is held by Idaho Power (ORORE 000874). Another ROW in the immediate area is for a telephone line held by Midvale Telephone Line (OROR-039272). The proposed action is consistent with the objectives of the SEORMPFEIS, and provides the mineral owner access to patented mineral resources. Lands and realty will not be discussed further in the environmental assessment.

4 ENVIRONMENTAL CONSEQUENCES

This chapter is organized by alternative to illustrate the differences between the proposed action and the “no action” alternative. This chapter identifies the direct and indirect impacts associated with the proposed right-of-way; their relative severity and duration and the design features to minimize these impacts.

4.1 Proposed Action

4.1.1 Vegetation

Construction activities associated with the proposed ROW would result in direct impacts to the vegetation communities as a result of soil disturbance required to reroute the existing Beulah Road. Keeping the disturbance area to within the ROW dimensions would minimize unnecessary impacts to vegetation. Design features would include seeding and reclaiming disturbed areas outside of the finished roadbed, including areas of cut and fill, with a native seed

mix approved by the BLM. Successful reclamation of the construction site would therefore minimize vegetation impacts associated with the project.

4.1.2 Noxious Weeds

The soil disturbing activity under the proposed action to construct the proposed ROW would likely create new niches for possible weed invasion. Because of the small size of the proposed disturbance an increase of noxious weeds would be minimal.

The proposed action would directly impact approximately 2 acres of existing vegetation. The impacts would be due to cut and fill disturbances associated with the new road construction. Design features would include reclamation of the margins of the road as well as any other disturbed areas within the ROW with a native seed mix approved by the BLM and necessary weed control post construction. BLM currently has a cooperative agreement with RRAD#4 for noxious weed control along the Beulah Road which will apply to the new road construction and disturbances within the ROW. This realigned portion of Beulah Road would be maintained by RRAD#4 including surface maintenance and noxious weed abatement. Continued maintenance of the new portion of Beulah Road, including seeding if necessary, would minimize the potential for weed invasion.

4.1.3 Sensitive, Threatened, or Endangered Species

Area disturbance exists nearby with the old route being about 500 feet away from the proposed route. The ROW is below the dam and not located in any critical habitat designated for Bull trout. Construction would take place during summer months and should not affect any big game movement during this time period. The area provides limited habitat for sage grouse due to disturbance that already exists; historic fire and the existing road. Impacts to habitat within the project area would result in minimal removal of vegetation from the ROW.

4.1.4 Wildlife/Migratory Birds/Fish

The ROW will occur on already disturbed ground immediately adjacent to Beulah county road. Impacts on habitat would result in minimal removal of vegetation. After the road is completed the old road will be left open for access to the spring and public property to the east. Construction and maintenance activities using heavy equipment will be performed during the summer months to avoid impact to nesting birds or big game migration to winter feeding grounds. Loss of habitat from construction will be minimal due to lack of perennial grasses and sagebrush.

4.1.5 Recreation and Visual Resources

Recreation

Beulah Road is a heavily used county road used year round by local residents and ranchers. Use is also increased by the abundant recreational opportunities that exist in the area including land administered by the BLM. The proposed project would allow for safer vehicle passage and would provide greater visibility and reduce the potential for vehicle accidents.

Noise, dust, exhaust and traffic associated with proposed ROW would increase during construction in the immediate project area. Conflicts with recreational users in the area and the construction activities would be minimized by keeping the existing Beulah Road open throughout the duration of construction until the new road bed is complete. Precautionary signage would be used to inform travelers of the potential for construction equipment on roads and for any possible delays.

Due to the proximity of the current Beulah Road, the existing disturbances, and existing use, construction activities are not expected to conflict with any recreational activities including hunting and OHV use. Although unmaintained the existing road would remain for access to BLM administered land.

4.1.7 Cultural and Paleontological Resources

The direct and cumulative effects from the Beulah Road Right of Way will be negative as a result of SHPO's concurrence of the site being deemed "not eligible" (SHPO Case No. 12-1862, 1-2-2013).

4.1.8 Soils

Disturbed soils would be subject to increased wind and water erosion during construction activity within the ROW, and would result in effects such as soil displacement, erosion, loss of moisture holding capacity, loss of microbiotic soil forming processes, and increased runoff potential. Soil productivity and soil forming processes on approximately 2 acres would be altered. Disturbances outside of the finished road bed would be reclaimed and re-vegetated to minimize potential soil loss. Design features of the proposed action and associated construction activity are consistent with the Best Management Practices (BMP's) outlined in Appendix O of the SEORMPFEIS. The proposed action and design features would prevent excessive erosion, control runoff and stabilize disturbed soils. Impacts would be localized and short term until the site has been stabilized and disturbances reclaimed. Continued road maintenance by the county would also keep soil loss and erosion to a minimum.

4.1.9 Hydrology and Aquatic Resources

As mentioned above drainage channels within the proposed ROW are intermittent and ephemeral associated with spring runoff and rain events. There are no surface waters, wetlands, or riparian zones located within the proposed ROW. The appropriate sized culvert would be used in the drainage crossing to facilitate runoff. With the existing road remaining in place all runoff that occurs in the watershed upslope of it will be diverted to a more prominent drainage by a barrow ditch, paralleling the road as it currently functions. This reduces the watershed area that the new culvert will be draining.

4.2 The No Action Alternative

Project activities would not occur on BLM administered lands if the No Action Alternative were selected. A selection of this alternative would result in no direct, indirect, or cumulative effects to the proposed project site.

4.2.1 Vegetation

Under the No Action Alternative, the site would remain in its current condition with no effect on the existing vegetation.

4.2.2 Noxious Weeds

Under the No Action Alternative, quantity of noxious weeds and treatment would remain in its current condition.

4.2.3 Special Status Plants

Under the No Action Alternative, the site would remain in its current condition with no effect on Special Status Plants.

4.2.4 Sensitive, Threatened, Endangered Species

Under the No Action Alternative, the site would remain in its current condition with no effect on Sensitive, Threatened, or Endangered Species.

4.2.5 Wildlife/Migratory Birds

Wildlife habitat values would remain unchanged with no additional direct impacts to wildlife species. Nesting and breeding habitat would remain unchanged with no additional direct impacts to migratory bird species.

4.2.6 Recreation and Visual Resources

Under the No Action Alternative, the site would remain in its current condition with no effect on Recreation and Visual Resources.

4.2.7 Cultural and Paleontological Resources

Under the No Action Alternative, the site would remain in its current condition with no effect on Cultural and Paleontological Resources.

4.2.8 Air Quality and Climate Change

Under the No Action Alternative, the site would remain in its current condition with no effect on Air Quality and Climate Change.

4.2.9 Soils

The No Action Alternative would continue current activities within the site and result in no anticipated change in soil resources.

4.2.10 Hydrology and Aquatic Resources

The No Action Alternative would continue current activities within the site and result in no anticipated change in Hydrology and Aquatic resources.

4.2.11 Lands and Realty

Under the No Action Alternative, the site would remain in its current condition with no effect on Lands and Realty.

5 CUMULATIVE EFFECTS ANALYSIS

The Council on Environmental Quality (CEQ) defines cumulative effects as the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions (40 CFR 1508.7). A June 2005 CEQ memorandum states:

The environmental analysis required under NEPA is forward-looking, in that it focuses on the potential impacts of the proposed action that an agency is considering. Thus, review of past actions is required to the extent that this review informs agency decision making regarding the proposed action. This can occur in two ways:

First, the effects of past actions may warrant consideration in the analysis of the cumulative effects of a proposal for agency action. CEQ interprets NEPA and CEQ's NEPA regulations on cumulative effects as requiring analysis and a concise description of the identifiable present effects of past actions to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable effects of the agency proposal for action and its alternatives may have a continuing, additive and significant relationship to those effects. In determining what information is necessary for a cumulative effects analysis, agencies should use scoping to focus on the extent to which information is "relevant to reasonably foreseeable significant adverse impacts," is "essential to a reasoned choice among alternatives," and can be obtained without exorbitant cost (40 CFR 1502.22). Based on scoping, agencies have discretion to determine whether, and to what extent, information about the specific nature, design, or present effects of a past action is useful for the agency's analysis of the effects of a proposal for agency action and its reasonable alternatives. Agencies are not required to list or analyze the effects of individual past actions unless such information is necessary to describe the cumulative effect of all past actions combined. Agencies retain substantial discretion as to the extent of such inquiry and the appropriate level of explanation (*Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, 376-77 [1989]). Generally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions.

Second, experience with and information about past direct and indirect effects of individual past actions may also be useful in illuminating or predicting the direct and indirect effects of a proposed action. However, these effects of past actions may have no cumulative relationship to the effects of the proposed action. Therefore, agencies should clearly distinguish analysis of direct and indirect effects based on information about past actions from a cumulative effects analysis of past actions.

The following cumulative impact analysis is limited to past, present, and reasonably foreseeable future actions that involve impacts to a resource value that overlaps temporally and/or spatially with the Proposed Action's impacts to that same resource value. Thus, not all actions identified are discussed for each resource.

5.1 Cumulative Effects Analysis Area

The Cumulative Effects Analysis (CEA) considers that this Proposed Action is a site specific action where impacts to a number of affected resources are confined to the acreage described

within the proposed ROW. Additional traffic by heavy equipment and associated vehicles accessing the proposed project would increase impacts to Beulah Road very little when added to typical traffic and maintenance that occurs in the vicinity. The effects to vegetation, noxious weeds, special status plants, wildlife, soil, cultural and paleontological resources, all having been analyzed in this document, would not occur beyond that area disturbed by the proposed road construction.

5.2 Past Actions

Past actions within the geographical scope of this analysis include wildfires; contour felling of juniper trees associated with post fire rehabilitation; and past road maintenance and improvements to Beulah Road. Due to the proximity to the existing Beulah Road and the natural occurrence of wildfires there are no effects from past actions that have a cumulative relationship with the effects of this proposed action. Available details of these projects are listed below.

- Juniper Reservoir Fire 2007, 28,333 acres.
- Thorn Springs Contour Felling 2008, 62 acres.
- Jack Springs Contour Felling 2008, 66 acres.

5.3 Present Action

Present actions include those that are currently in progress or would occur during construction of the proposed action. RRAD#4 has a road widening project that would occur at the same time as construction of the proposed action. The road widening project is located approximately one mile south of the proposed ROW along Beulah Road on private property. Cumulative effects of the actions could cause a temporary local increase in traffic. Upon completion, the improved Beulah Road would allow for safer passage of vehicles.

5.4 Reasonably Foreseeable Actions

At the time this EA was written there were no know projects in the foreseeable future in the project area that have funding secured and a Plan of Development (POD) in place. RRAD#4 does foresee future maintenance and improvement projects on Beulah Road to improve quality and safety, but details and funding are not defined at this time. Future BLM grazing permit renewal actions could also conceivably include some additional rangeland development proposals. No proposals are identified at this time and prior to any such construction additional NEPA analysis considering the merits of the proposals would be completed.

5.5 No Action Alternative

Project activities would not occur on BLM administered lands if the No Action Alternative were selected. A selection of this alternative would result in no direct, indirect, or cumulative effects to the proposed project site

6 COORDINATION AND CONSULTATION

6.1 List of Preparers

Bureau of Land Management, Vale District

Todd Allai	Soil, Water, Air
Lynne Silva	Weeds
John Westfall	Geologist
Susan Fritts	Botany/T&E Plants
Naomi Wilson	Wildlife/Fisheries
Rebecca Evans	Range
Cheryl Bradford	Archeology
Marge Nickerson	Engineer
Trisha Skerjanec	Realty
Joshua Travers	Recreation/WSR/Wilderness/VRM
Brent Grasty	P&EC

Rural Road Assessment District #4

Tom White	RRAD#4
Candy White	RRAD#4
Malheur County Land Surveyor	James Edwards

7 REFERENCES

USDI-BLM, 2000, Proposed Southeastern Oregon Resource Management Plan and Final Environmental Impact Statement (April 2001). U.S. Bureau of Land Management, Vale District, Oregon. 3 v.

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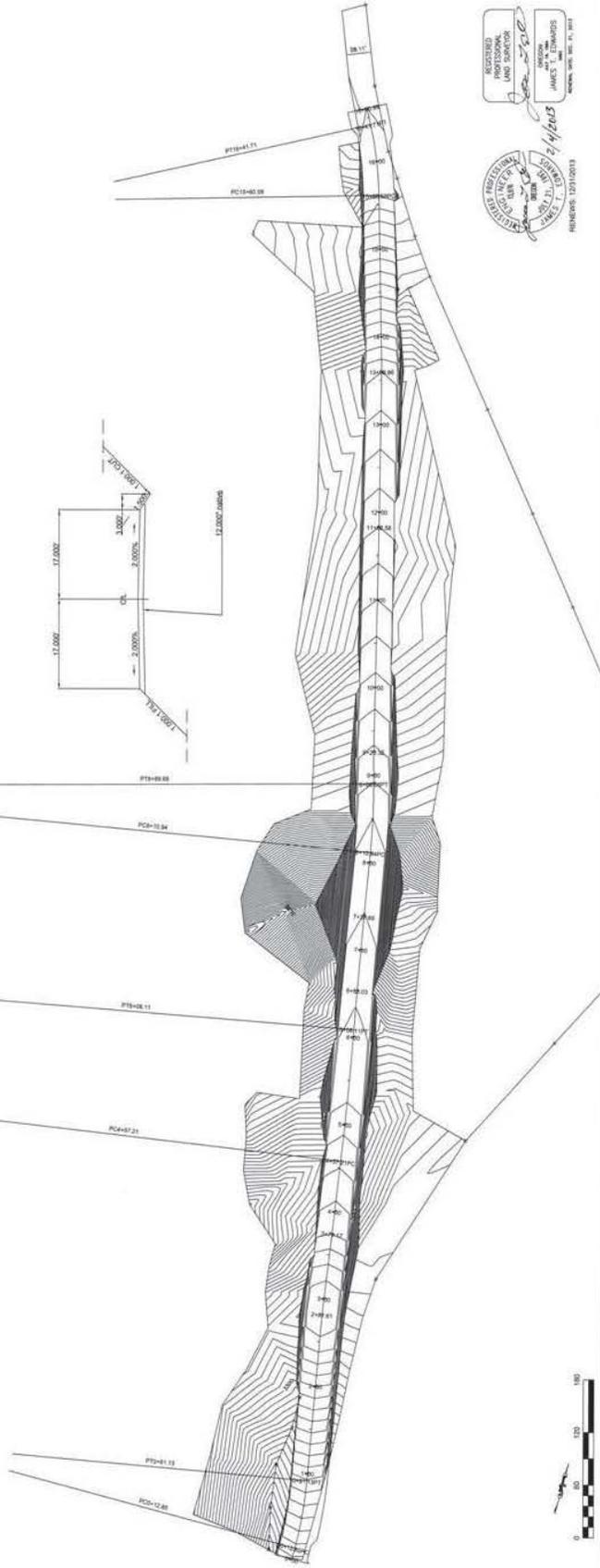
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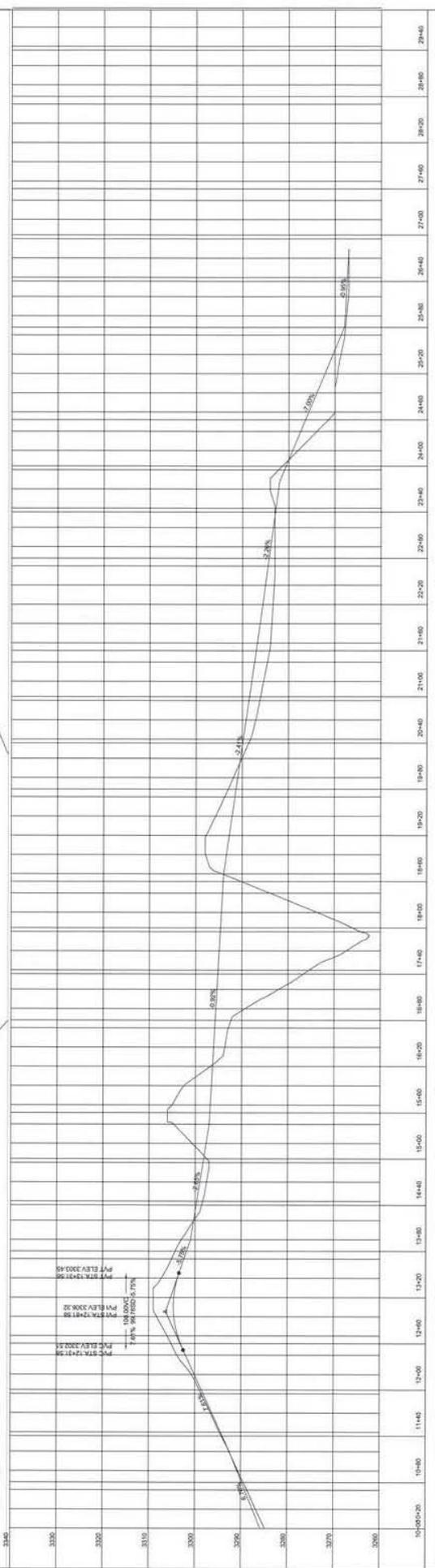
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FIGURE 3



REGISTERED PROFESSIONAL LAND SURVEYOR
 JAMES T. EDWARDS
 LICENSE NO. 123120031
 MALHEUR COUNTY, OREGON



NO.	REVISIONS	BY	DATE	SCALE	DATE	BY	DATE
1	FINAL PLOT	JTE	02/28/13	1" = 60'	02/28/13	JTE	02/28/13

BELLAH ROAD RELOCATION, MALHEUR COUNTY, OREGON

MALHEUR COUNTY SURVEYOR
 JAMES T. EDWARDS
 LICENSE NO. 123120031