

**UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Vale District Office
Jordan Resource Area**

Finding of No Significant Impact

Little Whitehorse Creek Crossing Road Repair
Environmental Assessment
NEPA Register Number DOI-BLM-OR-V060-2015-037-EA

Introduction

The Malheur Field Office, Vale District Bureau of Land Management (BLM), has prepared an Environmental Assessment (EA) to analyze the repair of the Whitehorse-Fifteenmile Road stream crossing at Little Whitehorse Creek. The EA is summarized and incorporated by reference in this Finding of No Significant Impact (FONSI). Both are available at the BLM office listed above, and on the internet at: <http://www.blm.gov/or/districts/vale/index.php>

The Whitehorse-Fifteenmile Road is the main route from the north used to access the Oregon Canyon and Trout Creek Mountains. The road crosses Little Whitehorse Creek, which is habitat for Lahontan cutthroat trout, federally designated as a threatened species under the Endangered Species Act. Beavers have built dams on Little Whitehorse Creek upstream and downstream of the road crossing causing water flow to disperse and pool which has saturated the soils on either side of the crossing. The crossing is no longer passable and vehicles that have attempted to negotiate the crossing have created ruts and disturbed riparian vegetation. Disturbance of the riparian area has caused increased sediment load to the creek which is harmful to salmonid fish habitat.

Alternate routes to this area can add several hours to a trip. This is inconvenient and can be a safety hazard for people travelling in the area. The purpose of the Proposed Action as analyzed in the Environmental Assessment (EA) is to reestablish access across Little Whitehorse Creek on a stable road bed that will facilitate stream flow, fish passage, and expansion of the riparian area.

The need to reestablish this access is not only to provide for recreational opportunity but for BLM administration of grazing permits, cultural resource protection, WSA monitoring, fish surveys, and possible fire suppression activities.

Summary of the Actions described in the alternatives

The Proposed Action would establish a solid roadbed that would allow water to pass downstream within the channel. Construction would start from the existing dry roadbed on the north of the stream. The existing roadbed would be excavated approximately 24- to 30-inches deep. The excavated material would be transported off-site to the Willow Creek Community Pit for disposal. An 18- to 20-inch layer of foundation rock wrapped in a layer of geotextile fabric for stabilization would be placed in the excavated roadbed. An 8- to 10-inch layer of surface aggregate (1" minus material) would be placed on top of the fabric. Once each incremental

extension of the rehabilitated road section is complete, the equipment would advance forward, using the newly created roadbed to work.

Channel excavation would only occur if necessary to maintain a stable stream channel crossing. Within the creek, cobble rock would be used. The surface of the rock would align with the current streambed and the stream would flow over the road. After reaching the east side of the creek, a rock and soil berm would be constructed to prevent water from entering the road excavation. The section of road between the creek and the berm would then be repaired. After this section is complete, the berm across the road would be removed and instead a shallow ditch would be constructed along the upstream side of the road to divert the side channel back into the main stream channel. The remainder of the crossing would then be repaired.

Construction would take one to two weeks to complete and would be initiated in October, 2015. Labor would be completed by BLM employees using BLM-owned or leased equipment. Following construction, the road would be marked with reflective posts on each side to ensure motorists stay on the hardened roadbed and all resource protection materials would be removed.

Under the No Action alternative, repair of the road crossing would not occur. The road would continue to be saturated and mostly impassable. People may still try to cross the creek and would get stuck, damaging riparian vegetation and contributing sediment into the creek.

Finding of No Significant Impact

Consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to context and intensity of impacts, is described below:

Context

The project area is located on Whitehorse-Fifteenmile Road in the stream protection enclosure for Little Whitehorse Creek. It is within the Whitehorse Creek Watershed (Hydrologic Unit Code No. 171200904) and would have local impacts on the affected interests, lands and resources similar to, and within the scope of, those described and considered in the Southeastern Oregon Resource Management Plan/Final Environmental Impact Statement (SEORMP/FEIS, 2000). There would be no broad societal or regional impacts which were not considered in the PRMP/FEIS. The actions described in the EA represent anticipated program actions which comply with the Southeastern Oregon RMP/Record of Decision (ROD, 2002) implementing Water Resources and Fisheries management programs within the scope and context of this document.

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:

1. Would any of the alternatives have significant impacts that are both beneficial and adverse (40 CFR 1508.27(b)(1))?

No

Rationale: The EA considered potential beneficial and adverse effects. Project Design Features were incorporated to reduce or eliminate impacts. No significant effects are beyond the range of effects analyzed in the SEORMP.

The Proposed Action would have beneficial effects to water quality, riparian vegetation and endangered fish species, but not adverse effects. By confining vehicular traffic to the repaired road, riparian vegetation would be protected instead of destroyed. This would also reduce the sediment deposited into the creek. Reduced sediment load benefits water quality and fish habitat. The appropriate implementation of the proposed environmental protection measures would prevent or minimize any adverse long-term effects that may occur from repairing the road.

Under the No Action alternative, public safety and access would be jeopardized. Also under the No Action alternative, continued introduction of sediment caused by users attempting to ford the crossing could result in in-stream adverse impacts to water quality and fish. However, those impacts are within the range of effects analyzed in the SEORMP.

2. Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2))?

No

Rationale: No components of the either alternative would have significant adverse impacts on public health and safety because the objective is to maintain the creek crossing and improve water quality.

3. 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 Proposed Action should only have beneficial effects on the wetland. The repaired road would prevent damage to the wetland caused by vehicles attempting to cross saturated soils. Project design elements would prevent any damage to cultural resources.

While the No Action alternative would not meet the objectives of stabilizing the road crossing and stream, this alternative would not have significant impacts on these resources because there are no unique geographic characteristics and no other ecologically critical areas within the project area.

4. Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4))?

No

Rationale: Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference among alternatives. There is no controversy associated with the Proposed Action or the No Action alternative.

5. Would any of the alternatives have highly uncertain effects or involve unique or unknown risks?

No

Rationale: The analysis has not shown there would be any unique or unknown risks to the human environment, nor were any identified in the 2000 Southeastern Oregon PRMP/FEIS or 2002 ROD.

6. Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6))?

No

Rationale: The alternatives analyzed two alternatives associated with maintenance of an existing road. Road maintenance occurs regularly within the Vale District without significant impacts. There are no similar projects in the foreseeable future for which this would set a precedent.

This project neither establishes a precedent nor represents a decision in principle about future actions.

7. Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7))?

No

Rationale: From the EA analysis, the BLM determined that the Proposed Action would improve habitat and water quality while providing improved access across Little Whitehorse Creek. The No Action analysis was determined to not meet the Purpose and Need of the project.

Other activities that occur in the area are: data collection and monitoring efforts to document water quality and habitat trend, and livestock grazing which is dispersed throughout the area and is excluded from the creek upstream of the crossing. Thus, none of the alternatives would contribute impacts that would create potentially significant cumulative impacts.

8. 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: This area was surveyed with a Level III Cultural Survey. All eligible and potentially eligible cultural resources will be protected through project design elements.

9. 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: Lahontan cutthroat trout (LCT) is the only threatened species found within the project area. There is no identified critical habitat within the project area. Consultation with the USFWS occurred and the BLM determined that this action falls under the Aquatic Restoration Biological Opinion (2013). Using project design elements, there would be no significant effects to LCT from either alternative. LCT would be isolated from the work area during construction and sediment would be contained using a silt curtain.

Using the analysis, the BLM determined that neither alternative would have significant adverse impacts on the federally listed LCT.

10. 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: Neither of the alternatives threatens to violate any law. The alternatives are in compliance with SEORMP ROD, which provides direction for the protection of the environment on public lands.

Statement of 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, I have found that: (1) the Proposed action and no action alternative will not have significant environmental impacts beyond those already addressed in the Southeastern Oregon PRMP/FEIS (2002); (2) the Proposed Action and No Action Alternative are in conformance with the Southeastern Oregon RMP ROD; (3) there would be no adverse societal or region impacts and no adverse impacts to the affected interests; and (4) the environmental effects, together with the proposed project design elements, against the tests of significance (described above and found at 40 CFR 1508.27) do not constitute a major federal action having a significant effect on the human environment. Therefore, an EIS or supplement of the existing EIS is not necessary and will not be prepared.



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9/30/2015
Date