

Prineville District  
**Finding of No Significant Impact**  
Determination

**Introduction:**

The Bureau of Land Management (BLM) has conducted an environmental analysis, Environmental Assessment (EA) No. OR-054-04-040, for a proposed action to address construction of pipeline across 0.5 miles of public land approximately 2.5 miles southwest of Mitchell, Oregon in Wheeler County. The primary purpose and need of this project is to address the following objectives:

1. Improve the distribution of livestock in a pasture.
2. Provide off-stream livestock watering sources.
3. Riparian zone rehabilitation by excluding livestock.
4. Cooperate with a private land owner in riparian zone rehabilitation.

The proposed action is part of a cooperative effort between the BLM, private land owner, National Resources Conservation Service (NRCS), Wheeler County Soil and Watershed Conservation District (SWCD), Oregon Department of Fish and Wildlife (ODF&W) and the Oregon Watershed Improvement Board (OWIB). The majority of the project consisting of additional pipelines, a water storage tank, watering troughs, pumping station, livestock exclusion fencing along Nelson Creek, and planting riparian woody species would occur on private land. The EA is attached to and incorporated by reference in this Finding of No Significant Impact (FONSI) determination. A no action alternative was analyzed in the EA.

The project would consist of two buried pipelines crossing a 40 acre parcel of public land. One pipeline would cross the north half of the parcel and be approximately 0.3 miles long and the other line would cross the southwestern corner for 0.2 miles. The pipeline consists of two inch diameter plastic pipe buried in a trench two feet deep and sixteen inches wide. After installation of the pipeline, the bare soil would be broadcast seeded to bluebunch wheatgrass and sheep fescue at an application rate of 6.0 lb/ac and 3.0 lb/ac respectively.

**Plan Conformance:**

The proposed project has been reviewed and found to be in conformance with one or more of the following BLM plans and associated Record of Decision(s):

Two Rivers Resource Management Plan, June 1986, and the John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments, February 2001.

**Finding of No Significant Impact Determination:**

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40

CFR 1508.27 and do not exceed those effects described in the Two Rivers RMP/FEIS. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described:

**Context:** The project is a site-specific action directly involving approximately 0.5 miles (approximately 0.4 acres) of land surface and subsurface, to a depth no greater than two feet, on land administered by the BLM, which by itself does not have international, national, regional, or state-wide importance.

**Intensity:** The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and the additional criteria as required by the following Instruction Memorandum, Acts and Executive Orders: Instruction Memorandum No. 99-178, the Lacey Act, as amended; the Federal Noxious Weed Act of 1974; the Endangered Species Act of 1973, as amended; Executive Order 13112 on Invasive Species; Executive Order 12898 on Environmental Justice; Clean Water Act of 1987; Safe Drinking Water Act Amendments to the Clean Water Act of 1996; Executive Order 12088 on federal compliance with pollution control standards, as amended; Executive Order 12589 on Superfund compliance; and Executive Order dated July 14, 1982 on intergovernmental review of federal programs.

1. **Impacts may be both beneficial and adverse.** The propose action would impact resources as described in the EA. Mitigations to reduce impacts to the surface were incorporated in the design of the proposed action. None of the environmental effects discussed in the EA are considered significant, nor do the effects exceed those described in the Two Rivers RMP/FEIS or Plan Amendments.
2. **The degree to which the selected alternative will affect public health or safety.** The propose action is designed to transport water for livestock use in a buried pipeline across public land for 0.5 miles. There are no known affects to public health or safety.
3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas.** The historic and cultural resources of the area have been inventoried and potential impacts mitigated in the design of the proposed action. There are no effects on park lands, prime farm lands, wetlands, 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.** There are no effects which are expected to be highly controversial.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.
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 actions considered in the proposed action were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions.

Significant cumulative effects are not predicted. A complete analysis of the effects of the proposed action is described in the EA.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in the EA.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The project will not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources.
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.** Mitigations to reduce impacts to wildlife and fisheries have been incorporated into the design of the proposed action. No listed fish species occupy habitat within the project boundary. PACFISH buffers are not necessary for this project due to the lack of fish species. No threatened or endangered plants or animals were found in the area.
10. **Whether the action threatens a violation of a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements.** The project does not violate any known Federal, State, Local or Tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, the project is consistent with applicable land management plans, policies, and programs.
11. **Comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only).** The project would comply with the intent of the Fish and Wildlife Coordination Act.
12. **Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan.** There are no unresolved conflicts not already approved in land use plans.
13. **Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice).** This project does not have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice).
14. **Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites). Have significant adverse effect on Indian Trust Resources.** This project does not restrict access to, and ceremonial use of,

Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites). This project does not have significant adverse effects on Indian Trust Resources.

15. **Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species).** This project does not contribute to the introduction, existence, or spread of: Federally listed noxious weeds or invasive non-native species.
16. **Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects).** This project does not have a direct or indirect adverse impact on energy development, production, supply, and/or distribution.

Approved By: */s/ Christina M. Welch*

*03/30/2004*

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Field Manager

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Date