Haberman Road Right-of-Way
WAOR 55348
Environmental Assessment #035-00-04

I. Introduction

A. Purpose and Need for Proposed Action

Rock'n J Properties has submitted an application for a right-of-way for an existing road which crosses two parcels of BLM lands. The purpose of the right-of-way would be to authorize continued use and maintenance of the road and protect the applicant's access over the road.

The location of the proposed right-of-way is described as: WM, T. 7N., R. 46E., sec. 27, lots 14 & 17; sec. 28, SE¼SE¼. See also attached maps.

The BLM parcels through which the road runs lie within the applicant's privately owned lands. The road was constructed about 1952 to provide access to cultivated fields. Farming activity on these fields was discontinued more than 20 years ago, however, the road is still necessary for access to private lands, fence maintenance, livestock management, and patrolling during hunting season.

B. Conformance with BLM Land Use Plans

The route of the road lies within the area covered by the Baker Resource Management Plan (RMP), approved July 12, 1989. It is within the Grande Ronde River Geographic Unit as designated in the RMP. Public lands within this unit are to be available for local rights-of-way.

The route also lies within the Grande Ronde Area of Critical Environmental Concern (ACEC). ACECs are designated "avoidance" areas for rights-of-way by the RMP, but are not precluded. In this case, the facility is already present and no new facilities would be constructed. The right-of-way would simply legalize and document ongoing use.

C. Relationship to Other Plans

The route lies within the area covered by Asotin County Shorelines Management Program. Facilities of this type are permitted by that program.

D. Statutes, Laws, and Regulations Affecting the Proposal

The proposed action would be authorized by Title V of the Federal Land Management and Policy Act and regulations at 43 CFR 2800. Additionally, the action must comply with Section 7 of the Endangered Species Act.

E. General Setting of the Proposed Action

The site lies about 29 miles by road, and about 20 miles by air, south of Asotin, Washington. The subject road, which is of dirt and native rock, runs along the Grande Ronde River and crosses the two BLM parcels about 8½-9 miles above its confluence with the Snake.

Access to the site is best made by driving the Snake River Road south out of Asotin and continuing up the Joseph Creek Road. About a mile beyond the crossing of the Grande Ronde River (about 26 miles from Asotin), the subject road leaves the Joseph Creek Road and runs generally west through a farmstead and continuing on up the south side of the Grande Ronde River. At about 3¼ miles from its junction with the Joseph Creek Road, it enters the first BLM parcel and runs for about 2000 feet through the parcel. It then travels for about .7 mile through intervening private land and then for about 1000 feet through the second parcel.

Upon entering the first parcel, the road is running along the upper edge of a gentle, nearly flat floodplain with a moderately steep slope on the left. Very quickly, that slope becomes a near vertical bluff and the road runs along the base of it for the remainder of the parcel. This stretch of road is within a few feet of the river's edge. This part of the road was constructed with perhaps some blasting to carve the roadbed out of the base of the bluff.

On the second parcel, the road runs through a nearly level floodplain with a moderately steep slope on the left. Here, the road is farther from the river, from 20 feet to well over a hundred. The road here does not appear to have been constructed, but rather "grew" through repeated use.

The elevation of the subject area is approximately 1000 feet.

II. Description of the Proposed Action and Alternatives

The Proposed Action is to grant a right-of-way to authorize continued use, along with maintenance and repair as needed, of about 3000 feet of an existing primitive road of dirt and native rock. Typical use has been and would continue to be with pickup trucks, perhaps up to 100 trips per year, sometimes pulling horse or stock trailers. It is anticipated that maintenance would be fairly infrequent and relatively light-duty, consisting primarily of smoothing it up with a

road grader or dozer blade. Occasionally, rocks may fall onto the road from the bluff in the first parcel (see General Setting of the Proposed Action above), which may create the need for some heavier maintenance.

The only alternative considered is No Action, in which case the application would be denied. The applicant would still be able to travel the road as "casual use", but could not maintain it with heavy equipment, only by hand work. Eventually, rocks from the bluff may fall which could not be moved by hand, and the road may become impassable.

III. Environmental Consequences of the Proposed Action

A. Critical Elements

The following Critical Elements are not present, or would not be affected, and will not be further discussed: Environmental Justice, Cultural/Historic Resources, Threatened/Endangered Animals, Threatened/Endangered Plants, Tribal Concerns/Treaty Rights, Prime/Unique Farmland, Solid/Hazardous Waste, Drinking/Ground Water Quality, Wild & Scenic Rivers, and Wilderness.

The remaining Critical Elements would be affected, or otherwise merit additional comments.

1. Air Quality

Effects on Air Quality would be as a result of some dust being raised during use and maintenance. Effects would be highly localized, short-term, and intermittent.

2. Areas of Critical Environmental Concern

The proposed right-of-way is located within the Grande Ronde Area of Critical Environmental Concern (ACEC). The action would document and authorize a past and continuing use, not a new one. The existing facility would remain as it presently is, not enlarged or expanded. The values for which the ACEC was designated would continue to exist and would not be impaired. Therefore, there would be no effect on this ACEC.

3. Floodplains

The proposed action is located within the floodplain along the Grande Ronde River. Because the right-of-way would continue an existing use and not result in any new activities, there would be no effect on the floodplain. The floodplain would continue to perform as it has in the past.

4. Threatened & Endangered Fish

Chinook salmon, steelhead and bull trout occur in the Grande Ronde River. A Biological Assessment resulted in a determination that the proposed action may affect, but not likely adversely affect the listed species. Low risk ratings were made for all matrix indicators, except sediment, streambank stability and Riparian Conservation Habitat Area (RCHA), which were rated moderate. The risk of direct and indirect effects to the species are rated extremely low.

See also the *Lower Grande Ronde River Subbasin Multi Species Biological Assessment* of October, 2000.

5. Wetlands/Riparian Areas

There is a narrow strip of riparian vegetation along some segments of the riverbank, up to 6-8 feet in width. The vegetation consists of grasses and sedges, with a few hackberry shrubs or small trees, and some blackberry. Most of the road is at some little distance from the riparian. But the portion at the base of the bluff in the first parcel lies immediately above the riparian vegetation. Maintenance of this segment could cause some soil and rocks to roll down onto the riparian. It is unlikely that any vegetation would be destroyed, but there could be some minor disturbance.

B. Other Environmental Components

1. Vegetation

Affected vegetation consists of some sparse cheatgrass and other annual species between the wheel tracks of the road and immediately alongside. Some portions of the road has this vegetation while other portions do not. Occasional maintenance activities could destroy some of this vegetation; it would likely revegetate between maintenance events. Very little, if any, perennial vegetation would be affected.

2. Soils

Soil map units on the route are Bridgewater extremely stony sandy loam on the floodplain areas, and Laufer-Rockly-Rock outcrop complex at the bluff area in the lower parcel. Water erosion hazard is moderate on the Bridgewater soil and very severe on the Laufer-Rockly soil.

Soils within the road profile would continue to be disturbed. There would be some minor compaction during use and dislocation during maintenance. The grade of the road is essentially level, so very little erosion of the road surface would occur from runoff. There would be some minor erosion from the small cut banks and fill slopes along the bluff portion of the road.

3. Water Resources

The subject road runs alongside the Grande Ronde River. On the floodplain portions of the route, the road is further from the river, and the flat slope and relatively dense grass would likely prevent any runoff from the road from reaching the river. On the bluff portion, the road is within a few feet from and above the river's edge. Here, runoff would reach the water. It would be filtered by the riparian vegetation, but inevitably, a small amount of silt from the road surface and other material would be carried into the river.

4. Fisheries

Any effect on fisheries habitat or fish species would be minimal. See also Threatened & Endangered Fish.

5. Visual Resource Management (VRM)

The road would be visible to users of the river. However, the road already exists. The proposed action would not cause the road to become any more or less visible. Therefore, there would be no impact.

6. Noxious Weeds

Knapweed, scotch thistle, and yellow starthistle are present in the area. Species such as these often infest a road. Continued use and maintenance of this road could encourage the spread of these weeds due to intermittent disturbance of soil and existence of an area devoid of vegetation. Weeds could be spread to and/or from this area if seed is caught and carried by vehicles.

7. Access

Vehicular access would continue to exist to and through these BLM parcels as a result of the proposed action. It would allow the applicant continued easy access to private land beyond the BLM lands.

C. Cumulative Impacts

Cumulative impacts primarily would result from the fact that, if the proposed right-of-way is granted, the applicant could continue to use and maintain the road segments between and beyond the BLM parcels for as long as the right-of-way is in effect. There is about .7 mile of road segment between the BLM parcels, and about .5 mile beyond the second parcel. Beyond that, a narrower trail, used by off-highway vehicles and/or as a stock driveway, continues for an unknown distance on private land.

Effects of the use and maintenance of these private land roads and trails would be similar to that described for the BLM portions, and would add incrementally to those effects.

IV. Environmental Consequences of the No Action Alternative

Under this alternative, the right-of-way would not be granted. However, the road would continue to exist and the applicant and others could continue to use the road as "casual use". In the short term, perhaps for many years, the effects would be the same as the "use" portion of the Proposed Action. There would continue to be some minor effects to air quality, vegetation, soil, water quality, and noxious weeds as a result of the continued existence and use of the road. But no maintenance with heavy equipment would be authorized, so any effects associated with that aspect of the Proposed Action would not occur. Therefore, total short term effects of "No Action" would be somewhat less than of the Proposed Action.

In the long term, it is presumed that eventually, without any maintenance, the road would become impassable to vehicles. After that, the road would begin to revegetate, soil disturbance would cease, and most of the other effects associated with the Proposed Action would slowly disappear. Noxious weeds may or may not continue to be a problem. The applicant would lose convenient access to private land on up the river and would not be able to use the private land roads and trails beyond the BLM parcels.

V. Mitigating Measures

The following measures should be applied if the Proposed Action is chosen to mitigate some of the previously described impacts.

$ Maintenance with equipment should be limited to that necessary to keep the road passable.

$ All use and maintenance activities should be confined to the existing road profile. No new areas should be disturbed. No parking of equipment or vehicles should be permitted off of the roadway. This would keep soil and vegetation effects to a minimum.

- **$** No maintenance activities should be done which would cause the road to become more visible than it is at present. This would protect the VRM and ACEC values.

- **$** Where the road runs next to the river at the base of the bluff, no side casting of material during maintenance should be permitted. All material should be "end-hauled" off-site. This would prevent large volumes of soil and rock from entering the river.

- **$** On the segment of road running along the base of the bluff and very close to the river, a berm, ditch or other means should be constructed to prevent water from running off the road and directly into the river. Instead, confine the water to the road and allow it to escape at points where it will receive maximum filtering by vegetation. This would minimize siltation into the river.

- **$** Do not perform maintenance when the road surface is wet or soft. Avoid traveling on the road under muddy conditions.

- **$** The right-of-way holder should be responsible for weed control as needed.

- **$** After each maintenance event, native grass seed should be applied to any bare areas, including cut and fill areas. This would minimize erosion and retard noxious weed invasion.

VI. Residual Impacts

There would be minimal impacts to air quality and riparian vegetation.

Annual vegetation within and alongside the roadway would be destroyed. This would be replaced by the seeded vegetation; this would also be periodically disturbed or destroyed by occasional maintenance activities.

Soil within the roadway would be disturbed and there would be minor erosion. This would be minimized by the seeding measures.

There would be minor siltation into the river, minimized by the diversion and seeding measures.

Any adverse effects on fish species would be minimized by the mitigating measures.

Noxious weeds would likely increase under either alternative, but may be retarded by seeding measures.

VII. Persons/Agencies Consulted

Mike Haberman, manager of Rock'n J Properties
Federal Energy Regulatory Commission
National Marine Fisheries Services
U.S. Fish & Wildlife Service

VIII. Participating Staff

Steve Davidson, Realty Specialist
Jackie Dougan, Fisheries Biologist
Mary Oman, Archaeologist
Kevin McCoy, Recreation Planner
Clair Button, Botanist
Greg Miller, Wildlife Biologist
Polly Gribskov, Recreation Planner