

Finding of No Significant Impact (FONSI)
for
Environmental Assessment No. OR-030-04-013
Louse Canyon GMA

The types of impacts to the human environment expected from the implementation of Preferred Alternative III of EA No. OR-030-04-013 (EA) were anticipated and declared within the analysis of the Southeast Oregon Resource Management Plan and Environmental Impact Statement (SEORMP/EIS) and the Record of Decision (ROD) of September 2002. The site specific impacts described in the EA are no greater than those anticipated in the EIS. The EA specifically tiers to, and incorporates by reference, the analysis in the SEORMP/EIS, in accordance with CEQ regulations Sec. 1502.20 and 1502.21. To the extent there are impacts beyond those described in the SEORMP/EIS, they are not significant. The EA also incorporates by reference the Louse Canyon Geographic Management Area Evaluation of 2003, which provides the foundation for management alternatives analyzed.

The preferred alternative allows BLM to strike a balance between natural values and commodity uses in a manner consistent with the principles of “multiple use” and applicable law. Specific resource objectives are identified in the SEORMP ROD. Where appropriate, these ROD objectives are repeated through the impact analysis section of the EA along with indications of how these objectives would be met. For the Preferred Alternative (Alternative III), these ROD objectives, as well as more specific objectives identified in the GMA Evaluation, would be achieved through a variety of management actions, mitigation measures, projects, and land treatments without creating any significant impacts.

The EA thoroughly analyzes the impacts of a range of alternatives developed through scoping and it clearly indicates that the preferred alternative, with specific mitigation measures identified, would not significantly affect the human environment. Specific mitigation measures, described in the preferred alternative, would ensure that resource values are protected through avoidance, by reducing impact to a level that is not significant, by rectifying disturbance through rehabilitation actions, or by compensating for the impact by replacement. Mitigation is applied to proposed actions to minimize or avoid impacts, even though the action(s), without mitigation, may not rise to the level of “significant,” as defined in 40 CFR 1508.

To make this finding of no significant impact (FONSI), BLM is required to consider the “context” (or scope), as well as the “intensity” of impacts. The “context” of the analysis is stepped down from the Interior Columbia Basin Ecosystem Management Project (ICBEMP) Science Findings (broad scale, regional analysis covering eastern Oregon, southern Idaho, northern Nevada, northern Utah, and western Montana), through the

SEORMP/EIS (mid scale analysis addressing land use, covering the whole of Malheur County and a portion of Harney County) and ending with the LCGMA Evaluation and Plan/EA (fine scale, local level planning with analysis at the activity and project level). The preferred alternative, as described, would have little if any effect on the human environment at the national level or beyond. The physical effects of projects would be minuscule and largely unnoticeable even at the local level. None of the actions contemplated are irreversible and the only irretrievable commitments are in the funding and associated materials necessary to put projects in place. The short-term benefits of the new grazing systems would be immediately noticeable to only those with a trained eye and knowledge of the capability and potential of these ecological systems. The long-term effect of the preferred alternative should be a steady, measurable improvement of local ecological systems (particularly of riparian systems) that would be noticed by most observers familiar with lands in the LCGMA.

The “intensity” of impacts, beneficial and adverse, is thoroughly described in the Environmental Impacts section of the EA. Intensity is a component of “significance” and is determined by applying ten criteria (see CEQ regulations Sec. 1508.27). In review of these criteria, relative to the preferred alternative III, I have found:

Beneficial and adverse effects. Though on balance the cumulative effects are positive, there would be no significant effects (positive or negative) relative to the CEQ definition. Rangeland and watershed health, ecological functions, productivity, and wildlife habitat would be protected and improved by the combined benefits of the proposed actions. Cultural resources and special status species would be protected. Wilderness Study Areas (WSAs) and Wild and Scenic Rivers (WSRs), would be protected and enhanced. Outstanding opportunities for primitive and unconfined recreation would remain, and naturalness would be enhanced. The Area of Critical Environmental Concern (Toppin Butte ACEC) would not be affected. Grazing operations would be more costly to operate, but would remain sustainable.

Public health or safety. There would be no significant effects on public health or safety. The non-structural projects, such as brush control would impact a minor part of the LCGMA (less than 5%), and would improve ecological function and productivity. Any effects associated with brush control through burning or mechanical means, by way of emissions of smoke or dust, would be short lived and within the parameters of natural occurrences. The area is extremely remote, and so the chances of affecting members of the general public in any measurable way would also be remote. Chemical treatment is not an option for brush control at this time, and would require additional site specific NEPA analysis, as pointed out in the EA. Since it is not a viable option, it is not considered further. The structural projects involved and execution of the new grazing systems would not significantly affect public health and safety. Any threats would be localized, limited to those involved with construction and maintenance activities, and within accepted norms for such work.

Unique areas. There are some unique, specially managed areas within the Louse Canyon

GMA including WSAs, WSRs, and an ACEC; however, they would not be significantly affected. Any negative impacts in WSAs, from the minor project work proposed, are offset by the cumulative benefits to ecosystem health and function which would contribute directly to enhanced naturalness. Opportunities for primitive recreation and solitude would not be diminished. Implementation of the preferred alternative with the mitigation described in the EA, including careful selection of construction materials and methods, and judicious placement to maximize vegetative and topographic screening, would adequately protect and enhance both WSA and WSR values. Fences can be removed and the physical impacts associated would be temporary in nature. Grazing systems with the supporting water projects and fences would allow for improved health and function of uplands and riparian systems. Livestock would be excluded from additional access points to the West Little Owyhee W&SR (i.e. above and beyond those already excluded) and aid in the protection and enhancement of the W&SR values. Toppin Butte ACEC would not be affected by the proposed actions and is adequately protected by restrictions to development and use put in place under the SEORMP ROD.

Highly Controversial Effects. The new grazing systems would place new burdens on the affected ranchers, as livestock would be moved more often. The cost of project construction would be partially borne by the permittees and the maintenance responsibility would be totally borne by them. These new costs would be added to the operational costs they already bear and would certainly have negative impacts on their profits. Nevertheless, the grazing operations would remain sustainable, and rangeland health and productivity would be protected and enhanced. Similar measures have been successfully initiated by voluntary agreement with permittees here (as under the interim grazing measures initiated in accordance with 43 CFR 4180 in the spring of 2002) and elsewhere on the Vale District. Therefore, they should not be considered overly controversial. Also, some interest groups make rote assertions of dire effects that will stem from any decision to give the appearance of controversy. Such assertions, particularly when not supported by specific facts pertinent to the actions (and their locations), are not necessarily viewed as a measure of high controversy. Any effects on the human environment which are related to “land use” allocation issues were addressed and decided in the SEORMP/EIS and the subsequent ROD, and are outside the scope of this EA.

Unique or unknown risks. There are no unique or unknown risks associated with the implementation of the preferred alternative. The SEORMP/EIS and this EA cover the anticipated impacts thoroughly. They rely on applicable scientific findings, monitoring, rangeland health assessments, published studies, professional contacts, and stated mitigation measures to address and/or preclude impacts.

Precedent for future actions. There are no precedents, relative to future actions with significant effects, which would be established. The specific actions involved in the preferred alternative have all been done before, separately and collectively, in the course of management of public lands over the past 50 years. There are no irreversible commitments of resources involved with the preferred alternative. The structural projects

involved could be eliminated and the physical disturbance rehabilitated. The non-structural projects (i.e. brush control) would naturally change over time as brush species seed back into the treated areas, as in the past. The brush control process would emulate natural brush removal through wildfire.

Cumulative Effects. The impacts of proposed actions have been analyzed and considered, separately and cumulatively, at multiple scales of analysis through the ICBEMP science findings, SEORMP/EIS, and this EA. Impacts are either not significant, are mitigated below significance, or were declared and addressed in the SEORMP/EIS. The cumulative effect of implementation of the preferred alternative is also not significant and is within the scope of the cumulative effects analysis disclosed in the SEORMP/EIS, which this EA specifically incorporates by reference.

Impacts to significant scientific, cultural, or historical resources. Cultural resources (historic and prehistoric) are protected by mitigation measures that require avoidance based on surveys completed prior to any surface disturbance. Fencing of riparian areas and exclusion of grazing from these areas will protect cultural material where present. General grazing impacts on uplands are dispersed and do not pose a significant risk to cultural sites. Materials on the surface may be spatially rearranged, by various forces (natural and introduced), but the diagnostic value of subsurface materials is not significantly affected by dispersed grazing impacts.

Federally listed endangered or threatened species. The only listed species in LCGMA is the bald eagle, which is winter resident only and would not be affected by the proposed actions. For special status species, additional mitigation measures, such as inventory and avoidance of special status plants and surveys prior to land treatment in potential pygmy rabbit habitat, provide an extra measure of protection and conformance with Oregon/Washington special status species policy. Greater sage-grouse habitats would be substantially protected as a result of livestock utilization limits, limited project development, specific mitigation measures associated with projects, improvement of riparian systems, and maintenance of existing high quality upland rangelands.

Compliance with Federal, State, or local law. The preferred alternative is in compliance with federal, state, and local law and requirements relative to environmental protection. Further, it is in conformance with the SEORMP/EIS and ROD.

Therefore, based upon my review and for the foregoing reasons, no Environmental Impact Statement is required.

Authorized Official

Date