

DECISION RECORD/FINDING OF NO SIGNIFICANT IMPACT
for
Hat Butte Wells
Environmental Assessment
OR-025-2000-29

INTRODUCTION: Following a 30-day comment period of the Hat Butte Wells Environmental Assessment (EA) OR-025-00-29, the Three Rivers Resource Area of the Bureau of Land Management (BLM) is issuing a decision for the construction of two livestock water developments (wells) in the Hat Butte Allotment. The decision is to implement the proposed action of the EA.

DECISION: Having considered a range of alternatives and associated impacts and based on the analysis in the Hat Butte Wells EA, it is my decision to implement the proposed action which establishes criteria and objectives for constructing these water developments. This decision pertains only to land administered by the BLM.

Rationale for Decision: I have selected the proposed action for the following reasons:

The new water developments would improve grazing distribution by providing reliable water in an area currently underutilized by livestock and wildlife.

There were no comments received from the public during the comment period.

It is in conformance with Section 7(a)1 of the Endangered Species Act.

It is in compliance with Federal laws that mandate the management of public land resources (Federal Land Policy and Management Act of 1976).

The decision does not result in any undue or unnecessary environmental degradation.

I have also considered one alternative to the proposed action:

Alternative 1: No Action. This alternative was to not proceed with the project. I did not select this alternative because it would not result in any better distribution of grazing.

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal must be filed in the Burns District Office, HC 74-12533 Hwy 20 West, Hines, OR 97738 by January 16, 2001. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition, pursuant to regulation 43 CFR 4.21, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the IBLA and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether or not the public interest favors granting the stay.

Craig M. Hansen, Signature on File

01/25/01

Craig M. Hansen
Three Rivers Resource Area Field Manager

Date

USDI, Bureau of Land Management
Three Rivers Resource Area, Burns District
Hines, Oregon 97738

Finding of No Significant Impact
for
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This proposal is in conformance with objectives and land use plan allocations in the 1992 Three Rivers Resource Management Plan.

Based on the analysis of potential environmental impacts contained in the Environmental Assessment (EA) and all other available information, I have determined that the proposal and alternatives analyzed do not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) is unnecessary and will not be prepared. This determination is based on the following factors:

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Burns District, Three Rivers Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, migratory birds, wetlands, floodplains, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern. There would be no adverse impacts from invasive, nonnative species.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past action of a similar nature.
6. This alternative does not set a precedent for other projects that may be implemented in the future to meet the goals and objectives of adopted Federal, State, or local natural resource-related plans, policies or programs.

7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.
8. Based on previous and ongoing cultural resource surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice policy.
9. No adverse impacts to any threatened or endangered species or their habitat, that was determined to be critical under the Endangered Species Act, were identified.
10. This proposed action is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

Craig M. Hansen, Signature on File

01/25/01

Craig M. Hansen
Three Rivers Resource Area Field Manager

Date