

ENVIRONMENTAL ASSESSMENT

for the

**Rod Lowe Road and Pipeline Rights-of-Way
(OR 57171)**

EA# OR110-03-20

**U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT
GRANTS PASS RESOURCE AREA**

May 2003

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT

EA COVER SHEET

RESOURCE AREA: Grants Pass

EA Number OR-110-03- 20

ACTION/TITLE: Rod Lowe Road and Pipeline Rights-of-way

LOCATION: T. 35 S., R. 7 W., section 14, NW1/4, Willamette Meridian, Josephine Co., Oregon

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Chapter 1

Purpose of and Need for Action and Alternatives

A. Introduction and Need for the Proposal

1. Introduction

The purpose of this environmental assessment (EA) is to assist in the decision-making process by assessing the environmental and human affects resulting from implementing the proposed project and/or alternatives. The EA will also assist in determining if an environmental impact statement (EIS) needs to be prepared or if a finding of no significant impact (FONSI) is appropriate.

This EA tiers to: (1) the Final EIS and Record of Decision (ROD) dated June 1995 for the Medford District Resource Management Plan (October 1994); (2) the Final Supplemental EIS on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (February 1994); (3) the Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and its Attachment A entitled the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (April 13, 1994); and (4) Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001).

This EA will analyze the long-term, non-commercial use of an existing road crossing lands administered by the Bureau of Land Management (BLM) to access and maintain an existing buried water pipeline, the construction and maintenance of a cement slab and earthen berm pump housing, and the seasonal placement and operation of a diesel pump, and the installation of a gate. The existing road and proposed new construction are located on acquired BLM lands approximately 4.5 miles west of Merlin, Oregon in the recreational section of the Rogue River corridor (see Map #1).

2. Need for the Proposal

Mr. Rob Lowe applied for a right-of-way (ROW) authorization from the BLM to allow use of an existing buried water pipeline constructed by the previous land owner, to construct a cement slab and earth berm pad for a pump at the same site used by the previous land owner, and to use approximately 1,600 feet of an existing road crossing BLM administered lands for purposes of maintaining the pump, the pad, and the pipeline, and to construct a gate across the access road. The pump and pipeline will be used to supply water to his dairy barn located on his private property approximately 8,800 feet to the east of the pump site.

Map #1 shows the general location of the BLM parcel involved, the existing road crossing BLM lands, and the location of the proposed new pump pad construction. Map #2 is an aerial photo view that shows the location of the BLM ownership, the access road, the pump site, and the existing buried pipeline.

B. Scoping Issues Relevant to the Proposal

A BLM interdisciplinary planning team was created to review the proposed action. Several issues of concern were raised by the team. These were: the effects of the submersible pump on aquatic species; the effects of the pump site construction on vegetation; the effects on recreation and wildlife as a result of pump noise; visibility of the pump site from the river; the potential for fuel leaks; and the potential for washout of the earth berms.

Members of the interdisciplinary team twice visited the site with Mr. Lowe in early 2003 to assess specific design questions raised by the team's concerns which were not specifically addressed in Mr. Lowe's original application. These meetings resulted in the refinement of the proposed action and the identification of project design features that are incorporated in the proposed action alternative.

C. Proposed Action and Alternatives

1. Alternative 1 (No Action Alternative)

The selection of this alternative would mean that the proposed action would be denied and Mr. Lowe would not be allowed to use the existing pipeline, construct a pump pad or install a pump, and no rights-of-way would be granted for these purposes. Mr. Lowe would not be able to use his water right since he would not be able to effectively transport water from the Rogue River to his property.

2. Alternative 2 (Proposed Action)

The proposed action is to grant a right-of-way Mr. Lowe to authorize his use of an existing buried water pipeline, seasonal placement of a 40 HP diesel pump to be attached to the pipeline, construction of a cement slab and earth berms to support and contain the pump, use and maintenance of approximately 0.4 miles of existing access roads, and construction of a metal gate. The pump and pipeline would be used to supply water to Mr. Lowe's dairy barn located approximately 8,800 feet to the east. The pipeline, pump site, and access road are located in T.35S.,R.7W.,Sec. 14, NW1/4 on acquired BLM lands in the recreational portion of the Rogue Wild and Scenic River corridor. The pipeline crosses approximately 1,300 feet of public lands before entering private lands.

The pump would be located on the bank of the Rogue River approximately 25 feet in elevation above the river and set back approximately 15 feet, at a location used by the previous owner of Mr. Lowe's property to house a pump which was attached to the existing pipeline. Remnants of previously constructed earth berms exist at the location where the cement slab and new berms will be constructed. Only previously disturbed ground will be disturbed to construct the new pump pad and berms.

The diesel pump and its associated fuel tank will be mounted on a rubber-tired trailer capable of being hauled by a pickup truck. The pump would be trucked in the spring and removed in the fall. A cement slab, 12 feet by 16 feet, will be poured to provide a surface on which to park the trailer. The slab will be surrounded on three sides by an earth berm six feet in height so as to hide the trailer and pump from view from the river and to assist in noise abatement. As mentioned, berms of approximately three feet

in height currently remain from the previous owner's installation; the new berms will simply add to the existing ones. Material for the berms will be native soil from immediately adjacent to the pump site. It may be necessary to partially reconstruct the berms from time to time if they are damaged by high-water events.

The pump intake will consist of a removable aluminum pipe that will be attached to the pump, lay on the surface of the ground, and extend to the water's edge. On the end of this pipe will be attached a section of flexible (probably rubber) pipe that will extend into the river itself. The intake will be staked and wired in place on the ground while in use.

The access road will be periodically maintained by Mr. Lowe to a degree sufficient to allow him to move the pump trailer in and out of the site using a pickup truck. Maintenance will be confined to smoothing of the existing surface so as to provide good drainage and eliminate large potholes and the filling of potholes with gravel. The existing road prism will not be widened and no vegetation will be removed along the road. A metal gate will also be constructed so as to restrict vehicle access to the river and reduce the potential for vandalism to the pump. It is expected that during the season of use Mr. Lowe will need to access the site for fueling and maintenance approximately two or three times a month.

4. Project Design Features for the Proposed Alternative

Project design features (PDFs) are included for the purpose of reducing anticipated adverse environmental impacts identified in the scoping process and which might stem from the implementation of the proposed action. The PDFs for the proposed action are as follows:

- a. The pump intake will be equipped with a fish screen that meets National Marine Fisheries Service requirements for juvenile salmonids and Oregon Department of Fish and Wildlife passage recommendations.
- b. The pump will be equipped with an efficient muffler to insure that engine noise will not create a disturbance to river users or adjacent property owners. If the sound from the engine exceeds background sound levels to the extent that it disturbs river users or adjacent property owners, additional measures will be taken by the permittee to reduce the generated sound to acceptable levels.
- c. The fuel tank will hold no more than 150 gallons of diesel fuel, will be of double-walled construction, and will conform to all Department of Environmental Quality (DEQ) and state fire martial requirements.
- d. The pump and trailer will be moved to the river no earlier than May 1 and will be removed no later than October 15 of each year.
- e. The pump, trailer, and intake pipes will be painted in earth tones.

- f. The earth berms will be planted with a mixture of native willow and grass.
- g. The gate will be located as close to the north end of the main access road as is practicable.

Chapter 2

Environmental Consequences

A. Introduction

Only substantive site-specific environmental changes that would result from implementing the proposed action or alternatives are discussed in this chapter. If an ecological component is not discussed, it should be assumed that the resource specialists have considered affects to that component and found the proposed action or alternatives would have minimal or no affects. Similarly, unless addressed specifically, the following were found not to be affected by the proposed action or alternatives: air quality; areas of critical environmental concern (ACEC); cultural or historical resources; Native American religious sites; prime or unique farmlands; flood plains; endangered, threatened or sensitive plant, animal or fish species; water quality; wetlands/riparian zones; and wilderness areas. In addition, hazardous waste or materials are not directly involved in the proposed action or alternatives.

B. Affected Environment

The proposed pump site, existing buried pipeline, and existing access roads are located on acquired lands within the recreational section of the Rogue Wild & Scenic River corridor. The project area is located on a generally southwest-facing terrace along the flood plain of the Rogue River with slopes of generally less than 10%. The area where the pump will be located is within the riparian zone of the river and is vegetated primarily with blackberries and some willow. The access road passes through low-elevation mixed hardwood and Douglas fir/pine conifer groves interspersed with natural meadows.

The Rogue River adjacent to the project area is listed on the DEQ's 303(d) list as water quality-limited based on temperatures. The summer temperature exceeded the standard of 64 degrees Fahrenheit, with a maximum of 74.3 degrees Fahrenheit. The Rogue River supports chinook, coho, steelhead, cutthroat, and Pacific lamprey as well as other non-salmonid species. Coho salmon are listed as threatened under the Endangered Species Act.

The project area provides potential habitat for a number of special status wildlife species including the bald eagle, great blue heron, osprey, three bat species, Lewis's woodpecker, Rufous hummingbird, and Flammulated owls. There are no known bald eagle, great blue heron, or osprey sites known within the vicinity of the project area. However, the river area adjacent to the project area does provide foraging habitat for these species. Likewise, no roosting or nesting sites are known in the project area for the three bat species, Lewis's woodpecker, Rufous hummingbird, or flammulated owls but habitat in the vicinity of the project area does provide potential, though marginal, roosting and nesting habitat for these species. Foraging habitat is present throughout the area.

Botanical surveys for vascular and non-vascular plants were conducted in May, 2003. No threatened, endangered, or special status plants were found.

A cultural survey was conducted in May, 2003. No new sites were discovered in the project area; however, one known prehistoric site is located in the vicinity of the project area.

C. Site Specific and Cumulative Beneficial or Adverse Affects of the Alternatives

1. Proposed Action

A beneficial impact would occur as a result of the approval of the proposed action in that Mr. Lowe would be able to utilize his water rights and the existing pipeline to provide water for his dairy operation.

The installation of a gate would minimize the amount of motorized traffic on the road and prevent vehicle access to the river. This would be beneficial to wildlife by reducing disturbance to species and habitat and would help to preserve the desired recreational qualities of the river corridor by preventing vehicle access to the river thus preserving the view from the river. In addition, a gate would help prevent littering and dumping along the river and reduce the potential for disturbance of the nearby archeological site.

The maintenance of the existing road would also provide a beneficial impact in that periodic maintenance would minimize erosion from the road system.

Impacts on fisheries have been considered temporarily on the short-term and long-term scales, and spatially at the project and watershed scales. No effects to fisheries or aquatic resources are anticipated from the proposed action. This determination includes short- and long-term as well as direct and indirect effects. There is no effect to coho salmon or coho critical habitat from the proposed action and the proposed action does not hinder attainment of the Aquatic Conservation Strategy Objectives of the Northwest Forest Plan. The fisheries Outstandingly Remarkable Value will be maintained.

Increased noise from the pump would create a potential adverse impact on recreational users of the river, on adjacent land owners, and on wildlife. The project design feature (4b) requiring an adequate muffler combined with the use of the six foot earth berms should reduce the impacts to recreational users and adjacent landowners to acceptable levels.

Noise disturbance to wildlife species identified would be mainly during breeding season. However, disturbance would be minimized by the earthen berm and noise on the opposite bank of the river would be significantly lessened. In addition, the constancy of the noise is of low impact to many species. Many species can become habituated to noise such that it does not negatively impact their regular patterns of activity. Most wildlife use in the project area is likely to be for foraging and the noise associated with the pump would be negligible with regard to this activity. Additionally, the installation of a gate will minimize and control the amount of motorized travel on the road and the human presence and disturbance to the associated habitats.

Construction of the pump housing and earth berms could result in increased sediment being delivered to the river. However, the amount of sediment which might be delivered to the Rogue River as a result of the proposed actions is expected to be minimal and indistinguishable from background levels. The sediment would be transported during the winter and sediment levels in the river at this time are high;

the negligible amount associated with the proposed actions will not change the sediment levels in the river.

Vegetation removal is not part of the periodic road maintenance and the area where the cement slab will be constructed is at the location of the past land owner's pump, so vegetation will not need to be removed. The road leading down to the pump location is natural surfaced and will be rocked. The majority of travel on this road will occur during the irrigation season which is primarily in the summer dry months. Erosion is not likely to occur on this road; therefore, sediment will not likely reach the Rogue River. Periodically a berm may need to be reconstructed if it washes out in high flows.

Added cumulative effects at the seventh field level due to the proposed action are judged to be negligible because there is a negligible addition of sediment which may reach the Rogue River and there is no reduction in riparian vegetation. The negligible addition of sediment associated with the proposed actions will not change the current level of sediment within the river. A cumulative increase in water temperature will not occur because there will be not reduction in vegetation.

Visibility of the pump and any smoke created by it could create an adverse impact on recreational users of the river. However, the earth berms and the project design features requiring the use of earth tones (4e) and the planting of the berms (4f) should reduce visibility of the pump itself and any resulting smoke emissions. The pump is not a unique or unusual feature on the river as other irrigation pumps and developments exist along this Recreational Section of the river. The recreational and scenery Outstandingly Remarkable Values (ORVs) will thus be maintained.

2. No Action Alternative

If this alternative is selected the existing road would remain available for casual use, no gate would be installed, vehicle access to the river would remain unimpeded, but no maintenance would be allowed. Mr. Lowe would not be allowed to construct the pump housing or attach a pump to the existing pipeline.

Chapter 3

Agencies and Persons Consulted

A. Public Involvement

Scoping for the project was done within the BLM's core planning team. In addition, two on-site field visits with the applicant were conducted in order to answer questions raised by the ID team and refine the applicant's proposed action. John McGlothlin, acting Grants Pass Realty Specialist, Eric Schoblom, Park Ranger, and Jim Roper, Area Engineer, met with the applicant on both occasions.

Ron Laber, District Hazardous Materials Coordinator, was also contacted and in turn made inquiries of the State Fire Marshall concerning diesel storage tank requirements.

B. Availability of Document and Comment Procedures

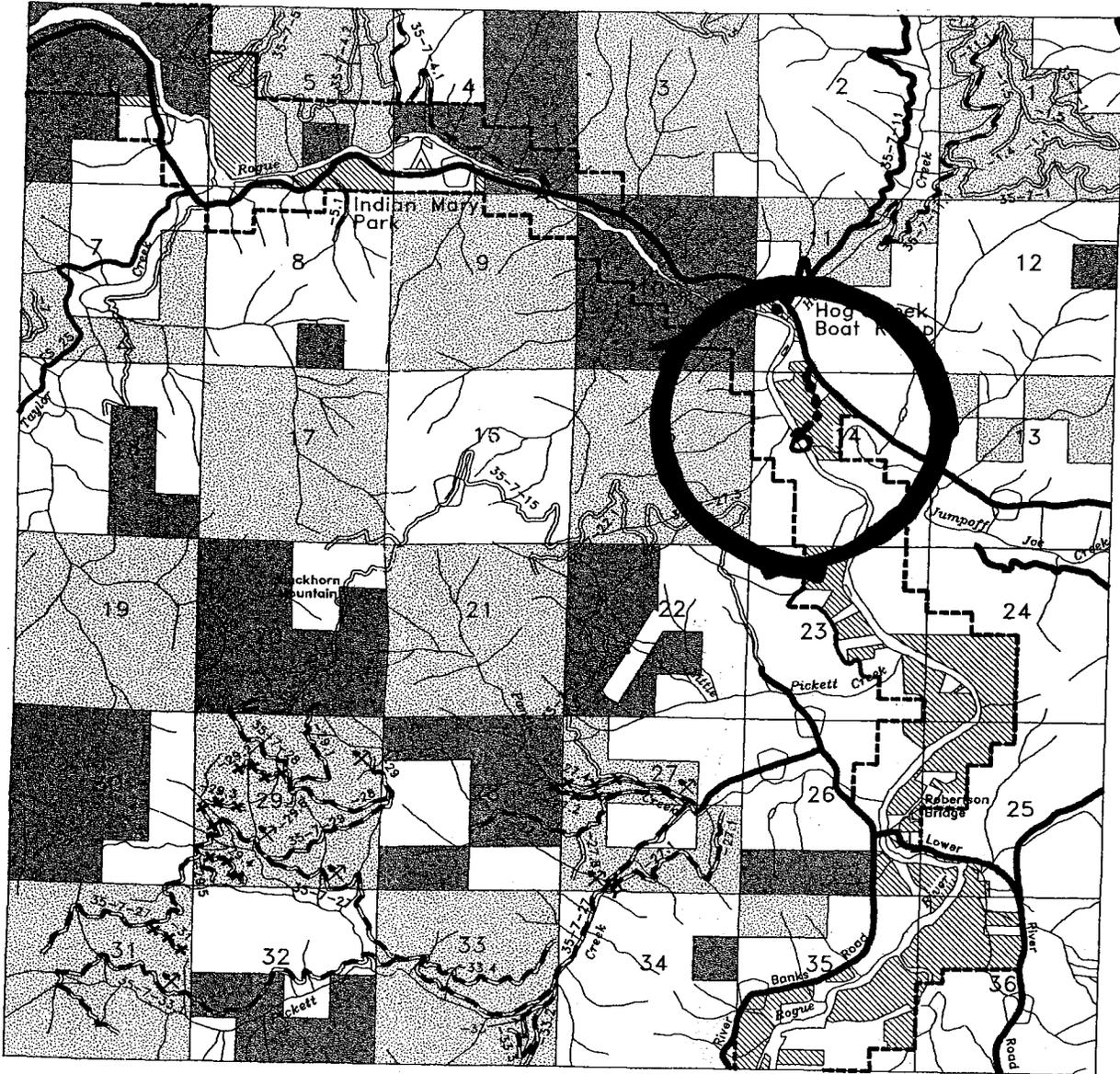
A fifteen day public comment period will be held upon completion of this environmental analysis (EA). The EA document will be available for public review at the Medford District office, 3040 Biddle Road, Medford. Notification of the availability of the EA will be made by publication of a notice in the Grants Pass Courier newspaper. Comments should be sent to: Medford District BLM, Grants Pass Resource Area, 3040 Biddle Road, Medford, OR 97504.

T.35 R.7W., WILL. MER.

SCALE: 1" = 1 MILE

HELLGATE BRIDGE

REV. 3-15-00



GENERAL PROJECT LOCATION
ROAD LOWER ROAD + PIPELINE ROW

EA MAP 1