

USDI, Bureau of Land Management
Burns District
28910 Hwy 20 West
Hines, Oregon 97738

FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD
FOR

Pueblo-Lone Mountain Biological Crust Exclosure Environmental Assessment

OR-06-026-053

INTRODUCTION

The Environmental Assessment (EA) was completed to analyze the impacts of implementing the proposed action to construct a small 12m by 3m exclosure in the Rincon Wilderness Study Area (WSA), north of Foothills Road (T. 39 S., R. 32 E., Section 27, NESE). The exclosure would be temporary in nature, constructed by wiring 4-foot by 16-foot heavy gauge "bull panels" to 5 ½-foot steel fenceposts. The exclosure could be removed at a later date once monitoring objectives are met. This exclosure is required in order to complete court-ordered monitoring efforts. This project would be completed in summer/fall 2006.

The purpose of the proposed reconstruction projects is to complete the aforementioned Biological Soil Crust (BSC) study by construction of a small exclosure. This exclosure would surround a control transect.

This proposed action is part of a series of actions taken by Burns District Bureau of Land Management (BLM) to comply with a settlement (signed on November 13 and 15, 2001) between BLM and appellants Elaine Rees and Oregon Natural Desert Association (ONDA).

Under the no action alternative, the proposed action as described would not be implemented.

SUMMARY OF PROPOSED ACTION

The proposed action is to construct a small 12m by 3m exclosure in Rincon WSA. This structure would be built by wiring heavy gauge steel "bull panels" to 5 ½-foot steel green fenceposts. The "bull panels" would be light gray in color. The structure would be located in an area of the Rincon WSA where terrain features would screen it from the casual observer. Materials would be hand carried from Foothills Road to the chosen site. The exclosure would be removed at a later date once monitoring objectives are met.

FINDING OF NO SIGNIFICANT IMPACT

The analysis in this EA is in conformance with, and tiered to, the Andrews Management Unit Record of Decision/Resource Management Plan (ROD/RMP), 2005 and Final Environmental Impact Statement (EIS), 2004. All pertinent information in those documents is incorporated by reference into this EA. Of special interest and importance are the sections in the ROD/RMP/EIS concerning Special Status animal species and those parts addressing grazing management.

The proposal is also in conformance with State, local, and Tribal land use plans, laws, and regulations. Therefore, an EIS is not necessary and will not be prepared.

Rationale:

This determination is based on the following:

The following critical elements of the human environment are not present or would not be affected by the proposed action or the alternative: Areas of Critical Environmental Concern, Air Quality, American Indian Traditional Practices, Cultural Heritage, Environmental Justice, Prime or Unique Farmlands, Flood Plains, Hazardous Materials, Migratory Birds, Paleontology, Special Status Species (Flora or Fauna), Water Quality, Wetlands and Riparian Zones, Wilderness, Wild and Scenic Rivers. All potentially-impacted resources were analyzed in the EA specific to the proposed action.

The following critical elements were analyzed in the EA: WSA and Noxious Weeds. The following noncritical elements were analyzed in the EA: Wildlife, Recreation, Visual Resource Management (VRM), Grazing Management, BSC, Soils, and Vegetation. Impacts to these resources are considered nonsignificant (based on the definition of significance in 40 CFR 1508.27) for the following reasons:

A. Critical Elements

The following critical elements occur within the area of potential effect and could be affected by the proposed action or no action alternatives.

1. Wilderness Study Areas

No Action Alternative: Wilderness characteristics of Rincon WSA would not be affected by this alternative.

Proposed Action: *Naturalness:* Naturalness in Rincon WSA would not be affected because the proposed exclosure would be substantially unnoticeable.

Solitude: Solitude would not be affected. Visitors to the project are would still be in a very remote area.

Primitive and Unconfined Recreation: Primitive and unconfined recreation in Rincon WSA would not be affected because of the small size of the enclosure and its location away from any of the main access routes.

Special Features: Identified special features would not be affected because they are not present at the proposed project site.

Conformance with the Interim Management Policy (IMP): The proposed enclosure would be in conformance with the IMP because the enclosure would be temporary and its installation would not cause surface disturbance.

2. Noxious Weeds

No Action Alternative: Selection of the no action alternative would cause no change in the current noxious weed situation.

Proposed Action: Additional noxious weeds could become introduced into the proposed project areas by soil-disturbing activities and/or wheeled vehicle use in the areas. To prevent accidental introduction of noxious weed material, all equipment used for the project should be cleaned prior to transport to the site and upon completion of the project. If noxious weeds become introduced, timely, appropriate treatments would occur in accordance with the Burns District Weed Management Plan.

B. Noncritical Elements

1. Wildlife

No Action Alternative: There should be no effects to wildlife by this alternative under the no action alternative.

Proposed Action: There should be no effects to wildlife by this alternative.

2. Recreation

No Action Alternative: There should be no effects to recreation opportunities under the no action alternative.

Proposed Action: Recreation would not be affected.

3. Visual Resources

No Action Alternative: There would be no effects to visual resources because human-made features would not be added to the landscape. VRM Class I objectives would be met.

Proposed Action: Installation of the "bull panels" would introduce short vertical and horizontal lines into the characteristic landscape. No color contrasts would be created because the gray panels would not attract attention. Texture and form contrasts would be minimal. VRM Class I objectives would be met.

4. Grazing Management

No Action Alternative: There should be no effects to grazing under the no action alternative.

Proposed Action: There should be no effects to grazing management within the area resulting from this alternative.

5. Biological Soil Crusts

No Action Alternative: There are no effects to BSCs in the study area resulting from this alternative.

Proposed Action: There are no detectable positive or negative effects on BSCs foreseen in the study area as a result of the establishment of a single enclosure for monitoring purposes. The information from this study is valuable having and may aid in the understanding of northern Great Basin BSCs and their management.

6. Soil

No Action Alternative: There would be no effects on soils within the area as a result of the no action alternative.

Proposed Action: There would be no effects on soils within the area as a result of the preferred alternative.

7. Vegetation

No Action Alternative: There would be no effects to general vegetation under this alternative or to the thick-stemmed wild cabbage (*Caulanthus crassicaulis*).

Proposed Action: There would be no effects to general vegetation under this alternative or to the thick-stemmed wild cabbage (*Caulanthus crassicaulis*).

DECISION RECORD

DECISION: Having considered the range of alternatives and associated impacts and based on the analysis in the Puelbo-Lone Mountain Biological Crust Enclosure, it is my decision to implement the proposed action.

Response to Comment in EA:

Only one comment was received by ONDA dated August 15, 2006, received in this office on August 17, 2006.

As requested, enclosed with this decision is a copy titled "Biological Soil Crust Monitoring," A Line-Intercept Monitoring Method for Determining Percent Cover of Biological Soil Crusts.

Also enclosed is a letter dated January 20, 2005, from Karla Bird to Bill Marlett regarding the final BSC monitoring strategy for Pueblo-Lone Mountain Allotment, and copies of e-mail transmissions between Bill Marlett and Douglas Linn regarding the above mentioned strategy.

This shows that ONDA was fully engaged in the public process of the BSC Strategy.

Rationale for Decision:

I have selected the proposed action for the following reasons:

The proposed action will meet a series of steps taken by Burns District BLM to comply with a settlement (signed on November 13 and 15, 2001) between BLM and appellants Elaine Rees and ONDA.

The proposed action will complete the aforementioned BSC study by construction of the final enclosure and monitoring plot. This enclosure would surround a control transect.

I have not selected the no action alternative for the following reasons:

A series of steps taken by Burns District BLM to comply with a settlement (signed on November 13 and 15, 2001) between BLM and appellants would not be complete.

The aforementioned BSC study by construction of the final enclosure and monitoring plot would not be complete.

Authority

The analysis in this EA is in conformance with, and tiered to, the Andrews Management Unit ROD/RMP, 2005 and Final EIS, 2004. All pertinent information in those documents is incorporated by reference into this EA. Of special interest and importance are the sections in the ROD/RMP/EIS concerning Soils and BSCs.

The proposal is also in conformance with State, local, and Tribal land use plans, laws, and regulations.

Right of Protest and/or Appeal

Any applicant, permittee, lessee or other interested public may protest a proposed decision under Section 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal must be filed in writing to Karla Bird, Andrews Resource Area Field Manager, Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738 within 30 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error.

Should you wish to file a petition for a stay, see 43 CFR 4.471(a) and (b). In accordance with 43 CFR 4.471(c), a petition for a stay must 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.

If you have any questions, please contact either Fred McDonald at (541) 573-4453 or me at (541) 573-4425.

/signature on file/
Karla Bird, Andrews Resource Area Field Manager

April 19, 2007
Date