

**Vale District Bureau of Land Management
Fenwick Bridge Replacement Project
Environmental Assessment
EA No. OR-030-07-006
Serial Number: OR-64639**

Finding of No Significant Impact (FONSI)

The FONSI is a document that explains the reasons why an action will not have a significant effect on the human environment and, why, therefore, an EIS will not be required (40 CFR 1508.13). This FONSI is a stand-alone document but is attached to the Environmental Assessment (EA) and incorporates the EA by reference. The FONSI does not constitute the authorizing document: the decision record is the authorizing document.

“Significance” as used in NEPA requires considerations of both context and intensity (40 CFR 1508.27).

For context, significance varies with the setting of the proposed action. For instance, for a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. For this proposed action, the effects are confined to the immediate area around the bridge and to the staging areas which would be placed away from sensitive sites. All activities would occur within approximately one mile of the bridge site. For this reason, the analysis of effects is in the context of this one-mile radius. These effects are described and analyzed in the EA.

Intensity refers to the severity of effect. The contractor would be required to adhere to the contract specifications as detailed in the environmental consequences section 3.2.4 (page 3-8), and section 5.0, Conservation Measures, of the EA (page 5-1). These specifications were incorporated to minimize effects from the proposed action.

The action being proposed is the replacement of the North Fork Owyhee River (Fenwick Ranch Road) Bridge with a new single-span bridge, to be located adjacent to the existing bridge footprint on the downstream side. Removal of the existing bridge is also a part of the proposed action.

The proposed project is within Wilderness Study Area (WSA) No. 3-195 (Owyhee River Canyon). Section 603 of the Federal Land Policy and Management Act (FLPMA) identifies that the wilderness values of each WSA must be protected until such time that Congress makes a recommendation of suitable/non-suitable. The WSA is managed through this “non-impairment” standard by the BLM according to Handbook H-8550-1, Interim Management Policy for Lands under Wilderness Review (IMPLWR). The Owyhee River Canyon WSA encompasses approximately 152,040 acres (USDI/BLM 1995).

The IMPLWR allows for the renewal of existing rights-of-way. Chapter III, Policies for Specific Activities (Section A (3), page 29) states, “Emergency maintenance or emergency repairs may be made to protect human health and safety or to protect wilderness values even if the activity impairs the wilderness suitability (USDI/BLM, 1995). The project prospectus and bridge inspection reports indicate the bridge is load rated, posted with an 8-ton limit,

with multiple structural deficiencies including deck wear, visible girder rot, and severely twisted caps with poor weight bearing capacity (Oregon Department of Transportation [ODOT] 2003). The poor condition of the existing bridge is a safety hazard (EA, section 1.2, page 1-1). Also, new rights-of-way may be approved for temporary or permanent uses that do not satisfy the non-impairment criteria, "In cases of access to non-Federal lands where the BLM has determined that application of the non-impairment standard would unreasonably interfere with the enjoyment of the landowner's rights." "The BLM is required by law to provide such access as is adequate to secure to the landowner the reasonable use and enjoyment of non-Federally owned land which is completely surrounded or isolated by public lands administered under FLPMA." (H-8550-1, Chapter 3, A (c) (3)) As stated in the EA, Fenwick Ranch Road is an important route for ranching, fire protection, and recreational traffic. This road provides access to remote private ranches, the Middle Fork Owyhee River, and southwest Idaho. Not replacing the failing bridge would eventually lead to road closure. According to BLM traffic count data from a recorder near the cattle guard at the canyon rim, a maximum total of 1,872 vehicles used the road in 2005 (United States Department of the Interior, Bureau of Land Management [USDI/BLM] 2005). The data show increased vehicle use in the spring and fall months, presumably related to rafting and hunting. The area is used for deer hunting, chukar hunting, rafting, and outdoor gatherings such as Boy Scout Jamborees and the Sierra Club meetings (EA, section 1.2, page 1.1).

In 1988, the North Fork Owyhee River was designated as a Wild and Scenic River from the Oregon-Idaho border to its confluence with the Owyhee River. It is classified as Wild, which provides for the highest level of protection. The BLM management objective is to protect and enhance Outstandingly Remarkable Values of congressionally designated NWSR. Removal of the old bridge will eliminate the in-stream support piling. The new bridge will have no in-stream structure. According to the evaluation pursuant to Section 7(a) of the Wild and Scenic Rivers Act, removal of the existing in-stream structure will improve the channel hydrology by allowing natural stream processes within the stream channel to occur (EA, Appendix D, page 4). The North Fork Owyhee Wild and Scenic River values will be unaffected or improved by the proposed activity, according to the Section 7 (a) report in Appendix D.

Any land management action involving ground disturbance invariably, and by definition, entails environmental effects. I have determined, based upon the analysis of environmental impacts contained in the referenced EA (OR-030-07-006), that the potential impacts resulting from the proposed action would not be significant and that, therefore, preparation of an environmental impact statement is not required.

I find that the project's affected region is localized and the effects of implementation are relevant to people recreating and living in the area. There would be no adverse societal or regional impacts and no adverse impacts to affected interests. I have evaluated the environmental effects, together with the proposed mitigating measures, against the tests of significance found at 40 CFR 1508.27. Although not a condition of my determination, implementation of all control measures of the proposed project to protect water quality during construction and removal of the existing bridge pier would be critical to the success of the project. I have determined that if the decision were made to implement the proposed action:

1. The proposed action would cause no significant impacts, either beneficial or adverse; all impacts would be insignificant; most would be of short duration (1-2 months) and the

proposed activity will not have a direct and adverse effect on, the water quality and quantity of the river, or the values for which the North Fork Owyhee was designated Wild and Scenic.

2. The proposed action would have no adverse effect on public health or safety. Public safety would be positively affected by the replacement of the existing bridge.

3. The proposed action would not affect unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, or ecologically critical areas. Wild and Scenic River characteristics, such as the free-flowing nature of the North Fork Owyhee, would be enhanced.

4. The proposed action would have no highly controversial effects. The BLM believes this is the best degree of access across public land while conforming to the rules and regulations governing the administration of public lands.

5. The proposed action would have no uncertain effects and would not involve unique or unknown risks.

6. The proposed action is a routine and common project and does not establish a precedent for future actions.

7. The proposed action is not related to any other action being considered by BLM.

8. With implementation of mitigations, the proposed action would have no adverse effect to any property listed on or potentially eligible for listing on the National Register of Historic Places.

9. The proposed action would not significantly adversely affect an endangered or threatened species, or any habitat critical to an endangered or threatened species.

10. The proposed action does not violate any law or requirement imposed for the protection of the environment.

This proposed action is consistent with the Southeastern Oregon Resource Management Plan and Record of Decision (2002).

The BLM must allow a period of public review of the FONSI if the proposed action is construction in a wetland (E.O. 11990, sec. 2(b)) or would be located in a floodplain (E.O. 11988, sec. 2(a)(4)). This proposed action would occur within the floodplain of the North Fork Owyhee River.

Carolyn R. Freeborn
Jordan Field Manager
Vale District BLM

Date