

**UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
Vale District Office  
Baker Resource Area**

**Finding of No Significant Impact**

OR-68398 State of Oregon Land Conveyance Environmental Assessment  
NEPA Register Number DOI-BLM-OR-V050-2015-41-EA

**Introduction**

The Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (NDAA) (128 Stat. 3292, 3856, 3857), Public Law 113-291, enacted December 19, 2014, requires the Secretary of Interior through the Bureau of Land Management (BLM), to convey certain federal lands to the State of Oregon, acting through the Oregon State Board of Higher Education on behalf of Oregon State University, and its assigns. The lands are described as follows:

Willamette Meridian, Umatilla County  
T. 4 N., R. 28 E., sec. 14.

The NDAA stipulates that not later than 180 days after the date on which the Secretary receives a request from the State, the Secretary shall convey to the State, without consideration, all right, title, and interest of the United States to and in the above-described land to the State of Oregon. The EA is summarized and incorporated by reference in this Finding of No Significant Impact (FONSI). Both are available at the BLM office listed above, and on the internet at: <http://1.usa.gov/1LMkRSy>

**Summary of the Actions described in the alternatives**

The BLM has prepared the EA to analyze the expected effects of this action:

**Under the No Action Alternative**, the BLM would not convey the public lands to the State of Oregon and would continue to manage these lands under applicable public land laws. The No Action Alternative would not comply with the NDAA. Consistent with 43 Code of Federal Regulations (CFR) 46.310 (b), when there are no unresolved conflicts with respect to alternative uses of available resources, a No Action Alternative does not need to be considered (Federal Register Volume 73, Number 200, October 15, 2008, page 61321). Therefore the No Action Alternative has not been carried forward for detailed analysis.

**The Proposed Action** would be for the BLM to convey approximately six acres of public land to the State of Oregon. The lands to be conveyed are in Umatilla County, Oregon, and further described as Willamette Meridian, T. 4 N., R. 28 E., Section 14.

**Context**

The project is located within the urban growth boundary of Hermiston, Oregon, a community of approximately 17,000 residents which encompasses 7.8 square miles of land in Umatilla County and would have local impacts on the affected interests, lands and resources similar to, and within the scope of, those described and considered in the Baker Resource Area Resource Management

Plan/Final Environmental Impact Statement (BRMP/FEIS, 1989). There would be no broad societal or regional impacts which were not considered in the BRMP/FEIS. The actions described in the EA represent anticipated program actions which comply with the BRMP/Record of Decision (ROD), implementing realty management programs within the scope and context of this document.

The land identified for conveyance is an isolated parcel of public land with no access road other than the road through the adjacent cemetery. It is bordered on the north by the Hermiston Cemetery and on the south by the Union Pacific Railroad. Its location is about one mile south of Hermiston and approximately .25 miles west of Highway 395. The parcel is essentially level, lying at an elevation of 590 feet with no improvements to the land. The area is semi-rural and dotted with scattered homes and outbuildings, intermixed with open areas of seeded or natural vegetation.

### **Intensity**

I have considered the potential intensity and severity of the impacts anticipated from the implementation of a Decision on this EA relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

**1. Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1))?**

*No*

**Rationale:** The land identified for conveyance is an isolated parcel of public land with no access road other than the road through the cemetery. It is bordered on the north by the Hermiston Cemetery and on the south by the Union Pacific Railroad. Its location is about one mile south of Hermiston and approximately .25 miles west of Highway 395. The parcel is essentially level, lying at an elevation of 590 feet with no improvements to the land. The area is semi-rural and dotted with scattered homes and outbuildings, intermixed with open areas of seeded or natural vegetation.

**2. Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2))?**

*No*

**Rationale:** No aspects of the State of Oregon land exchange have been identified as having the potential to significantly and adversely impact public health and safety.

**3. Would any of the alternatives have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (ACECs, RNAs, significant caves)) (40 CFR 1508.27 (b)(3))?**

*No*

**Rationale:** There are no unique geographic characteristics, prime farmlands, wild and scenic rivers, or parks within the federal parcel to be exchanged.

**4. Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4))?**

*No*

**Rationale:** Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the Proposed Action or preference between the alternatives. No unique or appreciable scientific controversy has been identified regarding the effects of the alternatives beyond those analyzed in the 1989 Baker Resource Area Resource Management Plan (BRMP).

**5. Would any of the alternatives have highly uncertain effects or involve unique or unknown risks?**

*No*

**Rationale:** The analysis has not shown there would be any unique or unknown risks, nor were any identified in the BRMP/FEIS.

**6. Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6))?**

*No*

**Rationale:** The proposed State of Oregon Land Exchange neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about future consideration. Future land exchange proposals will be considered in subsequent NEPA analysis.

**7. Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7))?**

*No*

**Rationale:** Cumulative environmental effects are “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions” (See definition of “cumulative impact” in 40 CFR § 1508.7).

Analysis was performed at multiple scales, and included the consideration of past actions, as reflected in current conditions, current actions, and foreseeable future actions on both private and federal lands (EA, Environmental Consequences, pages 11-15). The proposed land exchange, authorized by the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (NDAA) (128 Stat. 3292, 3856, 3857), Public Law 113-291, enacted December 19, 2014, requires the Secretary of Interior through the Bureau of Land Management (BLM), to convey certain federal lands to the State of Oregon, acting through the Oregon State Board of Higher Education on behalf of Oregon State University, and its assigns. The proposed action does not contribute significantly to the effect of any of the past, present, or reasonably foreseeable future actions within the geographic area. No significant cumulative impacts were identified.

**8. Would any of the alternatives have significant adverse impacts on scientific cultural or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8))?**

*No*

**Rationale:** The Proposed Action will not adversely affect districts, sites, historic trails, structures, or other objects listed or potentially eligible for listing in the National Register of Historic Places. Based on previous and ongoing cultural surveys and through project design, no adverse impacts to cultural resources will occur.

**9. Would any of the alternatives have significant adverse impacts on threatened or endangered species or their critical habitat (40 CFR 1508.27(b)(9))?**

*No*

**Rationale:** No ground disturbing activities are associated with this land exchange. There are no known adverse effects to any of these species or their habitat from the implementation of this land exchange.

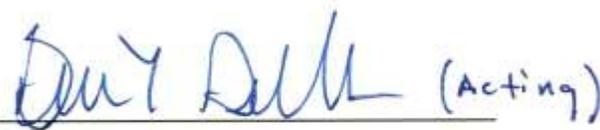
**10. Would any of the alternatives have effects that threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10))?**

*No*

**Rationale:** The alternatives do not threaten to violate any law. The alternatives are in compliance with the BRMP/Record of Decision (ROD), which provides direction for the protection of the environment on public lands.

**Statement of Finding**

On the basis of the information contained in the EA, the consideration of the intensity factors described above, and all other information available to me, I have found that: (1) the Proposed Action and No Action alternative will not have significant environmental impacts beyond those already addressed in the BRMP/FEIS 1989; (2) the Proposed Action and No Action alternative are in conformance with the BRMP ROD; (3) there would be no adverse societal or regional impacts and no adverse impacts to the affected interests; and (4) the environmental effects, together with the proposed project Design Features, against the tests of significance (described above and found at 40 CFR 1508.27) do not constitute a major federal action having a significant effect on the human environment. Therefore, an EIS or a supplement of the existing EIS is not necessary and will not be prepared.

 (Acting) \_\_\_\_\_ 2/25/16  
Lori D. Wood \_\_\_\_\_ Date  
Field Manager