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# Lower John Day Basin Land Acquisition Programmatic Environmental Assessment

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September 2022

Bureau of Land Management  
Prineville District Office  
Prineville, Oregon

# **Lower John Day Basin Land Acquisition Programmatic Environmental Assessment**

**Submitted to:**

**Bureau of Land Management  
Prineville District Office  
Prineville, Oregon**

**September 2022**

**Submitted by**

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Seattle, Washington 98154

**A17.0086.08**

## Note to Reader

This Programmatic Environmental Assessment (PEA) considers the environmental consequences of a proposed action and a no action alternative to determine whether each action would significantly affect the quality of the human and natural environment. Potentially significant effects would preclude the BLM from issuing a Finding of No Significant Impact (FONSI) and would require the BLM to prepare an environmental impact statement. “Significance” is defined by 40 CFR 1508.27 as used in the National Environmental Policy Act, 42 U.S.C. §§ 4321 et seq, (NEPA). If a FONSI can be signed after this environmental assessment, it will be followed by a decision record (with a public appeal period) and implementation of the project.

The BLM will accept written comments received at the BLM office by close of business October 3, 2022. Deliver comments by hand, mail, e-mail or FAX to Amanda S. Roberts, Field Manager, Prineville District BLM, 3050 NE Third Street, Prineville, Oregon, 97754, FAX 541-416-6798, e-mail [BLM\\_OR\\_PR\\_Lands@blm.gov](mailto:BLM_OR_PR_Lands@blm.gov). Comments can also be made through the e-Planning project site at <https://go.usa.gov/xzCRb>. Direct questions to the project lead, Chris Ryan 541-416-6743.

To be most helpful, comments should be as specific as possible. A substantive comment provides new information about the Proposed Action, an alternative or the analysis; identifies a different way to meet the purpose and need; points out a specific flaw in the effects analysis; suggests alternate methodologies for effects analysis and the reason(s) why they should be used; makes factual corrections; or identifies a different source of credible research which, if used in the analysis, could result in different effects.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be aware that your entire comment – including your personal identifying information – may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**LOWER JOHN DAY BASIN  
LAND ACQUISITION PROGRAMMATIC ENVIRONMENTAL ASSESSMENT**

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## LIST OF ACRONYMS AND ABBREVIATIONS

Access Program	Federal Highway Administration Federal Lands Access Program
ARPA	Archaeological Resource Protection Act
ASTM	American Society for Testing and Materials
BLM	Bureau of Land Management
DNA	Determination of NEPA Adequacy
ESA	Environmental Site Assessment
F	Fahrenheit
JDBRMP	John Day Basin Resource Management Plan
LWCF	Land and Water Conservation Fund
NEPA	National Environmental Policy Act
OARRA	Oregon Archaeological Records Remote Access
PEA	Programmatic Environmental Assessment
PILT	Payments in Lieu of Taxes
REC	recognized environmental condition
SRMA	Special Recreation Management Area
VRM	Visual Resource Management

## 1.0 INTRODUCTION

### 1.1 BACKGROUND AND LOCATION

The John Day Basin Resource Management Plan (JDBRMP) includes the objective to increase the percentage of public land with public access by 10 percent over the life of the plan and outlines areas that may be suitable for acquisition, as well as the criteria to be used to prioritize lands for acquisition. The Bureau of Land Management (BLM) has previously worked with other government and non-governmental organizations on collaborative efforts to consolidate landscapes linking a system of conserved and restored lands in the Lower John Day Basin in order to stabilize and recover Special Status fish species while providing access to recreation resources. Funding for acquisition efforts is often provided by the Land and Water Conservation Fund (LWCF). LWCF monies are royalties paid by energy companies drilling for oil and gas on the outer continental shelf and include zero taxpayer dollars. The intent of the LWCF is to safeguard natural areas and provide recreation opportunities for all Americans.

The BLM Prineville District is proposing to acquire privately owned lands from willing sellers in the Lower John Day River Basin, including portions of the John Day Wild and Scenic River corridor, located in north-central Oregon (Figure 1). The lands or interests in lands (easements) would be acquired from willing sellers through available funding mechanisms, including the LWCF. The BLM may work with third-party partners, generally nonprofit conservation organizations, to facilitate the acquisition process. The Great American Outdoors Act, signed on August 4, 2020, authorizes \$900 million annually in permanent funding for LWCF at the national level. The Prineville BLM office would need to apply and compete nationally with other federal and state agencies for annual funding to support specific acquisition proposals. Since 2015, the Prineville BLM office has received just over 11 million dollars to support land acquisition through the LWCF. During that same time period, the BLM acquired just over 11,000 acres in the John Day Basin. Land acquisition is a discretionary action for the BLM and subject to personnel constraints within the overall workload of other, sometimes non-discretionary, realty actions. Acquisition projects often span multiple years from start to finish.

The proposed acquisition area includes lands immediately adjacent to the John Day River and adjoining upland areas. Portions of the lands proposed for acquisition are within the corridor of the Lower John Day Wild and Scenic River. The land acquisitions would also include areas adjacent to the Lower John Day Special Recreation Management Area (SRMA), the Bridge Creek SRMA, the Spring Basin Wilderness, and several Wilderness Study Areas and Areas of Critical Environmental Concern. The John Day River and several of its key tributaries are critical habitat for the federally threatened Mid-Columbia River summer steelhead. The acquisition area also includes approximately 2 miles of the Oregon National Historic Trail.

Much of the proposed acquisition area is undeveloped upland rangeland. The proposed acquisition area also includes land uses such as agriculture and dispersed ranch developments. The total area of the proposed land acquisitions comprises 190,122 acres of privately owned lands. However, the BLM's acquisition of private lands from willing sellers would be a fraction of this total area due to the BLM's focus on acquiring properties adjacent to public lands, properties with high resource or recreation value, and limits of funding availability and timing.

## 1.2 PURPOSE AND NEED

The purpose of the proposed action is to acquire privately owned lands from willing sellers to help meet the objectives of the JDBRMP to increase the percentage of public land with public access by 10 percent over the life of the plan.

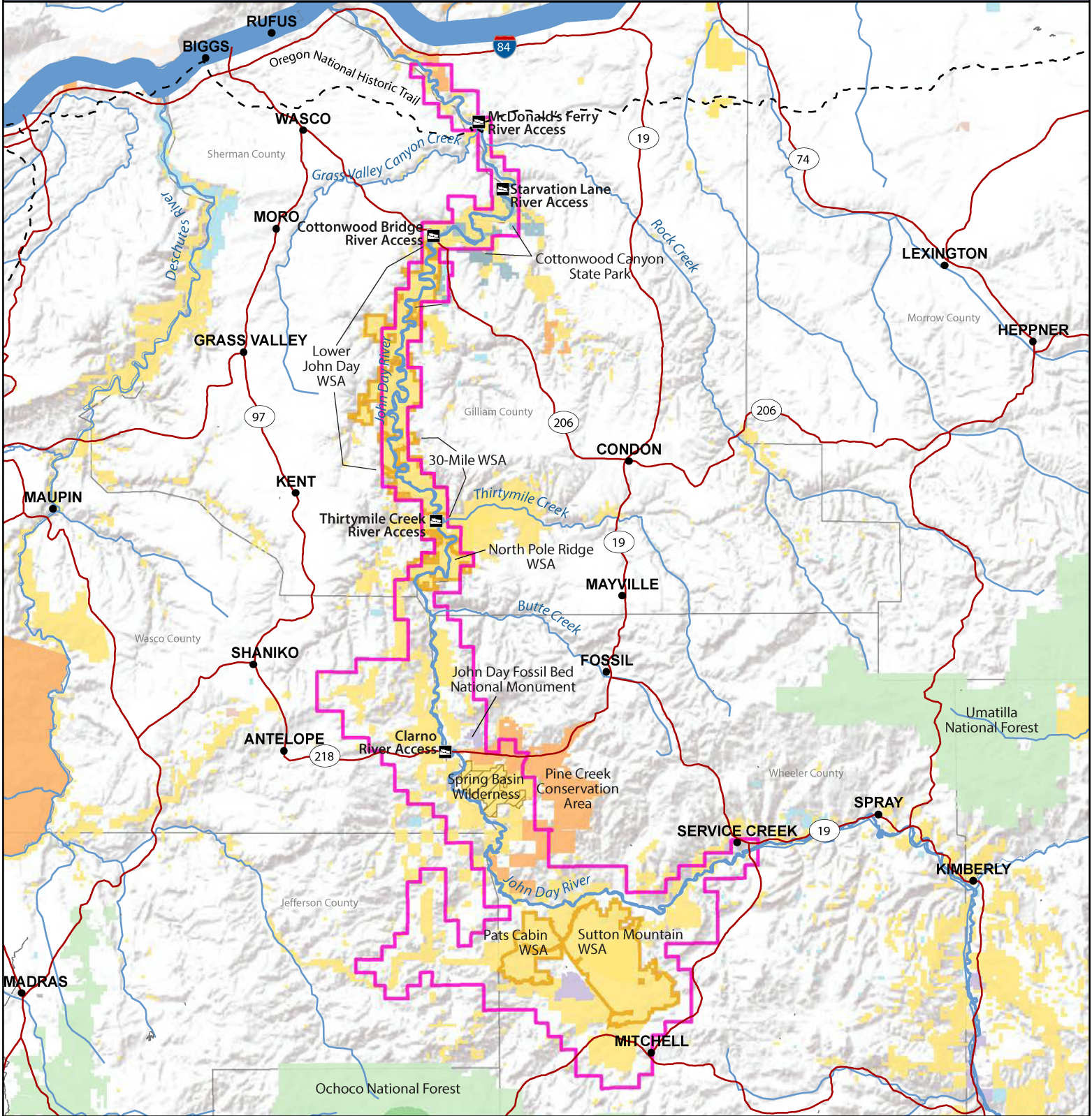
The need for the proposed action is to:

- Continue to provide public access to the Wild and Scenic John Day River and adjacent upland areas, including the John Day River SRMA;
- Continue to provide public access for various recreational activities including boating, hiking, backpacking, fishing, wildlife viewing, hunting, and equestrian use; and
- Consolidate public land ownership to more efficiently meet the management objectives outlined in the JDBRMP to:
  - Maintain and restore the health of watersheds and aquatic ecosystems;
  - Protect and enhance wilderness values and other wilderness characteristics;
  - Protect and enhance the values for which Areas of Critical Environmental Concern were designated;
  - Protect and improve critical habitat for federally threatened Mid-Columbia River summer steelhead;
  - Provide habitats to support native plants and animals;
  - Preserve and protect cultural resources and make historic resources available for educational purposes;
  - Protect and enhance Outstandingly Remarkable Values of the John Day Wild and Scenic River;
  - Provide a sustained flow of local economic benefits and protect non-market values; and
  - Provide diverse opportunities for dispersed motorized, non-motorized, and water-based recreation activities.

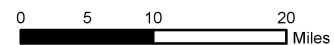
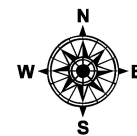
The proposed acquisition would meet several resource objectives in the JDBRMP (BLM 2015). These resource objectives are identified in Chapter 2 under the Conformance heading.



**Figure 1**  
**Lower John Day Basin –**  
**Area of Proposed Land Acquisitions**



- |                                       |                                     |
|---------------------------------------|-------------------------------------|
| Acquisition Zone – John Day Basin RMP | Confederated Tribes of Warm Springs |
| BLM Lands                             | U.S. Forest Service                 |
| BLM Wilderness Study Areas            | National Park Service               |
| BLM Wilderness Area                   | Highways                            |
| Oregon State Parks                    | Trails                              |
| State Lands                           | Boater River Access                 |



### **1.3 SCOPE OF THE ENVIRONMENTAL ASSESSMENT**

This document is a Programmatic Environmental Assessment (PEA) addressing potential land acquisitions in the Lower John Day River Basin that may occur over time. Accordingly, the analysis in this PEA is landscape in scale and does not focus on the effects that may occur on a specific piece of property that the BLM may acquire. When acquisition of a specific property is presented to the BLM, additional project-specific decision-making actions would be required. The BLM would first provide an opportunity for public comment on the proposed site-specific acquisition to identify relevant issues and/or additional information about the area from interested parties. The BLM would then consider if analysis in the PEA adequately considered the environmental effects of the site-specific action. If so, the BLM would prepare Determination of NEPA Adequacy (DNA) documentation and issue a decision to implement the proposed acquisition. If the BLM were to find that the environmental effects of certain issues for a site-specific proposal are not adequately considered by this PEA, the BLM would prepare additional National Environmental Policy Act (NEPA) analyses, followed by a decision. The BLM may conduct site-specific analysis tiered to the analysis in the PEA for issues that are adequately considered, thereby focusing on issues that are necessary for decision-making and eliminating repetitive discussion of issues that have already been covered. There would be an opportunity for administrative remedies or appeals on the decision documents for the site-specific projects completed either through a DNA or additional NEPA analysis.

### **1.4 ISSUES FOR ANALYSIS**

The BLM solicited input regarding issues to be considered for the project from approximately 140 individuals and organizations, including adjacent landowners, state and local government agencies, recreation and outfitter guides, John Day River boaters, and others who had requested to receive information regarding projects associated with the John Day River or the surrounding counties. The BLM also consulted with Native American Tribes regarding the proposed acquisition, including the Confederated Tribes of the Warm Springs Reservation of Oregon, the Burns Paiute Tribe, and the Confederated Tribes of the Umatilla Indian Reservation.

A total of 77 comment submittals were received by the BLM during the scoping period. Included in these submittals were 200 unique comments that the BLM divided into common topic areas. Many of the comments received expressed support for the BLM acquiring privately held lands in the proposed acquisition area. In addition, a significant number of respondents were not in favor of the potential acquisitions.

The following pertinent issues were raised by the public, agencies, Tribes, and BLM staff during the scoping process and are considered in this PEA:

- The Socioeconomics section of Chapter 3 (Section 3.3.1) addresses the following:
  - Would acquired lands be taken out of agricultural production and how would that affect local economies?
  - Would BLM acquisition of private lands affect property values?
  - Would BLM acquisition of private lands result in displacement of residential occupants on these properties?
  - Would BLM acquisition of private lands result in increased needs for public services such as fire and medical response and law enforcement?

- Would BLM acquisition of private lands result in loss of property tax revenues to local counties?
- Would BLM acquisition of private lands result in increased trespass, vandalism, or theft on adjacent private lands, and how would the BLM manage this?
- How would BLM acquisition affect the management of mineral resources?
- The Recreation section of Chapter 3 (Section 3.3.2) addresses the following:
  - With expected increases in public use of acquired lands, how would the BLM manage human waste disposal?
  - How would the BLM manage over-use and crowding in the John Day River Wild and Scenic Corridor that may arise from acquiring private lands?
- The Cultural and Historic Resources section of Chapter 3 (Section 3.3.3) addresses the following:
  - How would the BLM manage and protect cultural resources, including archaeological artifacts and the Oregon National Historic Trail on acquired lands?
- The Fisheries section of Chapter 3 (Section 3.3.4) addresses the following:
  - What effects would occur to ongoing habitat conservation efforts on lands acquired by the BLM?
- The Wildlife section of Chapter 3 (Section 3.3.5) addresses the following:
  - Would an increase in recreational visitors on acquired lands pressure wildlife onto adjacent private lands?
- The Rangeland Management section of Chapter 3 (Section 3.3.7) addresses the following:
  - Would BLM acquisition of private lands result in increased fire danger due to increases in public use and vehicle traffic?
  - Would BLM acquisitions result in the elimination of livestock grazing on these lands?
- The Roads and Access section of Chapter 3 (Section 3.3.9) addresses the following:
  - Would BLM acquisition of private lands result in increased road damage and maintenance needs from increased public use?
  - Would BLM acquisitions create safety hazards between public vehicles and farm/ranch vehicles?

Several comments suggested ideas for future management of the lands that might be acquired by the BLM. The analysis in this PEA is focused on whether or not the BLM should acquire the private lands, and since the BLM is not the current landowner, issues or suggested alternatives about how to manage the lands in the future are not ready for decision at this time and are therefore outside of the scope of this PEA. These comments addressing future land management direction were reviewed and considered by the BLM and are summarized in Appendix A.

## **2.0 ALTERNATIVES**

This chapter describes a no action alternative that would continue existing ownership and management of lands in the proposed acquisition area (Figure 1), and an action alternative developed to meet the Purpose and Need described in Chapter 1. Actions that would continue in the area regardless of the alternative selected include:

- Continued authorization for livestock grazing where currently authorized.
- Continued authorization of rights-of-ways and easements, including access rights for needed operations and maintenance of electric transmission lines and telecommunications lines, and access easements to neighboring property owners.
- Management of boating on the John Day River, including implementation of a limited entry permit system.

### **2.1 ALTERNATIVE 1: NO ACTION**

Under this alternative, the BLM would not acquire privately owned properties within the proposed acquisition area. The lands would remain in private ownership and future land use would be governed by applicable state and local laws and regulations. Specific future disposition of the lands is unknown at this time. Legal public access to BLM lands in the area would remain where it currently exists.

### **2.2 ALTERNATIVE 2: PROPOSED ACTION**

Under this alternative, the BLM would acquire private lands from willing sellers to consolidate public land ownership and to provide public access to the acquired lands. The BLM may also acquire interests in lands, including access easements, conservation easements, or mineral rights. The BLM could acquire subsurface mineral rights alone (on either private or publicly owned surface), or in combination with surface acquisition of private land. In some case, BLM may only acquire surface estate. Lands or interests in lands may also be acquired through donation. The area of proposed land acquisitions is generally within and adjacent to the John Day Wild and Scenic River corridor and includes approximately 190,122 acres of currently privately owned land. Lands considered for acquisition would be located within the acquisition zone shown in Figure 1 or surrounding upland areas where public ownership would support overall conservation objectives and meet the acquisition criteria listed below for Lands and Realty Objective LR 4 from the JDBRMP.

Acquisition procedures detailed in the BLM Acquisition Handbook (BLM Handbook H-2100-1 – Acquisition, 1/31/02) would be followed. BLM has no authority to make offers over the appraised value for acquisitions purchased with LWCF appropriations unless such settlement is approved in advance by Congress. Appraisal of the offered lands is completed with oversight of the Office of Valuation Services, which is an independent body within the Department of the Interior whose overall mission is to evaluate whether land acquisitions are at market value, as required by law and regulation. BLM may accept donations or partial donations of land or interests in lands. Lands or interests in lands acquired with LWCF appropriations must perpetually remain in federal ownership and would not be available for subsequent disposal or exchange.

The direction for management of newly acquired lands is addressed on pages 129 and 130 of the JDBRMP. The JDBRMP identifies several land use allocations, or areas where specific activities are allowed, restricted, or excluded. JDBRMP objectives and the location of the acquired lands and their inclusion within or adjacent to various existing land use allocations would provide direction for interim management of acquired lands until a site-specific management plan could be completed, if needed.

Direction in the JDBRMP (pages 129-130) for acquired lands includes the following:

- Newly acquired lands would be managed for the highest potential purpose for which they were acquired. For example, lands acquired within or adjacent to special management areas would be managed in conformance with established guidelines for those areas.
- If lands with unique or fragile resource values are acquired, those values would be protected and managed on an interim basis until the next plan amendment or revision is completed.
- Manage newly acquired lands for the purposes for which the area was acquired, or in a manner that is consistent with management objectives for adjacent BLM-administered lands.
- Public access would be provided within BLM legal and administrative potential. However, public access may be either motorized and/or non-motorized.
- Lands acquired without identified special values or management goals would be managed in a manner consistent with management objectives for adjacent or similar BLM-administered lands.

Site-specific project implementation and management direction beyond that provided in the JDBRMP would be deferred until the BLM acquires the land, completes necessary surveys of natural and cultural resources, and prepares a subsequent NEPA analysis for any proposed management actions on the lands to be acquired.

In considering the decision of whether or not to acquire private lands, BLM authorized officers would weigh the public benefits of acquiring the land, as well as the BLM's ability to effectively manage the resource if acquired. Factors that would be considered include potential time and budget considerations of management workload to process the realty actions; location of a potential acquisition in relation to land currently administered by BLM; the importance of natural and/or cultural resources to be conserved; and the amount of public access or recreation value that would be afforded through the acquisition. These factors would be considered in the decision record for site-specific acquisition proposals.

## 2.3 CONFORMANCE

The proposed action is in conformance with JDBRMP because it is specifically provided for in the following land use plan objectives:

- Lands and Realty – Objective LR1: “Create a land base that facilitates attainment of resource and resource use objectives.”
  - Management Action 2: The proposed acquisition area includes all of the parcels specifically identified in Table 9 of the JDBRMP as “lands suitable for acquisition.” These parcels were carried forward from the John Day River Plan.
- Lands and Realty – Objective LR4: “Increase the percentage of public land with public access by 10 percent over the life of the plan.”
  - Management Action 3: When considering private lands that may be suitable to acquire from willing sellers and place in public ownership, prioritize lands that meet one or more of the following criteria:
    - a. Are 640 +/- acres.
    - b. Provide access to major rivers or streams.
    - c. Possess criteria for placement in Zone 1 (lands classified for retention).
    - d. Areas within 0.25 mile of the mainstem John Day River.
    - e. Are within the Blue Mountains Ecoregion.
    - f. Are within a Wilderness Study Area, Area of Critical Environmental Concern, or lands managed to protect wilderness characteristics.
    - g. Connect areas with similar uses, including but not limited to the Sutton Mountain/Pine Creek areas (fish and recreation use).
- Wild and Scenic River – Objective WSR1, Management Action 22: “Continue to consolidate public land ownership patterns through purchase or exchange, acquisition of easements, and through partnership agreements with willing landowners to resolve public access issues and provide access to high value recreation opportunities.”
- Recreation – Objective R3: “Protect and enhance recreation opportunities through acquisition of lands or public access easements.”
  - Management Action 1: Identify public lands where no legal public access exists yet there are important recreational opportunities. When opportunities arise, consider acquisition to provide access and/or create blocks of public lands.
- Travel Management – Objective T2: “Maintain public access while protecting and enhancing river values.”
  - Management Action 2: Continue to consolidate public land ownership patterns through purchase or exchange, acquisition of easements, and through partnership agreements with willing landowners to resolve public access issues and provide access to high value recreation opportunities.

## **3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL EFFECTS**

### **3.1 INTRODUCTION**

This chapter presents the environmental effects to the human environment and natural resources determined by the BLM to be applicable in differentiating between the no action and action alternatives presented in Chapter 2. The Affected Environment subsections of this chapter describe the present conditions and trends of issue-related elements of the human and natural environment that may be affected by implementing the alternatives. They describe past and ongoing actions and conditions that contribute to current resource settings and provide a baseline for analyzing effects. The Direct and Indirect Effects subsections of this chapter address the known and predicted direct and indirect effects from implementation of the alternatives and address the scoping comment issues identified in Chapter 1.

### **3.2 ALTERNATIVE 1: NO ACTION ALTERNATIVE**

Under the no action alternative, the BLM would not pursue acquisitions of lands from willing sellers. Changes to current conditions of the human and natural environment would not result due to BLM actions. Lands would stay under private ownership and be subject to state and local land use planning laws and regulations. Future management of the lands potentially available for acquisition and the resource conditions they contain is unclear. It is not known what other landowners or stewards might acquire the properties or what management direction would be followed. Coordinated resource use and protection opportunities with current or future owners might still be possible, depending on the management goals of all parties.

The no action alternative would not contribute to the purpose and need of increasing public access and consolidating public land ownership. Some isolated parcels of public land would remain inaccessible to the public, or only accessible via the John Day River. Sensitive natural and cultural resource protection would be subject to applicable state and local land use laws and policies. Restoration of fisheries habitat, watershed function and treatment of noxious weeds would likely continue on some private lands. In some cases, this would be in coordination with watershed councils, counties and other agencies or organizations. Current conditions for the various resources, as described below in the Affected Environment subsections, would likely continue in the short term on private land within the acquisition area.

### **3.3 ALTERNATIVE 2: PROPOSED ACTION**

Under the proposed action alternative, BLM acquisition of private lands from willing sellers would result in both beneficial and adverse effects to the human and natural environment. These effects are addressed in the sections below.

#### **3.3.1 SOCIOECONOMICS**

##### **Affected Environment**

The area of proposed land acquisitions is located within five counties: Sherman County, Gilliam County, Wasco County, Wheeler County, and Jefferson County.

Sherman County has a total area of 831 square miles and an estimated population of 1,795 in 2020 (Oregon Secretary of State 2022). Its economy is based mainly on tourism, wind energy, wheat, barley, and cattle (Oregon Secretary of State 2022). The Sherman County Comprehensive

plan noted that cultural, historical, and archaeological sites and areas are a valuable asset that need protection, and there are a number of historical sites within Sherman County, including the Oregon Trail (Sherman County).

Gilliam County has a total area of 1,223 square miles and an estimated population of 1,990 in 2020. Its economy is primarily based on agriculture, recreation, environmental services, wind power generation, waste management, and waste disposal landfills. The largest individual employers in the county are Chemical Waste Management of the Northwest and Oregon Waste Systems. The county has an average farm size of about 4,200 acres, which primarily raise wheat, barley, and beef cattle (Oregon Secretary of State 2022).

Wasco County has a total area of 2,396 square miles and an estimated population of 27,295 in 2020 (Oregon Secretary of State 2022). Its economy relies on agriculture, forest products, manufacturing, electric power, aluminum, and transportation (Oregon Secretary of State 2022). Most of the land is either agricultural or forestry uses, and population is concentrated in the urban area of the City of The Dalles. In 2009, about 15.6 percent of all land included federal, state, county, and city lands, as well as those owned by utilities, school districts, and other, while the rest were held in private ownership (Wasco County Planning and Development Office).

Wheeler County has a total area of 1,715 square miles, and the county had an estimated population of 1,440 in 2020 (Oregon Secretary of State 2022). Its economy relies mainly on livestock and tourism (Oregon Secretary of State 2022). The area is best known for its deposits of prehistoric fossils, as well as its white-water rafting and fishing opportunities due to the John Day River which bisects the county (Wheeler County n.d.).

Jefferson County has a total area of 1,791 square miles, and the county had an estimated population of 24,105 in 2020 (Oregon Secretary of State 2022). The eastern area closest to the John Day River consists mostly of non-irrigated range land, consisting of rolling or low mountainous land; its land use consists mostly of sparsely settled unirrigated land used for dry land wheat farming, grazing, and open space (Jefferson County). Its economy is based mainly on agriculture, forest products, and recreation (Oregon Secretary of State 2022).

The economy in this area relies heavily on agriculture. Table 1 shows the value of agriculture for each county (USDA 2017).



**Table 1. Value of Agriculture**

	<b>Sherman County</b>	<b>Gilliam County</b>	<b>Wasco County</b>	<b>Wheeler County</b>	<b>Jefferson County</b>
Number of Farms	190	153	595	150	397
Market Value of Agricultural Products sold (\$)¹	\$33,798,000	\$26,659,000	\$93,853,000	\$11,103,000	\$67,438,000
Average Market Value of Agricultural Products Sold per Farm (\$)	\$177,883	\$174,239	\$157,736	\$74,021	\$169,868

Note:

¹ Market value of Agricultural Products sold including Landlord's Share, Food Marketing Practices, and Value-Added Products (USDA 2017).

Recreation opportunities along the John Day River support tourism in the area, such as hunting, fishing, sightseeing, horseback riding, white-water rafting, hiking, and camping. An online boating permit is required year-round to boat the John Day Wild and Scenic River between Service Creek and Tumwater Falls. In addition, approximately 3.8 miles of the Oregon National Historic Trail are located in the northern portion of the area of proposed acquisitions, which provides opportunities for historic tourism. Historic downtowns, such as Condon's historic downtown core which is listed on the National Register of Historic Places, also attract historic tourism to the area.

Land use in the area of proposed land acquisitions is mostly grazing, farming, and recreation. Local operators may need to lease the rights to grazing areas and/or agricultural fields. Some land is enrolled in the Conservation Reserve Program, in which farmers agree to remove environmentally sensitive land from agricultural production and plant species that will improve environmental health and quality (USDA 2022).

The county governments collect property taxes from privately owned properties within the respective counties. The amount of property taxes each county collects on residential land, farmland, and grazeland varies across and within each county. For example, according to the Sherman County Assessor's Office, Sherman County collects an average property tax of \$940.95 per farm/rangeland and an average of \$792.87 per residential property. For federally owned properties, including BLM land, the counties receive Payments in Lieu of Taxes (PILT), which are federal payments to local governments that help offset losses in property taxes due to non-taxable federal lands within their boundaries (DOI 2021). Table 2 shows the PILT amount collected by each of the five counties in 2022.

**Table 2. PILT Payments to Counties in Fiscal Year 2022**

	<b>Sherman County</b>	<b>Gilliam County</b>	<b>Wasco County</b>	<b>Wheeler County</b>	<b>Jefferson County</b>
PILT Payments	\$155,809	131,882	\$110,512	\$124,877	\$537,851
Total Acres	53,672	45,757	220,074	297,538	302,373

Source: DOI 2022.

## Direct and Indirect Effects

Under the Proposed Action, the BLM would generally focus acquisition efforts on lands with wildlife habitat and recreational opportunities, rather than residences, grazelands, and farmlands.

Assuming acquired lands have legal public access, such as adjacency to a county road or another accessible public land parcel, the public would generally have access to the acquired lands immediately after acquisition. Exceptions to this could occur if closures are needed for public safety or the protection of sensitive natural or cultural resources. Access may be non-motorized or motorized. A temporary closure of vehicular access could be needed in order for the BLM to assess any safety hazards, natural resource protection needs, or to perform road maintenance prior to allowing motorized public access. Further environmental analysis could be needed in order to determine more specific management direction for an acquired area beyond the more general land use planning direction provided by the JDBRMP. In the long term, public access to the area would likely increase as management direction is completed to allow access to the area for various upland and river recreation activities along the John Day River.

There is a possibility that land acquired by the BLM could have residential housing that is being leased. The BLM would make a concerted effort to work with the owners and renters of the property to provide sufficient notice about land acquisition. Additionally, the BLM could work with local jurisdictions to subdivide a parcel that has a residential structure so that the residents are not significantly impacted. The BLM would consider acquisition of structures for use as employee housing, office space, or storage on a very limited basis. Per BLM policy, square footage of BLM-owned facilities can generally not increase, so acquisition of structures would require removal of equal square footage at an existing BLM facility. Instances of a residence on acquired BLM land would be evaluated on a case-by-case basis.

The area of proposed land acquisitions also includes land currently in agricultural production. The acquisition criteria in the JDBRMP do not prioritize the acquisition of lands that have been highly altered from natural condition, such as agricultural lands. However, some agricultural lands that are within river corridors or adjacent to other special management areas or important wildlife habitat could be acquired. BLM would restore any acquired agricultural lands to native vegetation and take those lands out of production. This could impact the local economies of those communities since agriculture is a major driver of the county economies, as described in the Affected Environment section above. Acquired land would no longer be used for farming and food production, which would impact the amount of revenue gained through these activities. Additionally, removing land from agricultural production could impact neighboring farms that utilize collaborative farming techniques, such as equipment sharing, land renting, custom work, and irrigation system development (Center for Agriculture and Food Systems n.d.). Instances of converting agricultural land to public land and the specific economic impacts would be evaluated on a case-by-case basis as the BLM acquires properties being used for agricultural production.

In general, parks (public lands) and open spaces contribute to increases in property values, with proximity, size, degree of protection, and heterogeneity of the parks and open space contributing to the changes in property values (Crompton and Nicholls 2020). Property values are generally higher when in close proximity to a park or recreational area because of the services the parks provide, such as walking access, esthetics, and improved air quality. A study done in Portland,

Multnomah County, Oregon, found that property values are largest when the home is one-third mile away from the park and slightly decline as the home gets closer to the park, which suggests that unwanted noise or potentially increased criminal activity may be associated with being closer to parks (Kovacs 2012). However, higher property values are often associated with proximity to “permanent” open space which are protected by government ownership (Crompton and Nicholls 2020). Though acquisition of land by BLM is expected to generally increase property values, individual property values would need to be assessed on a case-by-case basis.

Sherman County, Gilliam County, Wasco County, Wheeler County, and Jefferson County would no longer collect property taxes on lands that are acquired by the BLM, which would decrease taxes. Property values vary across and within the different counties, and therefore the property taxes collected for property within the area of proposed acquisitions would vary. Instead, the counties would collect additional PILT since the amount of federal land would increase in the counties. This would be used to calculate the PILT the county could receive from acquisition of these lands. To calculate the additional PILT payments each county would receive, a formula would be used based on population, revenue-sharing payments, and the total amount of federal land within the affected county (DOI 2021).

There are many factors that go into the calculation of PILT payments, making it difficult to make generalizations about whether PILT payments would exceed the amount of property tax received by a county. PILT rates vary annually based on the federal budget and inflation considerations. Over the last several years an acre of federal land contributed the standard rate toward PILT payments in Sherman, Gilliam, Wasco, and Jefferson counties. The standard rate was between \$2.71 and \$2.94 per acre over the last five years. Due to the population ceiling and high revenue-sharing payments in Wheeler County, the lower minimum provision rate was used. The minimum provision rate was between \$0.38 and \$0.42 per acre over the last five years. Therefore, if the PILT rate (either standard or minimum, depending on the county) is higher than the property tax rate for a specific parcel, then PILT would offset or exceed property tax revenue. This would vary depending on the land value.

The acquisition of land would promote additional recreational opportunities and tourism to the area. With the increase of recreational opportunities, local businesses along the travel routes leading up to the acquired land would benefit from increased sales of goods and services. Traffic-exposure oriented establishments, such as convenience stores and gas stations, would benefit from the increased visibility as visitors or tourists travel through the area. Restaurants and other service providers would also benefit as more people are attracted to the area. Additional spending in the area due to tourism would benefit the local economy.

Increased travel to and from the area would impact roadways providing access to the acquired land. Local roads experiencing additional traffic could create increased maintenance costs for the county and local jurisdictions (see the Roads and Access section for more details). Additional traffic could also impact the sense of place within rural areas, which do not experience heavy traffic flow. Acquired lands that experience increased visitor use could also experience potential increases in vandalism, loitering, and littering, which could put more pressure on local public services (such as fire, medical, and law enforcement). However, road maintenance costs,

increased need for public services, and other costs incurred to the property could be offset by the additional PILT payments, and revenue gained from recreation and tourism spending.

Fire protection and suppression on acquired lands would become the responsibility of the BLM. An increase in fire risk and fire frequency would likely result from public access to newly acquired lands. This would likely result in an increased workload for local fire departments and other first responders who would assist under the state's mutual aid agreements, as often these resources have a shorter response time than BLM fire resources. Following acquisition, the BLM would work with cooperating partner agencies to determine if any type of financial or protection agreements are needed to address potential increased response workloads on BLM lands. Existing public use restrictions, such as campfire restrictions along the John Day River corridor from June 1 to October 15 would apply to lands acquired along the river. New or modified public use restrictions could be developed after acquisition if necessary for wildfire mitigation.

The area of proposed land acquisitions also has wind energy potential. In Oregon, wind power makes up 11.6 percent of Oregon's electricity generation and 4.69 percent of Oregon's energy consumption; onshore wind is the state's second-largest zero carbon-emitting electricity resource after hydropower (State of Oregon n.d.). Currently, there are wind farms in the northeast section of Sherman County, which serves as an additional economic driver. Klondike Wind Farm, which is 4 miles southwest of Wasco, and Biglow Canyon Wind Farm, to the north of Wasco, supply clean, renewable electricity to Portland General Electric, Bonneville Power Administration, Eugene Water & General Electric Board, and other power companies regionwide (Sherman County n.d.). There is potential for future development of wind farms on acquired BLM lands. Applications for wind energy projects can be processed and authorized as a right-of-way under Title V of the Federal Land Policy and Management Act of 1976, as amended, and the Code of Federal Regulations Title 43, Part 2800. Proposed rights-of-way would need to be in conformance with the JDBRMP. Several areas are closed to renewable energy facilities, including Wilderness, Wilderness Study Areas, Areas of Critical Environmental Concern, and areas visible from the John Day River from the Columbia through Picture Gorge in Sherman, Gilliam, Jefferson, Wheeler, and Wasco counties (JDBRMP pages 111-112). Visual management objectives would also need to be met.

Currently BLM does not manage the mineral estate at 65 percent (111,556 acres) of private land in the acquisition zone. In contrast, BLM manages federal mineral estate at 35 percent (59,502 acres) of the private land in the acquisition zone. Also, of the BLM managed lands in the acquisition zone, 13 percent (22,871 acres) do not contain federal mineral estate. Through acquisition actions, BLM could acquire from willing sellers the mineral estate where it already manages the surface, or the surface, or minerals and surface estate where it presently does not manage either. The BLM categorizes minerals as locatable, leasable, or salable. Locatable minerals are minerals for which mining claims can be located under the 1872 mining laws, as amended. These include precious and base metals and some non-metallic minerals. Salable minerals include common variety mineral materials such as sand, gravel, rock, and cinders. Leasable minerals include oil, gas, geothermal, coal, oil shale, and non-energy leasable minerals. Except for mineral materials, acquired lands would be subject to mineral leasing. This means locatable minerals under the Mining Law are leasable minerals on acquired lands. Where BLM acquires the mineral estate, mineral materials and leasable minerals would potentially be

available for leasing and use in conformance with the JDBRMP and applicable regulations. BLM would receive revenues from mineral materials sold under contracts, and from the leasing and development of leasable minerals. No revenue is received from mineral material operations conducted by state, county, and federal agencies under free use permits. Use of minerals on acquired lands would need to be in conformance with the JDBRMP, and any special covenants in the deed relating to leasing and permitting. Several areas closed to mineral material and leasable mineral use, or where no surface occupancy is allowed for leasable minerals, include wilderness areas, wilderness study areas, Areas of Critical Environmental Concern, and areas visible from the John Day River from the Columbia through Picture Gorge in Sherman, Gilliam, Jefferson, Wheeler, and Wasco counties (JDBRMP pages 111-115).

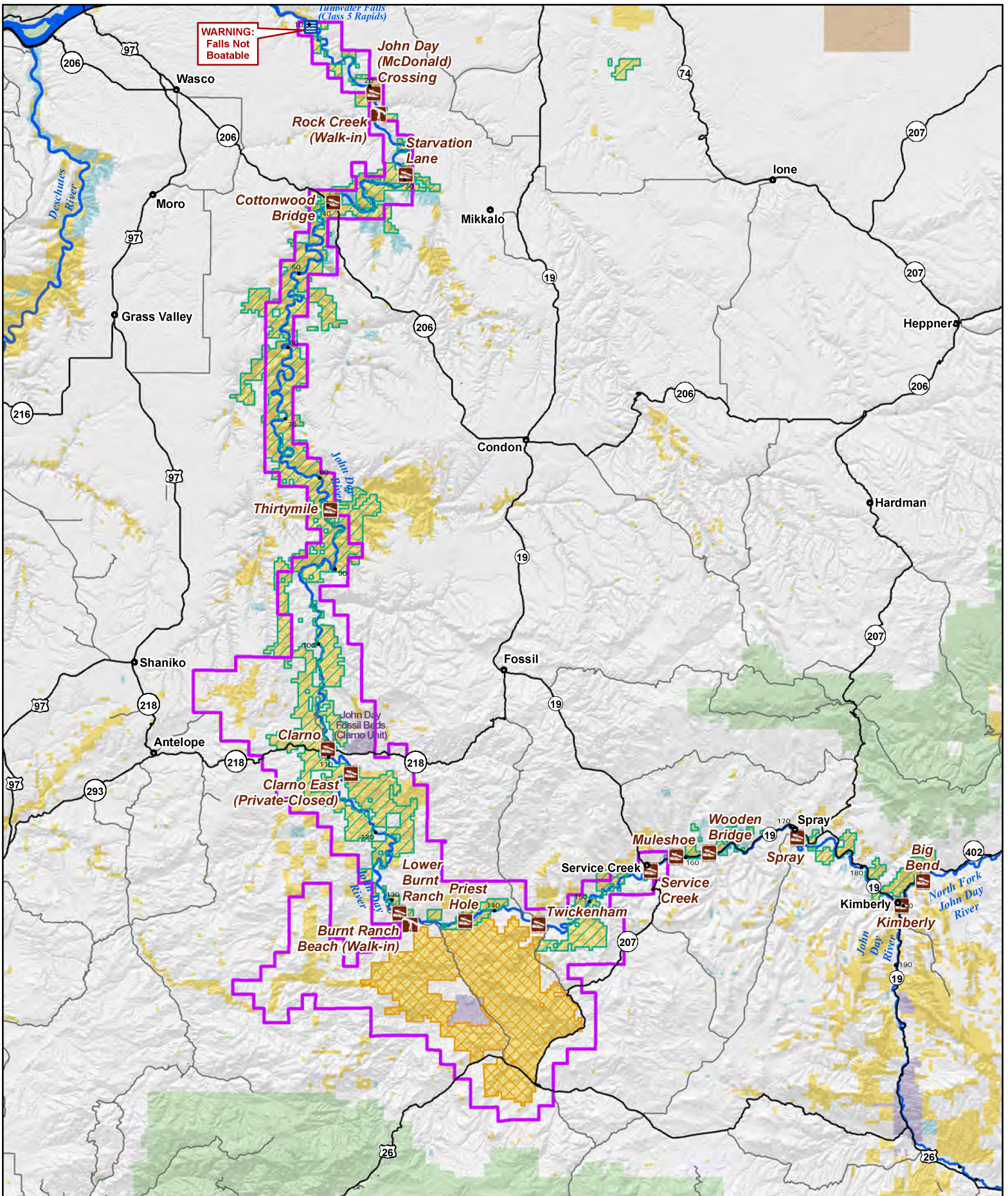
### **3.3.2 RECREATION AND VISUAL RESOURCES**

#### **Affected Environment**

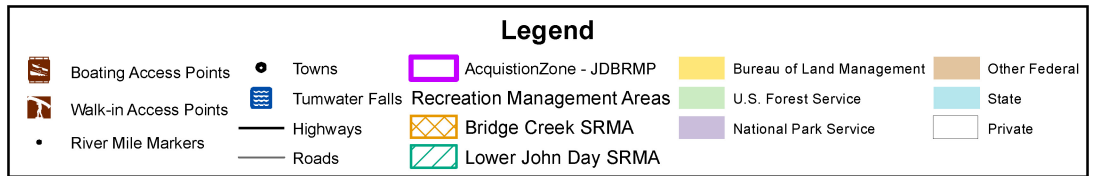
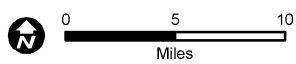
The lands proposed for acquisition along the John Day River and adjacent uplands present opportunities for a broad range of recreational activities including non-motorized and motorized boating, fishing, hunting, wildlife viewing, hiking, and nature study. There are several land management designations in the area of potential acquisitions that emphasize various recreation pursuits (Figure 2). These are summarized in Table 3.

**Table 3. Land Management Designations and Recreation Emphasis**

Land Management Designation	Recreation Management Emphasis
John Day River Special Recreation Management Area (Includes the John Day Wild and Scenic River)	Non-motorized boating Seasonal motorized boating Fishing Camping Big game and waterfowl hunting Hiking
Bridge Creek Special Recreation Management Area	Hiking Horseback riding Big game hunting Photography Rock and fossil study
Spring Basin Wilderness Wilderness Study Areas: Lower John Day, North Pole Ridge, Thirtymile, Pat’s Cabin and Sutton Mountain	Hiking Primitive camping Opportunities for solitude and primitive and unconfined types of recreation in natural setting



**Figure 2. Recreation Areas and Access, Lower John Day River Basin**



The BLM manages boating use on the John Day River main stem and requires boaters to obtain a launch permit year-round for trips on the river from Service Creek to Tumwater Falls. A limited entry permit system controls the number of boating group launches during the high use season, which is currently from May 1 to July 15 from Service Creek to Tumwater Falls and from September 1 to November 30 from Cottonwood Bridge to Tumwater Falls. This limited entry system is designed to meet desired resource conditions and visitor experience goals and is generally based on the capacity of river-side campsites on public lands. The area of proposed acquisitions surrounds three management “segments” of the main stem of the John Day River. These include the following:

- Segment 1: Cottonwood Bridge to Tumwater Falls
- Segment 2: Clarno to Cottonwood Bridge
- Segment 3: Service Creek to Clarno

Each of these segments has unique management actions to achieve desired resource and visitor experience conditions including the number of authorized launches, seasons for non-motorized and motorized boating use, and requirements for the proper collection and disposal of human waste. The boating launch limits are driven by the number of suitable campsites within the 15 miles downstream of primary launches (BLM 2010). Although there is a ceiling to the number of launches that can be added to the limited entry permit system, land acquisition would likely increase the quality and number of suitable campsites along the John Day Wild and Scenic River.

There are currently a number of primitive camping areas and launches that are publicly accessed by vehicle within the Wild and Scenic River Corridor (Figure 2). The JDBRMP directs the BLM to improve or upgrade existing facilities or replace those that are permanently closed, but it discourages development of additional recreation sites within the Wild and Scenic River Corridor (BLM 2015). Land Acquisition could allow the BLM to replace mediocre and less-used recreation sites with those that provide a higher quality recreational experience.

Portions of the uplands in the proposed acquisition area are enrolled in the Oregon Department of Fish and Wildlife Upland Cooperative Access Program. The Upland Cooperative Access Program is an incentive-based program designed to provide public hunting opportunities for upland game birds on private lands in the Columbia Basin.

The BLM does not manage visual resources on private property. Within the Wild and Scenic River Corridor, the BLM has established Visual Resource Management (VRM) classifications for each river segment. Within the area of proposed land acquisitions, most of segment 2 is managed as VRM Class I (provides for natural ecological changes; the level of change to the characteristic landscape should be very low and not attract attention) and the majority of segments 1 and 3 are managed as VRM Class II (management activities may be seen but should not attract the attention of the casual observer). Wilderness and wilderness study areas are managed as VRM Class I.



The entire reach of the John Day River adjacent to the proposed acquisition area is designated by the State of Oregon as an Oregon Scenic Waterway, with a management goal to preserve and protect the primitive, undeveloped character of the river corridor. Written notification and approval are required from the Oregon Parks and Recreation Department for certain activities proposed on private or public land within a quarter mile of the bank of the Scenic Waterway.

### **Direct and Indirect Effects**

Under the Proposed Action, management of the proposed acquisition lands would be directed by the JDBRMP. Lands acquired within a SRMA would be managed consistent with the prescribed recreation setting of adjacent BLM lands until such time as a Resource Management Plan amendment is completed. Recreation settings on BLM land within the acquisition area are mostly primitive, back country or middle country, with a small portion of front country near the town of Mitchell. Specifically, lands acquired within or adjacent to the John Day Wild and Scenic River Corridor and the John Day River SRMA would be managed to provide water-based activities identified in Table 3 in the river zone and hunting, hiking, and photography in the upland zone. The John Day River launch permit system would continue and would help to control over-use and crowding of acquired lands in the river corridor. Lands acquired adjacent to the river could potentially provide more and higher quality options for boat-in camping sites. Human waste collection and disposal rules would continue within the Wild and Scenic River Corridor. Lands acquired within or adjacent to the Bridge Creek SRMA and the Spring Basin Wilderness would be managed to provide the recreation activities identified in Table 3. Site-specific NEPA could be required following acquisition to determine if recreation improvements such as toilets or parking are needed to accommodate increased recreation use.

Vehicular access to acquired lands would be determined at a later date following a thorough examination of the access road and completion of maintenance to ensure the road is safe for public use. Use of existing boat launches would remain subject to the limited entry permit system of the John Day River, as directed by the JDBRMP. Use of boat launches could be delayed until safe road access is ensured, and a management plan is in place to guide management of recreation in the area. In the long term, access to the area would likely increase as management direction is completed to allow access to the area for various river-related and upland recreation activities.

Maintaining and enhancing visual resources on the acquired lands would likely be given greater long-term emphasis under BLM management than if the lands remain in private ownership. Following acquisition, visual resources would be managed according to the BLM's VRM system designed to minimize the impacts of surface-disturbing activities on visual resources and maintain the scenic value of BLM lands for the future. The BLM would identify scenic values through a Visual Resource Inventory and designate VRM classes and objectives through a management planning process.

Lands acquired within the boundaries of special management areas, such as wild and scenic rivers, wilderness areas, and wilderness study areas would be managed per the objectives in the JDBRMP for protection of Outstandingly Remarkable Values (for wild and scenic rivers) and wilderness characteristics. Lands acquired contiguous to special management areas would be inventoried for eligibility consistent with the direction for those special management areas.

Acquisition of these lands and management to maintain and enhance these values would likely be given greater long-term emphasis than if the lands remain in private ownership. This would provide more opportunity for related recreation experiences in the acquisition area.

### **3.3.3 CULTURAL AND HISTORIC RESOURCES**

#### **Affected Environment**

The Lower John Day River watershed is located in the Columbia Plateau, a physiographic region and a major cultural area in North American archaeology. The area has been inhabited by Native American groups for thousands of years or since time immemorial. Native American groups lived in riverine settlements, relied on extensive anadromous fish populations, and practiced big- and small-game hunting and root collection in the uplands of the John Day watershed (Shine 2019; DOI 2017).

The first documented contact between Native and Euro-American groups in the region took place in the early nineteenth century when Meriwether Lewis and William Clark explored the area (DOI 2017; Shine 2019). In the mid-nineteenth century, the Oregon Trail crossed the region. The approximate route of the Oregon Trail extends east-west through the northern portion of the project area near McDonald's Crossing (NPS 2022).

Based on a records search in the Oregon Archaeological Records Remote Access (OARRA) database, archaeological survey and site recordation has been conducted throughout portions of the project area since the 1930s. Archaeological work has ranged from large cultural resource inventories to smaller cultural resource investigations within specific locales. Large inventories include Polk (1976) and Clark and Matz (1988), who reported on cultural resource surveys of the John Day River Canyon for the BLM. The John Day Historic Properties Management Plan was updated for the Army Corps of Engineers Portland District in 2013 and includes approximately 10.75 river miles of the Lower John Day River to its confluence with the Columbia River (Solimano et al 2013).

A section of the Oregon Trail is located within the project area. OARRA does not indicate any sites or districts associated with the trail segment, and no cultural resource surveys of the segment have been conducted. Portions of the Oregon Trail outside of the project area are listed in the National Register of Historic Places. The Old Oregon Trail Monument is located near where Sections 2, 3, 10, and 11 of Township 1 North Range 19 East meet (USGS 1964).

Documented archaeological sites within the project area include prehistoric, historic, and multicomponent sites. Prehistoric villages, rockshelters, rock alignments, and rock art sites exist in the lower John Day River Valley. Historic sites are located throughout the project area and include cabins, homestead sites, and surface scatters, and a higher concentration of historic sites has been recorded in the southern portion of the project area. The majority of the documented archaeological sites within the project area are unevaluated for the National Register of Historic Places.

Other than documented sites, cultural resources on the landscape remain largely unknown. For example, OARRA provides "tickler" records showing the approximate location of cultural

resources that have not been formally documented, a number of which exist throughout the project area.

### **Direct and Indirect Effects**

Under the proposed action, the BLM would acquire lands and access to properties that could contain cultural and historic resources. Acquired lands would be managed in accordance with direction outlined in the JDBRMP; the National Historic Preservation Act as amended ; the 8100 Manual of the BLM (Managing Cultural Resources); the 8140 Manual of the BLM (Protecting Cultural Resources); the National Programmatic Agreement among the BLM, the Advisory Council on Historic Preservation , and the National Conference of State Historic Preservation Officers ; and the State Protocol between the Oregon-Washington State Director of the BLM and the Oregon State Historic Preservation Officer. Each plan, law, programmatic agreement, and protocol require the BLM to identify historic properties through cultural resource research, inventory and survey, identification, and documentation; evaluate resources to determine significant properties; and analyze potential effects on historic properties from project undertakings. In addition, through consultation with affiliated tribes, Oregon State Historic Preservation Officer, and the Advisory Council on Historic Preservation, the BLM would be required to seek ways to avoid, minimize, and/or mitigate adverse effects to cultural resources.

The Archaeological Resource Protection Act (ARPA) prohibits unauthorized excavation, removal, damage, alteration, or defacement of cultural resources. It also prohibits the sale, purchase, exchange, or transport of cultural resource items. Excavation on BLM managed lands requires an ARPA permit from the Deputy Preservation Officer. The Native American Graves Protection and Repatriation Act encourages the *in situ* preservation of funerary objects and remains. In addition, the law stipulates that illegal trafficking in human remains and cultural items may result in criminal penalties.

The addition of the project area would provide insight into settlement and land use patterns within the John Day watershed. Land acquisitions by the BLM would allow for future study and also provide access to affiliated tribes to exercise treaty rights and practice traditional religious and gathering practices. The area would also see increased use in the form of public access through fishing, hunting, hiking, and road access in some areas. A long-term management plan would be beneficial for the protection and interpretation of cultural resources in the newly acquired lands.

### **3.3.4 FISHERIES**

#### **Affected Environment**

The proposed acquisition area contains the main stem of the John Day River and multiple tributaries that are critical habitat for Mid-Columbia River summer steelhead (*Oncorhynchus mykiss*), a federally threatened species (NOAA 2022, NOAA 2009). Additionally, the project area comprises critical habitat for bull trout (*Salvelinus confluentus*), a federally threatened species (USFWS 2022a). Inland Columbia Basin redband trout (*Oncorhynchus mykiss gairdneri*), westslope cutthroat trout (*Oncorhynchus clarkii lewisi*), and Pacific Lamprey (*Lampetra tridentata*) are state-listed sensitive species that are known to occur in the John Day River (BLM 2021).

Important tributaries of the John Day River in the area are listed in Table 4.

**Table 4. John Day River Tributaries with Critical Habitat**

Tributary Name	Location	Critical Habitat Species
Thirtymile Creek	Gilliam County	Mid-Columbia Summer Steelhead; Bull Trout
Grass Valley Canyon Creek	Sherman County	Mid-Columbia Summer Steelhead; Bull Trout
Butte Creek	Gilliam/Wheeler Counties	Mid-Columbia Summer Steelhead; Bull Trout
Rock Creek	Gilliam County	Mid-Columbia Summer Steelhead; Bull Trout

Source: NOAA 2009; USFWS 2022a; USFWS 2002

The John Day River Basin is migratory steelhead habitat for both adults and smolts. The proposed acquisition area is spawning and rearing habitat for adults and parr (young steelhead feeding in freshwater). As with most salmonid species, steelhead are sensitive to a range of water quality parameters, which must be met to ensure successful spawning and juvenile rearing. Of these parameters, water temperature is of particular concern in the John Day Basin. Per National Marine Fisheries Service standards, water temperatures should remain between 50 and 57° Fahrenheit (F) for steelhead spawning and rearing habitat to be considered “properly functioning” (NMFS 1996). When water temperatures exceed maximum thresholds of 60° F in spawning areas and 64° F in adult migration and juvenile rearing locations, the habitat is considered “not properly functioning.” These temperatures are exceeded every year in sections of the mainstem John Day River and many of its tributaries, resulting in these areas being seasonally devoid of steelhead/redband trout and other salmonid species. The tributaries within the acquisition area provide a critical source of cold water to the Lower John Day River, and are thus vital to the health of steelhead spawning and rearing habitat in the Basin. This importance will only grow as the effects of global climate change become more pronounced over time (Mote et al. 2003; Isaak and Young 2017).

The main stem John Day River is also a Spring Chinook migration corridor to the upper John Day River Basin where spawning and rearing occur (ODFW 1986). Smallmouth bass (*Micropterus dolomieu*) and channel catfish (*Ictalurus punctatus*) fisheries provide popular recreational angling opportunities throughout the proposed acquisition area (ODFW 2022). The bass fisheries in the John Day River Basin are prized as being the best in the world, attracting anglers from across the country. However, these species are considered invasive to the system and are likely harmful to native salmonoids and other native fish species.

Sturgeon, chinook, steelhead, trout, and bass are common sportfishing species in the John Day River and its tributaries. The open season for fishing these species is typically from March to November with some restrictions for steelhead and chinook based on spawning (ODFW 2022).

Several aquatic invasive species inhabit the John Day River such as the smallmouth bass, channel catfish, rusty crayfish (*Orconectes rusticus*), bull frog (*Lithobates catesbeianus*), and common carp (*Cyprinus carpio*) (USGS 2011; ODFW n.d.). These species interrupt the natural ecosystem of the river basin by competing with native species, consuming available food and nutrients, consuming the young of native species, and negatively impacting infrastructure (e.g., boats and docks).

### **Direct and Indirect Effects**

Fisheries management on acquired lands would be directed by the JDBRMP in accordance with the Endangered Species Act and relevant State of Oregon regulations. The JDBRMP provides an Aquatic Conservation Strategy that specifically directs the BLM to contribute to cooperative efforts for the restoration of federally listed fish populations (BLM 2015). These efforts would benefit overall fisheries management in the Lower John Day River Basin.

Under the Aquatic Conservation Strategy, streams listed as critical habitat would be managed in a manner that protects the species and improved habitat. Consolidation of federal lands would provide the opportunity for consistent management of significant river and stream reaches that would contribute to overall restoration goals. Following acquisition of lands, BLM fisheries biologists and hydrologists would survey stream reaches and identify priority areas for restoration. Implementation of any subsequent site-specific development actions would require appropriate consultation with National Marine Fisheries Service per the Endangered Species Act.

The BLM would manage water rights associated with acquired lands. In accordance with direction from the JDBRMP (2015), water rights for irrigation or other purposes would be returned to instream uses once they are not needed to meet native vegetation restoration objectives. This would have a beneficial effect on fisheries by increasing and helping to seasonally restore instream flows.

### **3.3.5 WILDLIFE**

#### **Affected Environment**

The John Day Basin contains a rich wildlife population. Wildlife within the basin utilize habitats that range from marshes and bogs to dry shrub and grasslands. The proposed acquisition area lies within two ecoregions: Level III Ecoregion Columbia Plateau (Level IV Deschutes/John Day Canyons) and Ecoregion Blue Mountains (Level IV John Day/Clarno Uplands) (EPA n.d.). Approximately 44 species of fish and over 200 species of birds utilized the Columbia Plateau either seasonally or year-round (USGS 2022). There are 378 terrestrial species that inhabit the Blue Mountains Ecoregion, and 51 of these species migrate through or are occasional visitors in the John Day Basin (Thomas 1979).

Five species of wildlife are classified as threatened, endangered, or proposed and may be found on or adjacent to lands managed by the BLM's Prineville District. There are 48 BLM sensitive species with a likelihood to occur in the acquisition area (BLM 2021). Sensitive species are defined by having small or declining populations and/or are of management concern. Additionally, there are nine migratory birds with the potential to occur within the acquisition area (USFWS 2022b). The status of species with the potential to occur in the project area are listed in Table 5. Because the proposed acquisition lands are not currently BLM managed lands and surveys have not been conducted, the likelihood (low, medium, or high) for a species to occur was completed subjectively utilizing the JDBRMP and the USFWS Information for Planning and Consultation as resources.

**Table 5. Protected Wildlife Species in the Lower John Day Basin**

Common Name	Scientific Name	Status	Likelihood to Occur in Project Areas <sup>1</sup>
<b>Federally Threatened, Endangered, and Candidate Species</b>			
Canada Lynx	<i>Lynx canadensis</i>	Threatened	Low
Gray Wolf	<i>Canis lupus</i>	Endangered	Low
Monarch Butterfly	<i>Danaus plexippus</i>	Candidate	Medium
Oregon spotted frog	<i>Rana pretiosa</i>	Threatened	Medium
Yellow-billed Cuckoo	<i>Coccyzus americanus</i>	Threatened	Medium
<b>Sensitive Species</b>			
American white pelican	<i>Pelecanus erythrorhynchos</i>	SEN	Low
Bald Eagle	<i>Haliaeetus leucocephalus</i>	BCC, SEN	High
Bighorn sheep	<i>Ovis canadensis</i>	SEN	High
Black swift	<i>Cypseloides niger</i>	SEN	Low
Bobolink	<i>Dolichonyx oryzivorus</i>	SEN	Low
Bufflehead	<i>Bucephala albeola</i>	SEN	Medium
Burrowing owl	<i>Athene cunicularia</i>	SEN	Medium
Columbia Gorge oregonian	<i>Cryptomastix hendersoni</i>	SEN	Medium
Columbia spotted frog	<i>Rana luteiventris</i>	SEN	Low
Cooper's hawk	<i>Accipiter cooperii</i>	SEN	Medium
Cope's giant salamander	<i>Dicamptodon copei</i>	SEN	Low
Coronis fritillary	<i>Speyeria coronis</i>	SEN	Low
Dalles hesperian	<i>Vespericola depressus</i>	SEN	High
Dalles mountainsnail	<i>Oreohelix variabilis</i>	SEN	Medium
Flammulated owl	<i>Psiloscops flammeolus</i>	SEN	Low
Ferruginous Hawk	<i>Buteo regalis</i>	SEN	Medium
Franklin's gull	<i>Leucophaeus pipixcan</i>	SEN	Low
Fringed myotis	<i>Myotis thysanodes</i>	SEN	Low
Grasshopper sparrow	<i>Ammodramus savannarum</i>	SEN	Medium
Great gray owl	<i>Strix nebulosa</i>	SEN	Low
Greater sage-grouse	<i>Centrocercus urophasianus</i>	SEN	Low
Horned grebe	<i>Podiceps auritus</i>	SEN	Low
Intermountain sulphur	<i>Colias occidentalis pseudochristina</i>	SEN	Low
Lewis's woodpecker	<i>Melanerpes lewis</i>	BCC, SEN	Medium
Long-billed curlew	<i>Numenius americanus</i>	SEN	Medium
Morrisoni bumblebee	<i>Bombus morrisoni</i>	SEN	High
Northern goshawk	<i>Accipiter gentilis</i>	SEN	High
Northern waterthrush	<i>Parkesia noveboracensis</i>	SEN	Low
Osprey	<i>Pandion haliaetus</i>	SEN	High

Common Name	Scientific Name	Status	Likelihood to Occur in Project Areas <sup>1</sup>
Pallid bat	<i>Antrozous pallidus</i>	SEN	Low
Peregrine falcon	<i>Falco peregrinus</i>	SEN	Low
Prairie falcon	<i>Falco mexicanus</i>	SEN	Low
Pygmy rabbit	<i>Brachylagus idahoensis</i>	SEN	Medium
Red-tailed hawk	<i>Buteo jamaicensis</i>	SEN	Medium
Shiny tightcoil	<i>Pristiloma wascoense</i>	SEN	High
Silver-bordered fritillary	<i>Boloria selene</i>	SEN	High
Sharp-shinned hawk	<i>Accipiter striatus</i>	SEN	High
Spotted bat	<i>Euderma maculatum</i>	SEN	Low
Sullivan's sulphur	<i>Colias occidentalis sullivanii</i>	SEN	Low
Swainson's hawk	<i>Buteo swainsoni</i>	SEN	Medium
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	SEN	High
Tricolored blackbird	<i>Agelaius tricolor</i>	SEN	Medium
Trumpeter swan	<i>Cygnus buccinator</i>	SEN	Low
Upland sandpiper	<i>Bartramia longicauda</i>	SEN	Low
Washington ground squirrel	<i>Uroditellus washingtoni</i>	SEN	High
Western bumblebee	<i>Bombus occidentalis</i>	SEN	Low
White-headed woodpecker	<i>Picoides albolarvatus</i>	SEN	High
White-tailed jackrabbit	<i>Lepus townsendii</i>	SEN	High
Wolverine	<i>Gulo gulo</i>	SEN	Low
Yellow rail	<i>Coturnicops noveboracensis</i>	SEN	Low
Yuma skipper	<i>Ochlodes yuma</i>	SEN	Low
Migratory birds			
Cassin's Finch	<i>Carpodacus cassinii</i>	BCC	Medium
Evening Grosbeak	<i>Coccothraustes vespertinus</i>	BCC	Medium
Golden Eagle	<i>Aquila chrysaetos</i>	BCC	High
Lesser Yellowlegs	<i>Tringa flavipes</i>	BCC	High
Long-eared Owl	<i>Asio otus</i>	BCC	High
Rufous Hummingbird	<i>Selasphorus rufus</i>	BCC	High
Sage Thrasher	<i>Oreoscoptes montanus</i>	BCC	High

Source: USFWS 2022b, BLM 2015

Key:

BCC: USFWS Birds of Conservation Concern

SEN: Sensitive species in Oregon

Note: <sup>1</sup> Likelihood to occur within the Project Areas is a subjective classification based on a review of habitat requirements. A biological field survey, which would include a habitat assessment component, would confirm the presence or absence and quality of species suitable habitat.

The John Day River main stem and some tributaries provide bald eagle winter roosting habitat, potential peregrine falcon eyrie habitat, California bighorn sheep habitat, and migratory bird habitats. Of the 68 species listed above in Table 5, 41 (approximately 60 percent) are either directly dependent on riverine/riparian zones or use them more than other habitats. Consequently, these riparian areas are the most important wildlife habitats in the John Day River Basin.

Migratory birds breed and raise young within the project area in spring and summer then migrate south to areas in Mexico and South America during fall and winter. These birds range from small sparrows and warblers to large woodpeckers and raptors. All habitat types are utilized with riparian areas having the highest proportion of use.

### **Direct and Indirect Effects**

BLM acquisition of private lands would provide for habitat to be actively managed and enhanced for wildlife species present in the project area according to the JDBRMP. With the ability to access acquired lands, BLM surveys would be conducted to better document which species are present and would establish specific wildlife protection management actions. The JDBRMP includes management direction for big horn sheep, golden eagles, and deer that would be implemented in the interim until a management plan is completed. Per the JDBRMP, a seasonal motorized vehicle use closure would be in place for portions of the acquisition area that provide winter range habitat from December 1 to April 15 to help protect species during breeding. For example, deer and elk winter range closure would be implemented keeping harassment down during a time when forage is less available and has less nutritional value, while limiting harassment from vehicles. Acquiring lands would also provide for a larger area of consistent management and connected habitat for species. This would be beneficial because winter range closures, lambing areas, golden eagle protections, and other sensitive species would be managed similarly at a larger scale increasing habitat value and security for species.

Following an acquisition, the public would immediately gain pedestrian access into the area from adjacent uplands or the river corridor. Vehicular access would likely occur in some areas in the future, along with an increase in recreation use. Recreation is a short-term disturbance that could result in wildlife flush or use of different areas such as adjacent private properties. A long-term management plan would consider these impacts and help mitigate these effects. In the short term the JDBRMP seasonal recreation and access restrictions for wildlife would be in place helping to mitigate these impacts.

Noxious weeds would be treated, and other restoration projects would occur and overall habitat value for wildlife species is expected to increase with BLM management. Over the long term, habitat value is expected to increase as the ecological health of the acquired land increases. The proposed acquisition and interim management per the JDBRMP may impact individual animals or habitat through increased visitor access and use but will not likely contribute toward federal listing of species or cause a loss of viability to the population.



### 3.3.6 VEGETATION AND NOXIOUS WEEDS

#### Affected Environment

The Lower John Day River Basin contains a wide variety of vegetative regimes, including riparian areas along the John Day River, upland dry shrub habitat and isolated forested areas. Important vegetation species include western juniper (*Juniperus occidentalis*), ponderosa pine (*Pinus ponderosa*), hackberry (*Celtis occidentalis*), bitterbrush (*Purshia tridentata*), big sagebrush (*Artemisia tridentata*), rabbitbrush (*Chrysothamnus spp*), Great Basin wild rye (*Leymus cinereus*), and bluebunch wheatgrass (*Pseudoroegneria spicata*) (OPLI 2022).

The area experiences regular wildfire and as a result, infestations of invasive species have established and spread. Two invasive annual grass species, the noxious weed medusahead rye (*Taeniatherum caput-medusae*), and the invasive non-native cheatgrass (*Bromus tectorum*), have been observed in the area though not extensively mapped. A variety of broadleaf noxious weed species have been recorded within the area, especially along the roadways, since 2006: Canada thistle (*Cirsium arvense*), Dalmatian toadflax (*Linaria dalmatica*), diffuse knapweed (*Centaurea diffusa*), poison hemlock (*Conium maculatum*) and Scotch thistle (*Onopordum acanthium*). These species are B-listed by the Oregon Department of Agriculture (ODA 2020), identifying them as regionally abundant and recommended for control.

#### Direct and Indirect Effects

The acquisition of lands by the BLM would increase the amount of publicly managed vegetation. BLM management of the acquired lands would include restoration efforts such as noxious weed control and the replanting of disturbed areas or areas previously in agricultural production with native vegetation. Vegetation management guidance would be directed by the JDBRMP. The BLM would utilize noxious weed management, including mechanical control, herbicide applications, and hand pulling to prevent colonization of noxious weeds. Additionally, native bunchgrass communities would be restored through seeding and treatment of non-native weeds.

Within the proposed acquisition area there are two documented BLM Species Status plant species, the Variable hot-rock penstemon (*Penstemon deustus var. variabilis*) and Arrow-leaf thelypody (*Thelypodium eucosmum*). There are three documented populations of Variable hot-rock penstemon and 23 documented populations of Arrow-leaf thelypody on BLM-administered lands within the proposed acquisition area. Additional undocumented populations of each species may occur on future lands acquired in the Lower John Day Basin. Additional Special Status plant populations would be protected per the JDBRMP.

### 3.3.7 RANGELAND MANAGEMENT

#### Affected Environment

The Lower John Day River Basin has a long history of grazing. Currently there are 71 grazing allotments totaling approximately 370,000 acres within the area of proposed acquisitions (Table 6 and Figure 3). These grazing allotments are managed according to the JDBRMP. Per the grazing regulations (43 CFR 4180) the BLM uses Rangeland Health Standards and Guidelines to assess rangeland health, maintain currently healthy rangelands, and take appropriate actions to restore healthy conditions to those areas that are not functioning properly. Rangelands need to meet or make significant progress toward meeting the standards for rangeland health and

conform to the guidelines for livestock grazing management that were adopted by BLM Washington and Oregon in 1997 (Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Public Lands Administered by the Bureau of Land Management in the States of Oregon and Washington). In addition, the JDBRMP includes grazing practices and monitoring requirements to ensure rangeland conditions are achieved.

**Table 6. Grazing Allotments within the Lower John Day Basin Acquisition Area**

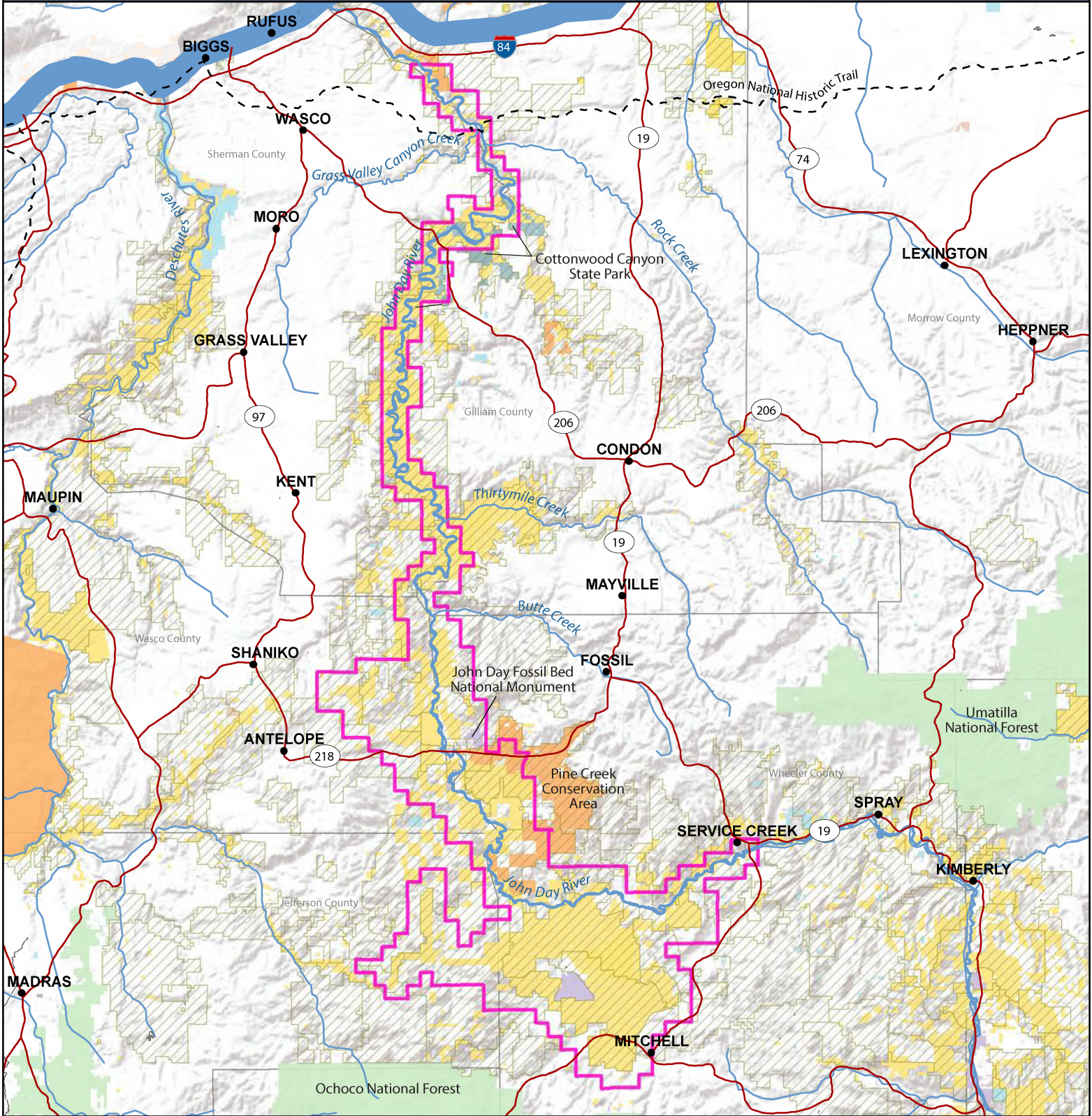
Allotment Name	Acreage <sup>1</sup>	AUMs <sup>2</sup>	Allotment Name	Acreage <sup>1</sup>	AUMs <sup>2</sup>
Big Sky	1,610	26	John T. Murtha	10,064	258
Black Rock	9,961	224	Kaser Brothers	3,059	59
Bridge Creek	555	2	Laffoon And Carlson	3,862	74
Brooks Lease	383	121	Left Hand Canyon	842	3
Bull Canyon	476	10	Logan	79	111
Burnt Ranch	2,362	5	Mary Misener	1,456	33
Cactus Ridge	762	20	McQuinn	359	1
Carroll Rim	3,157	101	Miller	1,638	47
Catherine Maurer	37,308	789	Murray Howard	4,232	34
Cherry Creek	30,241	438	North Eighty	144	3
Circle Bar	20,626	637	Packsaddle Mtn.	1,113	20
Circle S Ranch	1,029	16	Philippi	3,143	48
Corral Canyon	2,356	46	Pine Creek	2,800	346
Crown Rock	4,279	108	Rattray	7,402	534
Dead Dog Canyon	5,078	243	Red Rock	3,154	40
Decker	2,641	206	Rim	2,005	41
Dipping Vat	0	25	Rock Mountain	0	11
Dry Knob	1,063	7	Rowe Creek FFR	378	16
Eakin	471	12	Sid Seale	12,245	733
Earl A. Smith	1,263	35	Speckle Canyon	144	2
Emigrant Canyon	2,971	20	Spring Basin	9,908	146
F.C. Cherry	4,163	17	Spud	1,208	40
Frank Anderson	472	10	Butte Creek	11,234	230
Gable Creek	5,034	210	Sutton Mountain	27,424	489
Girds Creek	7,445	61	T. Cole	0	8
Gooseberry Mountain	159	43	Tatum	1,437	113
Hartung	1,361	22	Tripp	162	7
Hay Creek	865	126	V.O. West	597	15
Hayfield	501	11	Weedman Ranches Inc.	547	11
Horseshoe Bend	1,379	46	Willow Spring	1,093	20
Hummingbird	1,161	22	Windy River	1,655	43
J Bar S	1,282	34	Workman	827	3
James Brown	2,445	68	Zack T. Keyes	3,799	64
<b>Grand Total</b>			<b>367,973</b>		

Notes:

<sup>1</sup>Acreage of allotment within area of proposed acquisitions

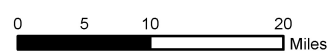
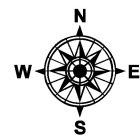
<sup>2</sup>AUM within entire allotment

**Figure 3**  
**Lower John Day Basin –**  
**BLM Livestock Grazing Allotments**



- Acquisition Zone – John Day Basin RMP
- BLM Lands
- BLM Grazing Allotments
- Oregon State Parks
- State Lands
- Confederated Tribes of Warm Springs

- U.S. Forest Service
- National Park Service
- Highways
- Trails



Land ownership within the area includes public and private lands. Approximately 190,170 of the 370,000 total acres of grazing allotments are on private land, 172,775 acres are on BLM managed land, and approximately 5,000 acres are on National Park Service land. Allotments located on BLM managed land within the Lower John Day River Basin fall under Section 15 of the Taylor Grazing Act of 1934, which requires that the permittee own base property that is contiguous land with the specific allotment, per 43 CFR4110.2-1(2).

The BLM utilizes prescribed livestock grazing practices in the Lower John Day Basin to control weeds, as a tool for the reduction of wildfire risk, and to achieve other management objectives. Wildfires are common within the area of proposed acquisitions. Achieving post-fire restoration goals in the area can be challenging due to limited annual precipitation, ongoing drought conditions, as well as funding needed to reseed burned areas. With these types of post-fire restoration constraints, the BLM would then implement other management actions such as resting burned pastures or allotments for a minimum of two growing seasons to allow native grasses to reestablish, if necessary.

### **Direct and Indirect Effects**

BLM management of the proposed acquisition lands would be directed by the JDBRMP. Specifically, grazing allotments within acquired lands would be managed to livestock grazing objectives of the JDBRMP. The BLM's grazing objectives are to meet the Standards for Rangeland Health and the Guidelines for Livestock Grazing Management for public lands administered by the BLM in Oregon and Washington; maintain forage production and livestock use at levels sufficient to provide a sustained flow of local economic benefits and protect non-market values; and meet multiple use objectives while considering resource conflicts, potential for allotment improvement, and agency funding constraints.

During the land acquisition process, grazing on acquired lands would continue as it was prior to initiation of the land transfer. Upon completion of a land acquisition by the BLM, grazing would be suspended on recently acquired portions of allotments so that forage quality and quantity can be assessed by the BLM. Management actions as a result of the assessment include modification of the grazing system, season of use, stocking density, class or type of livestock, or activity plans such as existing allotment management plans. In addition, grazing could be discontinued permanently or temporarily. The BLM could also allow preference-based livestock grazing on part or all of an allotment. Also, upon completion of the acquisition and if the BLM determines grazing will continue to be permitted, a party that owns property contiguous to the allotment can apply for a grazing permit. The grazing regulations at 43 CFR 4110.3-1(c) provide direction on how BLM would consider award of competing applications.

Suspension of grazing activities can result in an increase in vegetation, including noxious weeds. However, in many cases suspension of grazing would allow lands to recover and native grasses to reestablish. An increase in native vegetation or noxious weeds would serve as fuel for wildfire. BLM land acquisitions are not frequent and temporary suspension of grazing activities in a limited number of allotment(s) is not anticipated to have a substantial local economic impact. In general, BLM management of rangelands should maintain or improve rangeland health, reduce noxious weeds, and reduce wildfire risk.

### **3.3.8 PUBLIC SAFETY AND HAZARDOUS MATERIALS**

#### **Affected Environment**

BLM policy requires that all acquisitions of real property require a Phase I Environmental Site Assessment (ESA) conducted in accordance with American Society for Testing and Materials (ASTM) guidance prior to the acquisition of the land by the BLM. The relevant ASTM standard for real property ESAs is ASTM E1527-13 (ASTM 2021). The purpose of the ESA is to evaluate past and current practices on the property or adjacent lands which may have resulted in “recognized environmental conditions” (RECs). RECs represent conditions that could present potential liability associated with a past or ongoing release of hazardous substance, petroleum, or other materials that degrade environmental quality and require a cleanup response.

Properties in the proposed acquisition area may be impacted by RECs. RECs typical of the rural properties in the proposed acquisition area could include contaminated soils from past fuel spills, releases from chemical storage areas (e.g., herbicides or other agricultural-related hazardous materials), unauthorized dumping, or asbestos/lead-based paint in structures.

#### **Direct and Indirect Effects**

Prior to acquisition of lands by the BLM, cleanup of any hazardous materials and mitigation of RECs would be required per BLM policy (Handbook H-2000-01; 2012). Therefore, none of the acquired lands would be impacted by RECs under BLM management. It is possible that additional RECs not identified during Phase I ESA activities would be encountered by the BLM after acquiring land. In this event, the BLM would complete all regulatory reporting, investigation, and cleanup activities to remedy any threats to human health and the environment.

### **3.3.9 ROADS AND ACCESS**

#### **Affected Environment**

State highways, county roads, and secondary unimproved roads provide access to both public and private lands in the area of proposed acquisitions. The major county roads that provide access into the area are summarized in Table 7. In addition to these roads, numerous unimproved secondary roads form a network of travel routes along the John Day River and in adjacent uplands.

**Table 7. Summary of County Access Roads**

<b>Road/Highway</b>	<b>Location</b>	<b>Jurisdiction</b>
McDonald's Ferry Lane	Wasco to McDonald's Ferry	Sherman County
McDonald's Ferry Road	East side John Day River	Gilliam County
Lower Rock Creek Lane	East side John Day River to Rock Creek	Gilliam County
Starvation Lane	West side John Day River to Hwy 206	Sherman County
Hay Canyon Road	East side John Day River	Gilliam County
Dobie Point Road	West side John Day River to Hwy 97	Sherman County
Armstrong Canyon Road	East side John Day River at Thirtymile Creek	Gilliam County
Butte Creek Road	East side John Day River at Butte Creek	Gilliam County and Wheeler County
Clarno Road	East side John Day River at Clarno	Wheeler County
Gosner Road	West side John Day River	Wasco County
Bridge Creek Road	West side John Day River	Jefferson County
North Twickenham Road	North side John Day River at Miller Ranch	Wheeler County
South Twickenham Road	South side John Day River at Miller Ranch	Wheeler County

Source: ODOT 2021

The five counties in the area of proposed acquisitions are responsible for the maintenance of county and some secondary roads. Many of the secondary roads in the area are unimproved dirt or gravel surface and are susceptible to damage or deterioration from public vehicle use. Outside of public lands, the BLM does not have maintenance responsibility for roads in the proposed acquisition area.

### **Direct and Indirect Effects**

Following an acquisition, the BLM would assess road conditions on acquired lands and perform basic maintenance actions to prevent resource damage and provide for public safety. Future planning for acquired lands would address a variety of issues including concerns associated with public vehicle use safety in areas where farm/ranch equipment operations occur on county and secondary roads.

BLM acquisitions of lands would increase use of public county roads over time. This increased use has the potential to accelerate road damage from vehicles and the subsequent increased burden on county maintenance resources and funds to repair and/or rehabilitate county roads. The five counties in the area are eligible to apply for grants through the Federal Highway Administration Federal Lands Access Program (Access Program). The Access Program was established to improve transportation facilities that provide access to, are adjacent to, or are located within federal lands. It supplements state and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on high-use recreation sites and economic generators. Projects are selected by a Programming Decision Committee established in each state. The Programming Decision Committees request project applications through a call for projects. At the time of this PEA publication, the State of Oregon application process is open for these funds (FHA 2022).

### 3.4 SUMMARY OF EFFECTS OF THE PROPOSED ACTION

Table 8 provides a summary of the environmental effects that would result from implementing the Proposed Action for each element of the human and natural environment addressed in this chapter.

**Table 8. Summary of Effects**

Element of the Environment	Proposed Action Effects
Socioeconomics	<ul style="list-style-type: none"> <li>- Potential short-term restrictions of public access to acquired lands</li> <li>- Isolated displacement of residents from housing on acquired properties</li> <li>- Minor loss of agricultural lands in production on acquired lands</li> <li>- Decrease in county property tax revenue; off-set by PILT payments</li> <li>- Increased revenue to local businesses from increased recreation</li> <li>- Incremental increased potential for vandalism, theft, and littering on acquired lands and adjacent private property</li> <li>- Continued potential for wind energy or mineral right development on acquired lands or mineral estate where allowed by the JDBRMP and subsequent LUP development for acquired lands.</li> </ul>
Recreation and Visual Resources	<ul style="list-style-type: none"> <li>- The number and quality of boat in camping sites would increase with land acquisition</li> <li>- Recreation opportunity potential would increase with acquisition of new federal lands</li> <li>- Visual resource quality would receive more management attention on acquired lands</li> <li>- Transfer of water rights to instream use would increase instream flows for water recreation, especially during hot summer months.</li> </ul>
Cultural and Historic Resources	<ul style="list-style-type: none"> <li>- Systematic future identification and documentation of cultural and historic resources would be conducted on acquired lands</li> <li>- Enhanced protection of cultural and historic resources would be provided on acquired lands</li> <li>- Increased opportunities for Tribal access for traditional religious and gathering activities</li> </ul>
Fisheries	<ul style="list-style-type: none"> <li>- Aquatic habitat improvement projects would be implemented on acquired lands in the future</li> <li>- Acquisition of lands in the John Day Wild and Scenic River corridor would provide more consistent management of fisheries and connected high quality habitat</li> <li>- Acquisition of water rights on acquired lands would allow water withdrawals to be returned to adjacent rivers/streams.</li> </ul>
Wildlife	<ul style="list-style-type: none"> <li>- Wildlife habitat improvement projects would be implemented on acquired lands in the future</li> <li>- Acquisition of lands would provide more consistent management of wildlife and connected high quality habitat</li> <li>- Wildlife flush could occur with increased visitor use on acquire lands</li> </ul>

<b>Element of the Environment</b>	<b>Proposed Action Effects</b>
Rangeland Management	<ul style="list-style-type: none"> <li>- Temporary suspension of grazing activities would be implemented until rangeland health surveys and forage studies are completed</li> <li>- Potential permanent suspension of grazing on acquired lands</li> <li>- Potential new or expanded grazing allotments on acquired lands adjacent to or within existing allotments</li> <li>- Improvements to rangeland health, including noxious weed treatments and wildfire fuels control is expected through BLM management of acquired lands</li> </ul>
Public Safety and Hazardous Materials	<ul style="list-style-type: none"> <li>- Contamination and other public safety hazards would be mitigated prior to BLM acquisition of lands</li> </ul>
Roads and Access	<ul style="list-style-type: none"> <li>- Potential conflicts on or near acquired lands could occur between visitor vehicles and farm/ranch equipment</li> <li>- Increased costs to local counties for road maintenance/improvements from visitor use of acquired lands</li> </ul>



## **4.0 STAKEHOLDER INVOLVEMENT**

The BLM first requested input on this project in early February 2022 when it mailed and emailed scoping letters to over 140 individuals and groups, including adjacent landowners, boaters, river guides, outfitters, environmental organizations, and local and state agencies. The BLM also initiated Tribal consultation with the Confederated Tribes of the Warm Springs Reservation, the Burns Paiute Tribe, and the Confederated Tribes of the Umatilla Indian Reservation. This scoping letter was focused on the acquisition of the McDonald's Ferry property in the northern portion of the proposed acquisition area.

In late February 2022, the BLM decided to expand the analysis to include potential future land acquisitions throughout the Lower John Day River Basin (Figure 1). A revised scoping letter addressing the expanded analysis area was distributed by the BLM to the same stakeholder list on March 2, 2022, as well as additional local agency contacts for the added counties. Project information and the scoping documents were also posted on the BLM's ePlanning website. Over 200 unique comments were received during the scoping period and were considered in the identification of issues for analysis in the PEA.

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# **APPENDIX A**

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## **SUMMARY OF SCOPING COMMENTS ADDRESSING FUTURE LAND MANAGEMENT DECISIONS**

Summary of Scoping Comment	Future Management Decision(s) on Acquired Lands	Resource Management Plan Management Direction Topic(s)
As much land as possible should be kept open for recreation and not concentrated into small areas to mitigate impacts from concentrated use. Closing roads or trails would economically hurt local orgs and businesses. Closing of dispersed camping should be avoided. Lands should be managed with those with disabilities in consideration.	Inclusion of lands in SRMAs Designation of lands for dispersed camping Access road closure status ADA improvements at recreation sites	Recreation Opportunities
Improve public use of the river and help maintain public boat launches.	Development of improved boat launch sites to replace mediocre or unused launch sites.	Recreation Opportunities
Will BLM lease land to farmers to grow crops?	Leasing of lands for agricultural production	Agricultural Land Management
Should include a full interpretation site for the Oregon Trail	Improvements at Oregon National Historic Trail Interpretive site	Recreation Opportunities Cultural Resources
Land should be designated as protected natural habitat or a historic site.	Allocation of lands for Special Management Designation	Special Management Designations
Lease water rights to instream use. The existing house and shop should be allowed to retain a caretaker to help control wildfires.	Water rights use Residential structure use	Aquatics Lands and Realty
BLM should protect the land and whole watershed. Additional land should be acquired to protect the entire watershed including riparian areas upslope and upstream	Allocation of lands for Special Management Designation Aquatic and upland conservation projects	Aquatics Wildlife Vegetation
Development will block transmission lines, transportation, and NG pipelines. If a wilderness designation is approved, it would prevent those developments.	Utility rights-of-way or easement designations	Energy and Mineral Resources Lands and Realty
Additional developments of campgrounds will destroy the wild and scenic quality of the river.	Designation of lands for developed or primitive camping	Recreation Opportunities
Priority should be given to parcels directly adjacent to the JDR to provide increased access for camping and boaters.	Development of improved boat launch sites and campsites to replace mediocre or unused sites.	Recreation Opportunities
BLM should manage the new land to promote and support native ecosystems and be used responsibly by the public.	Aquatic and upland conservation projects	Aquatics Wildlife Vegetation



<b>Summary of Scoping Comment</b>	<b>Future Management Decision(s) on Acquired Lands</b>	<b>Resource Management Plan Management Direction Topic(s)</b>
Lands should be added to the Wild and Scenic River and LJD special management area. Analysis needed for the grazing terms of the J Bar S parcels to see if the seller would relinquish or retire the permits at some point in the future to aid in the flexibility of land management.	Allocation of lands for Special Management Designation Grazing permit renewals	Special Management Designations  Livestock Grazing
Future management should not be inconsistent with WRC mission. Grazing should be phased out and not be made available in the future.	Grazing permit renewals	Livestock Grazing
Acquisition will create an atmosphere not welcome to the public and industry due to increased regulation of the land. Regulations would impede natural gas, power, and transportation from developing in the area	Utility rights-of-way or easement designations	Energy and Mineral Resources  Lands and Realty
Additional infrastructure is needed (toilets and pit toilets) to prevent trash and pollution around the campgrounds along the river as more people begin to use these areas.	Improvements for developed or primitive camping	Recreation Opportunities
The current infrastructure is not adequate for an increase in traffic or parking on the Gilliam side of the river.	Improvements to roads and parking areas	Recreation Opportunities  Access and Travel Management

Summary of Scoping Comment	Future Management Decision(s) on Acquired Lands	Resource Management Plan Management Direction Topic(s)
The house on the McDonald's Ferry property should be retained and a park ranger should continue to be allowed to reside there to be a steward of the river and campgrounds.	Residential structure use	Lands and Realty
Increase the number of camping locations to alleviate conjection [sic] in existing ones. Does not want increased access points, recreation amenities, or roads built. Additional land should be managed for ecological integrity.	Designation of lands for developed or primitive camping Improvements to roads and parking areas	Recreation Opportunities  Access and Travel Management
Will the BLM sell or trade the land to private developers?	Land exchanges Any lands or interests in lands acquired with LWCF funding must perpetually remain in Federal ownership	Lands and Realty
The acquisition could provide for protections for fossil sites and other significant paleo resources, as aligned with the John Day Fossil Beds National Monument	Survey, documentation, and management of paleontological resources	Paleontological Resources
A camping reservation system is needed to manage demand for campsites. Restrictions are needed for small groups using large group sites.	Campsite reservation system	Recreation Opportunities
Allow for grazing allotments to continue on the acquired land and what resources will be provided to ranchers that get grazing permits? What restoration watershed practices will be utilized for stream and riparian restoration? What landscape management for wildfires will be done?	Grazing permit renewals Aquatic and upland conservation projects Wildfire fuels management	Livestock Grazing  Aquatics  Vegetation  Fire and Fuels
Maintain and restore health of watersheds and aquatic systems.	Aquatic and upland conservation projects	Aquatics  Vegetation
The acquired land could increase the number of campsites in the area and increase demand on river permits.	Development of improved boat launch sites and campsites to replace mediocre or unused launch sites.	Recreation Opportunities