



**FEMA**

## **FINDING OF NO SIGNIFICANT IMPACT**

Eddings Road Relocation Project

Woodson, Oregon

FEMA-1733-DR-OR

The Columbia County Road Department (County) has applied through Oregon Office of Emergency Management to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) for funding assistance under the Public Assistance (PA) grant program to relocate Eddings Road in Woodson, Oregon. The project would provide a new connection to U.S. Highway 30 and abandon a section of Eddings Road that was damaged during severe storms, flooding, landslides, and mudslides that occurred from December 1-17, 2007. The event was declared a Presidential disaster on December 27, 2007 (FEMA-1733-DR-OR). The purpose of the PA program is to award financial grants to assist state and local governments, federally recognized Tribal governments, and certain private nonprofit entities with the response to and recovery from disasters. The need for the FEMA action is to provide funds to the County to restore the road while avoiding continued flooding and debris flow problems at the road's Eilertsen Creek crossing and to provide safe and reliable access to four privately owned properties.

The County proposes to relocate Eddings Road northeast of Eilertsen Creek, connecting the existing road to an old county road that has not been used in decades and is largely overgrown. The existing road section that crosses Eilertsen Creek would be closed and abandoned, and the creek crossing would be removed using a straight upward lift technique resulting in minimum disturbance to the creek. To re-establish the previous county road, vegetation that has since grown at the site would need to be removed, including underbrush, small saplings, weeds, and grass. In addition, five alders and one cedar tree would need to be removed. The trees removed would be retained in the riparian area or deposited in the closed section of the road to be abandoned. The re-established road would be 570' long x 12' wide, with 4' wide clear zones on each side of the road. One corrugated metal pipe (CMP) culvert would be installed under the road for drainage where Eddings Road meets the old county road. In addition, one or two additional CMP culverts would be installed under the improved old county road bed to provide drainage from the hillside to the north at locations where water would be likely to pool between the road and the hillside. The road would be graded and reinforced with a 4" gravel base using clean quarry rock, with a top layer of ¾" minus rock spread the length of the road. A 30' wide x 20' deep x 3" thick paved access apron would be established to connect the road to Highway 30.

Alternatives evaluated include: (1) No Action; (2) Repair Eddings Road at Existing Location; and (3) Relocate Eddings Road (Proposed Action). The Proposed Action was selected as the preferred alternative because it was the best alternative to meet the need for the action with the minimal amount of environmental impact. The No Action (Alternative 1) would not meet the intended purpose of restoring the function of the road and Alternative 2 was deemed insufficient

for meeting the need for the action. No other alternatives were considered as the topography in the area rises sharply and is heavily wooded beyond the proposed relocation site and no other feasible locations were identified.

In accordance with the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality's (CEQ's) implementing regulations (40 CFR Parts 1500 through 1508), and FEMA's implementing regulations (44 CFR §10.9), FEMA prepared a draft environmental assessment (EA) to identify and evaluate potential environmental impacts resulting from the alternatives presented in the EA and to determine whether to prepare an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI). The Draft EA was made available for public comment for 15 days. FEMA received no comments on the Draft EA.

### **CONDITIONS**

The following conditions were developed to avoid, minimize, or mitigate the potential impacts of this project and must be complied with as part of the project scope. Failure to comply with these conditions may jeopardize federal funds.

1. The County is responsible for selecting, implementing, monitoring, and maintaining appropriate BMPs to control erosion and sediment, reduce spills and pollution, and provide habitat protection. Erosion controls must be in place before any significant alteration of an area takes place. If fill is stored on site, the contractor is required to cover and contain it appropriately. Areas of disturbed soil need to be properly compacted to eliminate settling and erosion issues. Access roads and work areas must use existing access ways whenever possible and minimize soil disturbance and compaction within 200 feet of any stream, water body, or wetland. BMPs such as silt fencing and reseeding using native species are required, as needed, to eliminate the potential for runoff and erosion to adjacent areas.
2. No construction material or debris shall be staged or disposed of in a wetland, even temporarily. Excess and unsuitable excavated material shall not be sidecast into or placed upslope of wetlands environments and shall be disposed of at an authorized disposal location.
3. To ensure compliance with the Migratory Bird Treaty Act, clearing of project area and any activity that involves habitat destruction shall be conducted prior to March 1st or after August 31 to ensure most nesting birds have fledged. Project implementation needs to proceed with caution and keep an eye out for active bird nests. If an occupied nest is discovered in a tree or in shrubs or grasses, construction in the immediate vicinity shall be halted until the bird has evacuated or a permit has been obtained from USFWS. Empty or abandoned nests cannot be taken into possession without a permit. During the construction window, permits are not required to remove an empty or abandoned nest, or to remove or alter the structure the nest is built in or on.
4. To ensure the project would have "no effect" on white-tailed deer, a federally-listed threatened species, project construction is limited to outside of the fawning season in June and July.
5. Trees removed during project construction should be left as downed wood in the project vicinity. It is not necessary to chop them up or clean up the forest floor.

6. If hazardous materials or contamination is found during site work, the County shall handle, transport, and dispose of hazardous materials and/or toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies.
7. In the event historically or archaeologically significant materials or sites (or evidence thereof) are discovered during the implementation of the project or should any cultural material (e.g., prehistoric stone tools or flaking, human remains, historic material caches) be encountered during construction, the project shall be halted in the immediate area where materials are found and all reasonable measures taken to avoid or minimize harm to property until such time as the applicant and FEMA, in consultation with the State Historic Preservation Officer (SHPO) and Oregon Emergency Management, determines appropriate measures have been taken to ensure that the project is in compliance with the National Historic Preservation Act. Under Oregon state law (ORS 358.905-995) it is a class B misdemeanor to impact an archeological site on public or private land, and under state law (ORS 97.740-760) impacts to Native American graves and cultural items are a Class C felony.
8. Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other laws and Executive Orders.

### FINDINGS

Based upon the PA grant application and Final EA and in accordance with FEMA's regulations in 44 Code of Federal Regulations (CFR) Part 10 for environmental consideration, including Executive Orders (EOs) addressing floodplains (EO 11988), wetlands (EO 11990), and environmental justice (EO 12898), FEMA determined the proposed project will not significantly affect the quality of the natural and human environment. As a result of this FONSI, an EIS will not be prepared (44 CFR Part 10.8) and the project as described in the PA grant application and attached final EA may proceed.

### APPROVAL



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FEMA Region 10

2-14-12

Date