

**PUBLIC NOTICE**

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**REVISED FINDING OF NO SIGNIFICANT IMPACT** The City of Ione, Wastewater System Improvements Project Morrow County, Oregon Rural Development U.S. Department of Agriculture The City of Ione Prepared by: Oregon State Water and Environmental Programs Staff October 2023

**A. INTRODUCTION**

The City of Ione has been approved for financial assistance from the U.S. Department of Agriculture, Rural Development (RD) to construct the proposed wastewater system improvements (Project) in Morrow County, Oregon. RD issued the original Finding of No Significant Impact (FONSI) in January 2023. After the original FONSI had been issued, the scope of work for the project changed, resulting in a revised Area of Potential Effect. This revision required a Revised Environmental Assessment to be developed and accepted by RD, whereas RD is required re-evaluate and complete an environmental impact analysis in accordance with the National Environmental Policy Act of 1969 (NEPA) (U.S.C. 4231 et seq.), the Council on Environmental Quality's (CEQ) regulations for implementing NEPA (40 CFR Parts 1500-1508), and RD's NEPA implementing regulations, Environmental Policies and Procedures (7 CFR Part 1970). After completing an independent analysis of the Revised Environmental Assessment (Revised EA) prepared by the City of Ione and its consultants, RD concurred with its scope and content. In accordance with 7 CFR § 1970.102, RD adopted the report and issued it as the Agency's Revised Environmental Assessment (Revised EA) for the proposed Project. RD finds that the Revised EA is consistent with federal regulations and meets the standards for an adequate assessment. The City of Ione published a newspaper notice, announcing the availability of the Revised EA for public review, in accordance with 7 CFR § 1970.102. In addition, RD considers the proposed Project an undertaking subject to review under Section 106 of the National Historic Preservation Act (NHPA), 16 USC 470(f), and its implementing regulation, "Protection of Historic Properties" (36 CFR Part 800). The original FONSI had utilized the Nationwide Programmatic Agreement among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers, and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA). Since the original FONSI was issued, the agency has issued a final determination that there will be no adverse effect to historic properties.

**B. PROJECT DESCRIPTION AND PURPOSE/NEED**

The overall purpose of the Project is to provide the City of Ione with a community wide wastewater collection and disposal system. RD has reviewed the purpose and need for the Project and determined that the proposal will meet the pres-

ent and future needs of the City of Ione.

**C. ALTERNATIVES EVALUATED**

1. No Action Under the No Action Alternative, RD would not provide financial assistance to the City of Ione and/or the proposed Project would not be constructed. This alternative would not assist the City of Ione in providing a community wide wastewater collection and disposal system and would not allow for future growth and development.

2. Action Alternative (Preferred Alternative) Under the Action Alternative, RD would continue to offer financing for the proposed Project, and the City of Ione would construct the wastewater system improvements project. The proposed project would consist of a new septic tank effluent gravity system, a lift station, an effluent force main, and a community wide drain field.

3. Alternatives Eliminated from Further Consideration In addition to the No Action Alternative and Action Alternative, the City of Ione considered other technology and siting alternatives, which are documented in the Alternatives section of the EA.

**D. SUMMARY OF ENVIRONMENTAL EFFECTS**

The analyses in the EA documented that the proposed Project would have no adverse effects to land use, floodplains, wetlands, historic properties, water resources, coastal resources, biological resources, aesthetics, air quality, environmental justice, noise, transportation, or human health and safety. A summary of mitigation measures is provided below. The City of Ione is responsible for implementing these measures.

**Mitigation measures:**

1. The City of Ione ("City") shall obtain and comply with all required County, State, and federal permits, including mitigations measures.

2. An Inadvertent Discovery Plan (IDP) must be "in place" before construction begins. If earth disturbing activities during project construction uncover cultural materials (i.e. structural remains, historic artifacts, or prehistoric artifacts), the area around the discovery shall be secured, all work shall cease, and the appropriate authorities shall be contacted to discuss appropriate protocol for removal, inventory, and proper preservation of the resource(s). These authorities are: 1) RD State Environmental Coordinator (SEC) Brian Daily, at (503) 801-2689; 2) the Oregon State Historic Preservation Office Archaeologist, Jamie French, at (503) 979-7580. The RD SEC will notify any applicable tribal contacts.

3. If earth disturbing activities in any portion of the project area uncover human remains, all work shall cease immediately in accordance with Treatment of Native American Human Remains Discovered Inadvertently or through Criminal Investigations on Private and Public, State-Owned Lands in Oregon and ORS 97.740-.994 and 358.905-961. The area around the discovery shall be secured and the Morrow County Coroner and RD SEC shall be notified immediately. The RD SEC shall notify the State Archeologist at SHPO and the appropriate tribes without delay.

4. If trees or shrubs are removed during the migratory bird breeding season (April 15 through August

10), a nest survey should be completed prior to vegetation disturbance.

5. Project equipment will be cleaned prior to arriving on site and before leaving the work site, with routine monitoring and control of weeds.

6. Fugitive dust control measures shall be applied as needed.

7. Construction activities shall be limited to daylight hours to reduce noise impacts.

**E. PUBLIC AND AGENCY INVOLVEMENT**

A local newspaper advertisement announcing the availability of the Revised EA and participation under Section 106 of the National Historic Preservation Act was published on July 19 and 26, 2023 and August 2, 2023, in the Heppner Gazette Times. A copy of the Revised EA was available for public review at the Rural Development La Grande Office and by email. The 21-day comment period ended on August 9, 2022. RD received one comment concerning drain field effluent water: "I would like to see some assurance of annual or more frequent monitoring of the drain field to ensure that it is operating properly. Also, I would like to restate my concern for any pioneer wells, both known and uncharted. If there was a drain field failure and the effluent drained into one of the canyons, there is a possibility for the effluent to swamp a well and contaminate the aquifer." The design engineer responded the following: "The wastewater effluent will be introduced to the subsurface via a drainfield and will move at a very slow rate through the alluvial ground which is above basalt rock. During the planning phase of this project, wells that were found on the Oregon Water Resources Department's website were mapped and plotted alongside the proposed flow route. This map was reviewed by the Oregon Department of Environmental Quality, and it was noted that because these wells in the flow path are basalt wells, the current use is unlikely to be impacted by the proposed discharge. Additionally, by the time the effluent reaches a distance "pioneer well," it will likely have gone through a significant "filtering" process traveling through the soils. The effluent is proposed to only impact soils above basalt rock and will not impact basalt aquifers. There are not any monitoring wells being proposed at this time. All of these concerns are valid and were diligently addressed with the Oregon Department of Environmental Quality during the planning phase. Currently, there are no concerns about potential harm to landowners downstream of the proposed effluent drainfield location. It is unlikely these subsurface discharges will ever reach their location." From the Correspondences within the Revised EA, concerning these abandoned wells, the Oregon Department of Environmental Quality noted:

"Review of well logs indicate that these homes have basalt wells and current use is unlikely to be impacted by the proposed discharge. Future uses are also a concern that should be considered."

**F. FINDING OF NO SIGNIFICANT IMPACT**

Based on its Revised EA, RD has concluded that the proposed Project will have no significant effects to environmental resources.

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The proposed project will have no effects to federally listed species or designated critical habitat.

The proposed Project would not disproportionately affect minority or low-income populations.

In accordance with the National Environmental Policy Act, as amended (42 U.S.C. 4321 et seq.), the Council on Environmental Quality Regulations (40 CFR 1500-1508), and RD's Environmental Policies and Procedures (7 CFR Part 1970), RD has determined that the environmental impacts of the proposed Project have been adequately addressed and that no significant impacts to the quality of the human environment would result from construction and operation of the proposed Project. Any final action by RD related to the proposed Project will be subject to, and contingent upon, compliance with all relevant federal and state environmental laws and regulations. Because RD's action will not result in significant impacts to the quality of the human environment, RD will not prepare an Environmental Impact Statement for its potential federal action associated with the proposed Project. G. RD LOAN REVIEW AND RIGHT OF ADMINISTRATIVE REVIEW This Revised FONSI is not a decision on a loan application and therefore not an approval of the expenditure of federal funds. Issuance of the Revised FONSI and its notices concludes RD's environmental review process. There are no provisions to appeal this decision (i.e., issuance of a FONSI). Legal challenges to the FONSI may be filed in Federal District Court under the Administrative Procedures Act. H. APPROVAL This Finding of No Significant Impact is effective upon signature.

Signature  
LaDonnMcElligott  
Community Programs Director  
Published December 20, 2023 Affid 1c

**The Town of Lexington** hereby provides public notice that the Town of Lexington has a monthly Council Meeting scheduled on Tuesday, January 9th, 2024, starting at approximately 6:00 p.m. The meeting is open to the public and we encourage community members to attend. The meeting will take place in person at Lexington Town Hall located at 425 F Street in Lexington, OR, 97839 and will be streaming online via Zoom.com info below. Zoom Meeting ID: 687 755 5033; Passcode: Lexington. Any questions or concerns regarding this meeting should be directed to Veronica Ferguson at (541)989-8515 or by email sent to lexington.oregon@gmail.com. This notice was prepared and posted in accordance with ORS 192.610 and ORS 193.630. Published December 20, 2023 1c

**IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF MORROW**

Probate Department In the Matter of the Estate of: ORMAN JAMES "JIM" NELSON, Deceased.  
Date of Death: August 2, 2023 No. 23PB08465

**NOTICE TO INTERESTED PERSONS** Notice is given that the undersigned has been appointed and has qualified as the personal

representative of the estate.

All persons having claims against the estate are required to present it, with proper vouchers, within four months after the date of first publication of this notice, as stated below, to the personal representative at Kuhn Law Offices, 267 N. Main Street, P.O. Box 428, Heppner, Oregon 97836, or they may be barred. All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the court, the personal representative or the attorney for the personal representative. DATED and first published December 20, 2023. Thomas McElligott, Personal Representative 1950 Cleveland Street, North Bend, Oregon, 97459-1814 PH: 541-379-2312 To be published for three consecutive weeks.

Published December 20, 27, 2023, January 3, 2024

**Town of Lexington, Oregon Engineering Services Water System Improvements SOQ's due: January 9, 2024, 2:00 p.m., Pacific Time Request for Qualifications (RFQ) The Town of Lexington recently completed a Water System Master Plan (WSMP) outlining system deficiencies and necessary improvements. The Town of Lexington intends to complete the identified water system improvements and is soliciting proposals from qualified engineering firms to provide preliminary, design, and construction engineering services and all other associated work for their Water System Improvements Project. Work under this contract will be funded in part or entirely with grant funds from the Oregon Business Development Department Community Development Block Grant Program, other IFA funding programs, and Town funds. Requests for the RFQ packet may be submitted in writing to: Veronica Ferguson, Town Recorder, Town of Lexington, PO Box 416, 425 F. Street, Lexington, OR 97839, or via phone at (541) 989-8515, or via email at veronica@lexingtonoregon.com, or in person at Lexington Town Hall, 425 F. Street. The Town of Lexington reserves the right to reject any and all proposals. Proposals must be received by 2:00 p.m., Pacific Time, on January 9, 2024, at the Lexington Town Hall at the above address. Mis-deliveries, late, or faxed submittals will be considered nonresponsive. Published December 20, 2023 1c**

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