



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

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### FINDING OF NO SIGNIFICANT IMPACTS (FONSI)

for

EA CA 170-08-49

### 10 Year Grazing Authorization on the Volcanic Tableland (6007) Allotment

#### Introduction:

One of the primary purposes for conducting an environmental assessment is to determine whether or not a proposed action will have a significant impact on the human environment and therefore will require the preparation of an EIS. As defined in 40 CFR 1508.13, the Finding of No Significant Impact (FONSI) is a document that briefly presents the reasons why an action will not have significant effects on the human environment. The regulations further define the term “significantly” in 40 CFR 1508.27 and require that the context and intensity of impacts be considered in analyzing significance. Context means “that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality.” 40 CFR 1508.26(a) Intensity “refers to the severity of the impact.” 40 CFR 1508.26(b) The analysis to make a determination whether to prepare an Environmental Impact Statement (EIS) is based on the following criteria.

#### Rationale for Finding of No Significant Impact:

I have reviewed the environmental assessment (EA) CA 170-08-49 regarding the Volcanic Tableland (6007) allotment, including the explanation and resolution of any potentially significant environmental impacts. The EA details the effects of the project and provides the basis for the conclusions in this FONSI. None of the effects identified including direct, indirect, and cumulative effects, are considered significant based on seasonal use of the allotments, low stocking rates, and minimal impacts to the native vegetative community. Therefore, an environmental impact statement is not needed.

**Intensity:** This issue is addressed through the ten “significance” criteria described in 40 CFR 1508.27, and discussed below:

#### 1) *Impacts may be both beneficial and adverse.*

The Rangeland Health Assessments conducted, indicate that there are no significant environmental impacts from current use and the allotment meets Rangeland Health Standards. Authorizing grazing with revised, allotment specific terms and conditions would not create negative impacts to livestock operations. The terms and conditions are designed to help protect and sustain rangeland health and to keep the ecosystem functioning properly.

*2) The degree to which the proposed action affects public health or safety.*

Public health and safety was not identified as an issue.

*3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

Based on the EA, the Volcanic Tableland allotment is part of the Volcanic Tableland formation which is a unique geologic feature formed by the cataclysmic volcanic eruption of the Long Valley Caldera 750,000 years ago which left a highly dissected landscape of Bishop Tuff. The Volcanic Tableland formation was historically used by hunters and gathers, and contains scattered cultural resources. The Volcanic Tableland formation is situated at the ecological cusp of the Northern Mojave and Great Basin Floristic Provinces where plants and associated wildlife species combine to make this an unusual and biologically diverse landscape. The Volcanic Tableland allotment is only used when annual plants are abundant which is approximately 1 year out of 4-5. There is no water on the allotment which means water must be hauled for livestock. Sheep are actively herded the entire time on the allotment and the operator only uses existing camps, bedding grounds, and watering sites. Based on terms and conditions, Zone 1 of the Fish Slough ACEC and designated critical habitat for Fish Slough milk-vetch are to be avoided. The allotment boundary will be modified to exclude designated critical habitat for Fish Slough milk-vetch. Furthermore, all identified archeological sites are to be avoided. Impacts to cultural properties are predicted to be minimal as a result of the proposed action as livestock use on the allotment is generally highly dispersed. Impacts to sites are low based on targeted field evaluations and are predicted to be low across the allotment.

Furthermore, there are no park lands, prime farmlands, wetlands, or wild and scenic rivers within the Volcanic Tableland allotment.

*(4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

No effects that may occur as a result of the approval of this proposed action were identified in the EA that are likely to be controversial.

*(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The proposed action is not unique or unusual. The environmental effects to the human environment were analyzed in the Environmental Assessment. There are no predicted effects on the human environment, which are considered to be highly uncertain or involve unique or unknown risks.

*(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

The proposed action does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. The proposed action

continues a traditional use of public lands with consideration for sensitive species and the native plant communities. Any future grazing permit renewals will be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

*(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The proposed action was evaluated in the context of past, present, and reasonably foreseeable actions. These cumulative effects are identified in the EA. Significant cumulative effects were not identified from the proposed action, based on grazing permit issuance that would occur as a result of the decision herein.

*(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

Based on the EA, the proposed action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. Impacts to cultural properties are predicted to be minimal as a result of the proposed action. The Volcanic Tableland allotment is only used when annual plants are abundant which is approximately 1 year out of 4-5. There is no water on the allotment which means water must be hauled for livestock. Sheep are actively herded the entire time on the allotment and the operator only uses existing camps, bedding grounds, and watering sites. All identified archeological sites are to be avoided. Impacts to cultural properties are predicted to be minimal as a result of the proposed action as livestock use on the allotment is generally highly dispersed. Impacts to sites are low based on targeted field evaluations and are predicted to be low across the allotment.

*(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

There will be no effect on threatened or endangered species as a result of the action.

A small portion of designated critical habitat for the federally threatened Fish Slough milk-vetch (*Astragalus lentiginosus* var. *piscinensis*) occurs within Zone 2 of the Fish Slough ACEC within the current boundary of the Volcanic Tableland allotment. However, Fish Slough milk-vetch does not occur in any portion of Zone 2 of the Fish Slough ACEC or in any portion of the Volcanic Tableland allotment. All plants occur within Zone 1 of the ACEC, which also contains all the primary constituent elements essential to the conservation of the species (U.S. Department of the Interior. 2005. Fish and Wildlife Service. Endangered and threatened wildlife and plants: proposed designation of critical habitat for *Astragalus lentiginosus* var. *piscinensis* (Fish Slough milk-vetch). Federal Register Vol. 69, No. 108. Proposed Rules.) The proposed action would have no direct negative impacts on the Fish Slough milk-vetch because all populations of this species occur in Zone 1 of the Fish Slough ACEC and would not be grazed. The proposed action would also have no indirect negative impact on Fish Slough milk-vetch because the allotment boundary would be modified to exclude all designated critical habitat for this species. Modification of the allotment boundary would insure long-term protection for designated critical

habitat on the most eastern edge of the Volcanic Tableland allotment.

The proposed action, no action, and no grazing alternatives would have no effect on threatened or endangered wildlife species because no federally listed threatened or endangered species are present or likely to occur on the Volcanic Tableland allotment based on historical records, field monitoring, and/or habitat suitability.

The western boundary of the Volcanic Tableland allotment is within 23 kilometers of the boundary of the Central Recovery Unit for SNBS Sheep (Department of Interior, U.S. Fish and Wildlife Service. 2007. Recovery Plan for the Sierra Nevada Bighorn Sheep. Sacramento, CA. 199 pp). The 23 kilometer distance was used in the final Recovery Plan for the Sierra Nevada Bighorn to narrow the focus for analysis when considering potential physical contact between domestic and wild sheep. The nearest population of Sierra Nevada bighorn sheep is found in the Wheeler Ridge herd unit in the Sierra Nevada, approximately 8 kilometers west of the western boundary of the allotment. The location and timing of domestic sheep presence on the Volcanic Tableland allotment along with: 1) the terms and conditions of the grazing permit specific to monitoring and responding to Sierra Nevada bighorn sheep movements relative to allotments east of Highway 395, 2) the relative lack of suitable Sierra Nevada bighorn sheep habitat on the Volcanic Tableland allotment, 3) the combination of distance and impediments to movement by either wild sheep or domestic sheep between the Volcanic Tableland allotment and the Wheeler Ridge herd unit, 4) the characteristic behavior of wild sheep to exhibit group living, a strong preference for rocky escape terrain, and occupation of alpine ranges (females) and lower elevation subalpine habitat near the Sierra Nevada crest (males) in the summer and, 5) the reluctance of wild sheep to disperse from their home range (USFWS 2007) combine to ensure sufficient safeguards are in place to prevent physical contact between the two species.

*(10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action does not violate any Federal, State, or local law or requirement imposed for the protection of the environment. The EA contains discussion pertaining to the Endangered Species Act, National Historic Preservation Act, Clean Water Act, Clean Air Act, and Executive Order 12898 (Environmental Justice). State, local, and tribal interests were consulted during the environmental analysis process. No violations or inconsistencies of these interests were noted or left unresolved. Furthermore, the approved proposed action is consistent with applicable land management plans, policies, and programs.

### **Finding of No Significant Impact:**

I have determined that the proposed action is in conformance with the Bishop Resource Management Plan approved on March 23, 1993, as amended by the Central California Standards for Rangeland Health and Guidelines for Livestock Grazing approved on July, 13, 2000. This plan has been reviewed, and the proposed action conforms with the land use plan terms and conditions as required by 43 CFR 1610.5.

Based upon a review of the EA and the supporting documents, I find that the proposed action

will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and an environmental impact statement is not needed. Therefore, it is my decision to implement the proposed action from EA CA 170-08-49 for the Volcanic Tableland allotment and authorize livestock grazing for 10-years with revised, allotment specific terms and conditions to the grazing operator.

**Authorized Official:**

/s/ Bill Dunkelberger

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Field Manager, Bishop Field Office

Date: /s/ September 22, 2008