United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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Finding of No Significant Impact (FONSI)
for
(DOI-BLM-CA-N070-2013-0011)
Paso Spring and Pothole Spring Riparian Projects

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental assessment (EA) (**DOI-BLM-CA-N070-2013-0011**) analyzing the impacts of constructing exclosure fences, redeveloping springs, and relocating watering troughs at Paso Spring and Pothole Spring.

The EA analyzes three (3) alternatives from which I have selected Alternative 1 (Proposed Action).

Alternative 1, the Proposed Action is described on page 5 of the EA and consists of:

A four strand (3 barbed, and one bottom smooth wire) barbed wire fence would be constructed at Paso Spring that would tie into the existing pasture division fence. This fenced area would be managed as a part of the existing exclosure that currently fences a portion of Paso Spring. A total of .63 miles of fence would be built around the spring enclosing approximately 27 acres. An off-site water development for cattle would be placed in two locations to serve the Home Camp and Denio Allotments. A total of 1120 feet of new pipeline would be installed under the proposed action. A water trap fence with gates would be built around one of the troughs to provide water for cattle in the Denio Allotment and allow for control of livestock. Sage-grouse collision markers would be installed on the fences. Unnecessary fencing within the riparian zone at Paso Spring would be removed to reduce the possibility of wildlife entanglements and fence strikes. A total of .27 miles of fence would be removed under the Proposed Action. All broken troughs and broken infrastructure would be removed from the site. Map 1 in the EA shows a diagram of the exclosure, fence removal and water trough locations. The total acres fenced within the old exclosure and new exclosure would total approximately 165 acres.

The Pothole Spring off-site water would consist of repairing the springbox, trenching and installing pipe down the existing road and installing a watering trough outside the riparian area. The broken trough would be removed from the site. See Map 2 in the EA for a diagram of the pipeline and water trough. A total of 2136 feet of pipe would be installed to the new trough location. The total riparian area size at Pothole Spring is approximately 5 acres.

In addition to the description of the proposed action provided in the EA, the following language has been added to clarify the intent of the proposed action and address resource concerns that arose as a result of internal and external scoping and public involvement.

Paso Spring-
Water would be split at the springbox between trough and riparian area to maintain adequate flow to the riparian area from the spring source. The water system will be installed and functioning properly before installing the fences on the Home Camp and Denio Allotments. Due to the continued drought, both springs are currently not producing water so construction of the project may be delayed until spring source recharge occurs. The pit reservoir within the exclosure will be breached following construction of the water developments to reduce West Nile virus risk to sage-grouse and increase the length of wetted riparian area. All broken troughs and pipes would be removed from the site.

Pothole Spring-
Two new troughs would be installed, with one on each side of protection fence. The BLM will assess functionality of the riparian system in 4 years and if objectives in the EA are not met by that point in time, the BLM would fence the site and tie it into Paso exclosure as outlined in the EA and described in Alternative 3. The newly built off-site water system would remain in place. All broken troughs and pipes would be removed from the site.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action addresses the underlying need for the proposal and accomplishes the following objectives developed from the Surprise Field Office Resource Management Plan (RMP) and Record of Decision (ROD), April 2008, and Standards and Guidelines (S&Gs).

The RMP supports the proposed project construction as identified in the following sections:

Section 2.14.4 (p.2-59):
- Actions would minimize damage to the watershed and its soil, vegetation, air-quality or other resources of the public lands.

Section 2.19.5 (p.2-77)
- Protecting uplands, springs, streams, riparian areas, and wetlands from grazing by employing and maintaining protective exclosures.

Section 2.22.2 (p. 2-87)
- Locate new livestock watering sites where depletion of natural springs and wetland areas can be avoided. Equip watering troughs with ramps for wildlife access and egress; provide water at ground level, if possible.
- Ensure that sufficient vegetation is retained around springs and other water sources, riparian areas, and wetlands to fulfill the needs of wildlife.
- Remove fencing that is no longer required and replace fencing that is harmful to wildlife. Build all new fencing to wildlife-friendly specifications.

Section 2.2.2 (p. 2-6)

- Actions would provide protection and aid in the preservation of significant cultural resources; ensuring that these resources are available to present and future generations for appropriate uses.

RMP Objectives

Objective 1: The BLM Surprise Field Office would seek to reduce imminent threats to cultural resources and resolve potential conflicts, from natural or human-caused deterioration or from other resource uses…(RMP Sec.2.2.3,p.2-6).

Objective 2: Achieve healthy and productive wetland and riparian habitats through measures that will restore and protect riparian vegetation, and achieve habitat diversity and hydrologic stability (RMP Sec. 2.15.3, p.2-63).

Objective 3: Development of springs, seeps, and other water related projects shall be designed to promote rangeland health. Wherever possible, water sources shall be available for yearlong use by wildlife (S&Gs Guideline 13).

ROD Management Actions

Maintain 5,500 acres of existing livestock exclosures. Meadows and aspen stands of significant value to wildlife will receive priority for additional livestock exclusion. When fencing natural water sources, water would be provided outside fences for livestock, wildlife, and wild horses.

The needs of wildlife and wild horses would be considered in water developments for livestock grazing. Water would be retained and provided at ground level in all livestock water developments. Natural riparian habitat, and a substantial portion of the surrounding cover, would be protected for wildlife use where water is developed from natural sources.

Apply restoration treatments to improve hydrologic function and water quality, including bioengineering treatments, improved livestock grazing planting woody riparian vegetation, and installing in-stream structures.

Maintain existing water sources and manage to promote wildlife habitat, improve distribution of livestock and wild horses, and provide for recreational uses.

Prioritize development of new water sources to extend seasonal water availability for wildlife and to benefit desired ecosystems.

Implement the *Greater Sage-Grouse Conservation Plan for Nevada and Eastern California*, First Edition (2004), including the Vya and Massacre Conservation Strategies.

Design and locate new livestock water developments to avoid dewatering natural springs or wetland areas. Outfit all livestock troughs with wildlife access ramps. Strive to provide water at ground level for wildlife at all developments, as feasible.

The action is also in accordance with 43 CFR 4100 and is consistent with the provisions of the Taylor Grazing Act, Public Rangelands Improvement Act, and Federal Land Policy and Management Act.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:

Based upon a review of the EA and the supporting documents, I have determined that Alternative 1, the proposed action is not a major federal action having a significant effect on the human environment, individually or cumulatively with other actions in the general area. For this reason no environmental impact statement needs to be prepared. This finding is based on the following rationale and discussion of context and intensity of the action.

Rationale:

Following is the rationale for why the identified issues discussed in the EA will not be significantly affected or affect the action.

Cultural Resources In 2012 the Surprise Field Office (SFO) conducted National Historic Preservation Act (NHPA) Section 106 compliance inventory for the project area. The inventory identified two sites that are located with the project area. One site has been recommended as ineligible for listing on the National Register of Historic Places (NRHP). The other site has not been formally evaluated for the NRHP but will be treated as eligible for the NRHP until such an evaluation is made.

Disturbance to the cultural resources is a result of the watering troughs being located within the cultural resource sites. In addition to cattle impacts, a two track road runs through the sites causing additional disturbance.

The proposed action will affect only those portions of the NRHP unevaluated site that have been so severely impacted by livestock that they no longer contribute to the NRHP eligibility of the site. The proposed action will better protect intact portions of the site from livestock which will ultimately benefit the site.

Priority Sage-grouse Habitat- The proposed action is relatively small in scale. It would provide minor benefits to sage-grouse and other wildlife by the maintenance of riparian habitat at Pothole Spring and creation of the expanded exclosure at Paso Spring which will increase local opportunities for nesting, foraging and cover. Mitigation for sage-grouse includes adding fence markers to reduce potential fence collisions.

Pygmy Rabbit Habitat Pygmy rabbit are not known to occur in the general area of either project. Surveys at both sites did not detect pygmy rabbit or signs of their use. Habitat does not appear suitable for pygmy rabbit and no rabbits or burrows were observed during survey and design of the project.

Livestock Management
Implementation of the proposed action would not change current permitted active use (AUMs), kind, and authorized season of use. The project is scheduled for implementation in 2014, but could be postponed for a variety of reasons, including but not limited to funding or other higher

priority projects. All work would be conducted by BLM staff or contractors, and built to specifications as identified in the EA. Future project maintenance would be the responsibility of the permittee.

Vegetation

While livestock will continue to graze affected pastures annually, the proposed action is unlikely to change utilization patterns or affect basic plant communities and plant community seral stages within the pastures affected by the project area. Some vegetation would be crushed along the entire length of the fence, pipeline, and troughs as a result of vehicle traffic during construction of the project. The disturbed area would naturally revegetate in two or three growing seasons. Vegetation will also be crushed from animal concentrations at the water troughs.

The proposed action would not contribute to cumulative effects to vegetation as a resource because effects would be limited to the project area, and would not result in any measurable change in arrangement or distribution of vegetation communities on an allotment or regional basis.

Resource(s)/Concerns Discussed but Eliminated as an Issue

Resource and/or potential concerns were identified during internal and external scoping. These are listed and discussed in Chapter 1 of the EA. I have reviewed the rational provided for each resource or concern and support their elimination as an issue.

Context: The proposed action is in a project area involving two grazing allotments and two specific pastures totaling approximately 32 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance, but on a local level it is important to the local economy and public land health.

Intensity: The following discussion is based on the relevant factors that should be considered in evaluating intensity as described in 43 CFR 4100:

1. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

I have determined that none of the direct, indirect or cumulative impacts associated with the selected alternative are significant, individually or combined.

2. The degree to which the selected alternative will affect public health or safety.

The proposed action is located within a rural setting. Construction of fences and development of springs including underground pipelines have occurred in the affected area for decades, and there have been no known instances where public health or safety has been affected or a conflict has occurred.

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

A discussion of these unique geographic areas and anticipated environmental issues is located in Chapter 3of the EA, starting on pg. 11. Based on the EA I have determined that the selected alternative will not have a significant impact on the unique characteristics within affected area.

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

Scoping for the proposed action and background information was sent to known affected and interested publics. Comments concerning the design were considered in the EA; therefore I have determined that the effects described in the EA are not highly controversial.

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

Fence construction and spring development is an activity common to BLM management, and BLM has developed standards to minimize wildlife risks, including mitigation measures for Greater sage-grouse. The analysis provided in the EA does not indicate that this action would involve any 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 construction of fences and water development pipelines is not precedent setting.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.

A cumulative effects analysis was conducted as part of the EA, and it determined that there were no cumulative effects associated with the selected alternative.

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

The action does not adversely affect properties listed in or eligible for the National Register of Historic Places.

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 (ESA) of 1973.

There are no known threatened or endangered species or their habitats in or around the project area.

10. Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where nonfederal requirements are consistent with federal requirements.

The action does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.

/s/ Heather Whitman_____ **August 22, 2014**
Heather Whitman, Acting Surprise Field Manager Date