BLM

United States Department of the Interior
Bureau of Land Management

Environmental Assessment DOI-BLM-MT-B010-2012-0003-EA
Case file Number: MTM102764

Finding of No Significant Impact

Road Right-of-Way across Fred Burr Creek

Location:	**Section 12, T6N, R14W, 3 miles south of Philipsburg in Granite County, Montana**
Applicant/Address:	**Candide Family Limited Partnership** PO Box 1101 Philipsburg, MT 59858

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Introduction

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-MT-B010-2012-0003-EA) to consider an application for a right-of-way (R/W) to construct a new road across a 160-acre parcel of BLM land grant in the area south of Philipsburg in Granite County, Montana. The project authorizes a right-of-way on public land and the construction of a bridge across Fred Burr Creek. The project includes measures to minimize impacts to resources and for road maintenance. The underlying need for the proposal would be met while accomplishing the objectives for management areas 1, 3, 13, and 14 set forth in the Garnet Resource Area Resource Management Plan (1986) as amended, hereafter referred to as the Garnet RMP.

The R/W is approximately 4,800 feet long, would be constructed in conformance with BLM and Granite County road design standards, and include construction of a new bridge across Fred Burr Creek. The new road would be located within a 60-foot wide by 4,800-foot long right-of-way that encompasses approximately 7-acres of the BLM land. EA DOI-BLM-MT-B010-2012-0003-EA is attached, and is incorporated by reference for this Finding of No Significant Impact (FONSI). A proposed action and no action alternative were analyzed in the EA.

Plan Conformance and Consistency

In accordance with 43 CFR 1610.5, the Proposed Action is subject to and conforms to the Record of Decision for the Garnet Resource Area Resource Management Plan RMP/EIS (1986) as amended. The Project is located on lands designated in the RMP as Management Areas 1, 3, 13, and 14 (MA-1, 3, 13, 14). These MAs place emphasis on riparian zone protection, timber management, wildlife and livestock forage values and mineral extraction. The Proposed Action follows the Management Goals and Guidelines stated in the RMP for these MAs.

Finding of No Significant Impact Determination

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and 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 do not exceed those effects described in the Garnet RMP/EIS. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described:

CONTEXT

The project is a site-specific action directly involving approximately 7 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance.

INTENSITY

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal.

Impacts may be both beneficial and adverse.
Chapter four of the EA discusses the direct, indirect and cumulative effects (beneficial and adverse) expected with implementation of the proposed action. None of the environmental effects discussed in detail in the EA are considered to be adversely significant, nor do the effects exceed those analyzed in the *Garnet Resource Management Plan/Environmental Impact Statement* (1985).

The degree to which the selected alternative will affect public health or safety.
The EA analyzes short and long-term impacts (p. 46) as well as cumulative impacts (p. 52) to safety; a copy of the Traffic Impact Assessment is in Appendix F of the EA.

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.
There are no prime farm lands as defined by 7 CFR 657.5, caves designated under 43 CFR 73, wild and scenic rivers (either designated or suitable), designated wilderness and wilderness study areas or areas of critical environmental concern (ACEC) designated under 43 CFR 1610.7-2 that are in the project area addressed in the EA.

The degree to which the effects on the quality of the human environment are likely to be highly controversial.
The types of proposed management activities and associated effects of the proposed action are routine in nature and would not be scientifically controversial.

The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
No highly uncertain or unknown risks to the human environment were identified during analysis of the preferred alternative.

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 actions considered in the proposed action were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative and all other alternatives is described in Chapter 4 of the EA.

Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.
The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 4 of the EA.

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.

There are no scientific, cultural, or historical resources, including those listed in or eligible for listing in the National Register of Historic Places that would be significantly impacted with implementation of the proposed action.

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, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.
The BLM has determined that there is "No Effect" to threatened, endangered or candidate species because: species are considered to be transient; there is no critical habitat; do not occur within the analysis boundaries; or if present, would not impact the species as a whole. BLMs determination of "No Effect" concluded Section 7 compliance.

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 non-federal requirements are consistent with federal requirements.
The proposed action does not violate any known Federal, State, or local law or requirements imposed for the protection of the environment and it is consistent with applicable land management plans, policies, and programs.

John W. Thompson

John Thompson, Acting Field Manager

3/17/2014

Date