

**United States Department of the Interior
Bureau of Land Management
Elko District**

**FINDING OF NO SIGNIFICANT IMPACT
Frost Creek Allotment Grazing Permit Renewal Environmental Assessment and
Allotment Management Plan**

4130/05421 + BLM-NV-010-2009-003

Based on the attached environmental assessment (EA) for the permit renewal of two (2) grazing authorizations on the Frost Creek Allotment (**BLM-NV-010-2009-003**), I have determined that implementation of the action alternatives and associated range improvements, as described and analyzed in the EA, will not significantly affect the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) is not required prior to my issuance of the decision.

This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27) with regard to the context and the intensity of impacts, as discussed in the EA and summarized below.

Context:

The alternatives chapter of the EA focuses on livestock grazing management on 10,613 acres of public land and 544 acres of private land within the Frost Creek Grazing Allotment located 40 miles south of Elko, NV and is situated between the Pinion Range to the west and the Ruby Mountain Range to the East within the Huntington Valley Watershed.

The BLM has issued the following documents to improve livestock grazing management on the allotment: 1994 Final Multiple Use Decision (Update to the 1993 Allotment Evaluation), 2002 Draft Determination Standards and Guidelines Assessment, 2002 Proposed Multiple Use Decision, 2007 Final Determination Standards and Guidelines Assessment, and the 2009 Draft Determination Standards and Guidelines Assessment. After modifications to the 1994 FMUD grazing system were implemented on the allotment, monitoring data and field visits have indicated that resource conditions are improving and Standards for Rangeland Health are being achieved or progress is occurring towards meeting them, specifically Standard #3(Habitat).

Intensity:

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

The analysis identifies both beneficial and adverse impacts on wetlands, riparian zones and aquatic and avian species of concern that may arise as a result of the proposed grazing permit renewal and range improvement projects. Measures are incorporated to avoid or reduce adverse impacts from grazing, conserve habitat for the sensitive species, and identify and protect cultural resources.

The analysis of monitoring data included within the June 2009 Standards and Guidelines Assessment and the EA concluded that attainment of, or progress towards attainment of multiple use objectives and the Standards and Guidelines for Rangeland Health were being made due to implementation of the modifications to the 1994 FMUD system which began in 2002.

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

The proposed action will have no effect on public health or safety.

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.*

The proposed plan incorporates procedures for the protection and management of historic and cultural resources and other unique areas in the Frost Creek Allotment. No park lands, special recreation management areas, prime or unique farmlands, or wild and scenic rivers exist in the allotment. Wildlife habitat and wetland and riparian areas have been monitored and analyzed for effects of grazing against established management objectives. The analysis concluded that modifications to the 1994 FMUD Grazing System are expected to make significant progress towards attainment of the riparian and wildlife habitat standards, standards for rangeland health, land use plan, and allotment specific objectives.

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

The analysis contained within the 2009 Standards and Guidelines Assessment and EA concludes that existing management is meeting standards for rangeland health 1 (Upland), 2 (Riparian and Wetland), and 4 (Cultural). Standard 3 (Habitat) is being partially met and progress towards meeting the standard is occurring. If modifications to the 1994 FMUD Grazing System are adopted for the Frost Creek Allotment as described in the proposed action, it is expected that progress towards achieving all standards for rangeland health and multiple use objectives would continue. The comments to the June 2009 Standards and Guidelines Assessment indicated support for the various proposed grazing management alternatives, range improvements, and the modifications to the 1994 FMUD Grazing System. One comment was received that showed concern with the BLM's proposed grazing management alternatives discussed in the 2009 Standards and Guidelines Assessment. Based on the above information and comments received, I have concluded that the effects would not be highly controversial.

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

The action alternatives and proposed range improvements would have effects that are predictable and well known. There are no risks of concern associated with this permit renewal for ongoing grazing. The analysis is based on monitoring information, and all livestock grazing authorizations are subject to applicable procedures to prevent undue environmental harm and risk. Modifications to the 1994 FMUD Grazing System allow for adaptive management to meet resource objectives and includes continual monitoring and evaluation of monitoring data to address any uncertainty as to effects on an annual basis.

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 ten-year grazing permit includes terms and conditions to protect resources from significant adverse effects. The modifications to the 1994 FMUD Grazing System includes annual planning with permittees and BLM approval component to ensure that resource protection objectives are met. This action does not make any commitments for BLM approval for any future actions. All proposed livestock management decisions would continue to be subject to further consideration in accordance with BLM grazing regulations, NEPA regulations and other pertinent policies.

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

All resources are evaluated for cumulative impacts in the EA, and no significant impacts of concern are identified. As a standard procedure, cumulative impacts would continue to be subject to further review as projects or changes to grazing are proposed, and on a site-specific basis.

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

The proposed plan incorporates special design and environmental design and resource protection features to identify and protect significant cultural resources from adverse effects.

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 ESA of 1973.*

No listed species are known to occur within the Frost Creek Allotment, and no critical habitat for any species has been designated in the area. As discussed for “special status species” in the EA, the allotment does provide habitat for BLM-sensitive species of concern such as sage grouse. The proposed action and alternatives include measures to prevent adverse impacts to these species and conserve their habitats, and is not expected to result in the listing of any species of concern.

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 has been developed and reviewed in coordination with applicable agencies to ensure its consistency with plans and requirements of other Federal, State and local agencies.

David Overcast
Manager, Tuscarora Field Office

Date