

**FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND DECISION**  
**Dry Creek Petrified Tree Fire Rehabilitation, WY-070-DNA11-212**  
**Bureau of Land Management, Buffalo Field Office**

**FONSI:** Based on the analysis of potential environmental impacts contained in the attached Determination of NEPA Adequacy (DNA) Worksheet, its attached pesticide use proposal (PUP) and as analyzed in the land use plans, amendments, final environmental impact statements (FEIS), environmental assessments (EA), and rehabilitation plans listed in the DNA worksheet (all incorporated here by reference) for the Buffalo resource area, I find that the activity of the Dry Creek Petrified Tree fire rehabilitation will not have a significant effect on the human environment. Therefore there is no requirement for an EA or EIS.

**DECISION:** It is my decision to authorize the Dry Creek Petrified Tree Fire Rehabilitation as described in the DNA WY-070-DNA11-212.

**SUMMARY OF THE PROJECT:** The Bureau of Land Management (BLM), Buffalo Field Office (BFO) will conduct stabilization activities on approximately 281 acres of public land in the Dry Creek Petrified Tree area, found about 5 miles north of I-90 exit 65, west of Johnson County Road 54 (Tipperary Road). (Alternatively it is 9 miles directly east of Buffalo, WY.)

This decision is contingent on meeting all stipulations and monitoring requirements listed below:

1. The terms and conditions identified in the Biological Opinions for the Powder River Basin Oil and Gas Project apply to this rehabilitation project.
2. The BLM will adhere to applicable mitigation measures identified in the resource management plans (RMPs) and their records of decision (RODs) throughout implementation of this project.
3. Grazing of seeded areas will be restricted for at least 2 growing seasons following spring 2011 seeding. Grazing will be allowed when monitoring results reflect an improved condition class and when it is determined by resource staff that the treatment area can sustain grazing without compromising the effectiveness of treatment or contributing to invasive species spread.

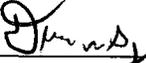
**RATIONALE:** The decision to authorize this treatment was made in consideration of the environmental impacts of the proposed action. The action is in conformance with the RMPs, final environmental impact statements (FEISs), environmental assessments (EAs), and rehabilitation plans listed in the DNA worksheet, and with USDI Order 3310, as well as the re-vegetation of native plant communities and control of invasive weeds. This project area is clearly lacking in wilderness characteristics due to being less than 5,000 acres and not affording outstanding opportunity for solitude or primitive recreation.

The seeding treatment should stabilize soils, manage the spread of invasive species, and move the area toward Condition Class I (CC1), where fire regimes are within the natural/historical range and the risk of losing key ecosystem components is low. In subsequent years, as a result of this stabilization treatment, damaged soils will be stabilized during high wind events, and will support the vegetative composition, structure, and patterns representative of a functional grassland ecosystem.

This project is not unique or unusual, and the BFO implemented similar actions in the past. The environmental effects to the human environment were analyzed in the DNA's referenced RMPs, FEISs, EAs, and rehabilitation plans, and there are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks. This surface disturbance (seed drilling, physical removal of invasive species below the soil surface, etc.) approval is conditioned on the

inventory and negative finding of important cultural resources of the project area. No threatened or endangered plants or animals or critical habitat are known to occur in the area.

The BFO coordinated with the grazing lessee in developing this rehabilitation project. This coordination is on-going requirement of this project until such time as grazing resumes on the affected 281 BLM acres. The effective date of this project is March 16, 2011.

  
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Authorized Officer (Signature)

4/20/11  
\_\_\_\_\_  
Date of Signature

**ADMINISTRATIVE REMEDIES:** This decision is issued under 43 CFR 4190.1 and is effective immediately. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire. Thus, notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.