

**Finding of No Significant Impact
For
The Sand Hills Comprehensive Travel and Transportation Management Plan
And Associated Resource Management Plan Amendment**

Introduction:

The Bureau of Land Management (BLM) prepared an Environmental Assessment (EA) (WY-060-EA09-04) which analyzed the effects of implementing a Comprehensive Travel and Transportation Management Plan (CTTMP) and an associated Casper Resource Management Plan (RMP) amendment for the Sand Hills Management Area. The implementation of a CTTMP for the Sand Hills Management Area complies with decision 6075 of the Casper RMP which states, "To determine the authorized road network for the area, the Casper Field Office will complete a Transportation Plan within 5 years of completing this RMP." The amendment expands the boundary of the Sand Hills Management Area to include public lands located to the west and southwest extending the total public lands surface area to 20,090 acres and would only apply to transportation and OHV use within the Sand Hills MA as described in the Sand Hills CTTMP. The RMP decisions for the Sand Hills MA would not be carried over into the proposed expanded transportation boundary.

Proposed Action:

The preferred alternative (B) strives to provide a transportation system that would meet the needs of users while removing unnecessary routes in order to preserve natural resources. Under this alternative, the planning area boundary would be adjusted to include public lands located to the west and southwest increasing the MA by 2,460 acres for a total of 20,090 acres of public surface. This would require an RMP amendment as transportation planning area boundaries are defined at that level.

Preferred alternative (B) designates specific routes as open for motorized use, including OHV that are most commonly used and provides adequate motorized access across the management area. Routes designated as open for motorized use, including OHV would be available to all persons with legal access and would be signed accordingly.

The maintenance intensity level is classified as a Level 1. The management objectives for a Level 1 include, low or minimal maintenance intensity, with an emphasis given to maintaining drainage and run-off patterns as needed to protect adjacent lands. Grading, brushing, or slide removal is not performed unless drainage is being adversely affected, causing erosion, and route surface and other physical features are not maintained for regular traffic. Maintenance intensity level 1 is described as routes where minimal (low-intensity) maintenance is required to protect adjacent lands and resource values. These roads may be impassable for extended periods of time.

The routes designated for authorized use only would not be required to meet minimum BLM road standards and would be limited to persons who have permitted uses in the area. Maintenance would be allowed where necessary to protect adjacent lands, resource values and prevent erosion.

Non-motorized transportation would be allowed on all designated routes within the MA and non-motorized cross-country travel would be allowed as long as resource damage does not occur. The BLM would seek to obtain a right-of-way agreement across private land to allow non-motorized access to the Sand Hills MA. If successful, the BLM would construct a trail head and parking area on the public land near the access location. Currently no location has been selected nor has an existing landowner offered to negotiate with the BLM for this type of easement. Therefore, it would be necessary to complete a site specific environmental assessment before any action could be taken by the BLM in order to ensure that no significant environmental impacts would occur as a result of this management action.

Surface disturbing activities (e.g., road maintenance) would be evaluated in a separate site-specific NEPA document. New rights-of-way authorized for the development of existing leases would be approved at the lowest maintenance level necessary to protect soils and existing vegetation and would use the designated transportation system to the greatest extent possible. Rights-of-way would be shared whenever possible and would be reclaimed when no longer necessary. In order to accurately analyze the impacts of alternative B, all inventoried routes from the analysis area have been included in the totals regardless of surface ownership. On public surface, alternative B would designate 28 miles of primitive roads open to motorized use, including OHV. Additionally, 12 miles of primitive roads would be limited to authorized use only, and 8 miles of the existing travel routes on BLM administered lands would be closed. A total of 34 miles of primitive roads located within the analysis area, but outside the management area would not be impacted by this alternative.

The BLM would work with the Office of State Land and Investments to reduce the overall number of roads on adjoining State lands. The intention of working more closely with the Office of State Land and Investments would be to maintain the integrity of the transportation network, meet user needs, and reduce the overall impacts to the existing environment.

Recommendations for motorized use of State lands, under alternative B would include limiting motorized travel on one mile of ways to authorized use only, designating 13 miles of existing routes as open to motorized use, including OHV, and closures on 7 miles. The remaining 9 miles of existing routes on State lands would have no designation recommendations provided by the BLM. Map 6 of EA WY-060-EA09-04 depicts the transportation system as described under preferred alternative (B).

Finding of No Significant Impact:

On the basis of the information contained in the EA, and all other information available to me, it is my determination that the preferred alternative (B) does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not necessary and will not be prepared. This finding is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA.

Rationale:

The primary purpose for conducting an environmental assessment (EA) 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 a significant effect 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. The following provides an analysis of the significance of impacts of implementing a Comprehensive Travel and Transportation Management Plan (CTTMP) and an associated Casper Resource Management Plan (RMP) amendment for the Sand Hills Management Area in terms of context and intensity as defined in the regulations.

“a) Context. This 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. Significance varies with the settling of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short-term and long-term effects are relevant”. (40 CFR 1508.27(a))

“(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following should be considered in evaluation intensity.” (40 CFR 1508.27(b))

I have considered the potential intensity/severity of the impacts anticipated from the implementation of the Comprehensive Travel and Transportation Management Plan (CTTMP) and an associated Casper Resource Management Plan (RMP) amendment for the Sand Hills Management Area relative to each of the following ten areas suggested for consideration by the CEQ, with regard to each:

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

Chapter 4 of the EA identifies the impacts that would likely occur. Impacts associated with the implementation of the Sand Hills CTTMP and the associated Casper RMP amendment are considered beneficial. Activities and the mitigation measures as identified in the EA would occur while not causing impacts that rise to the level of significance as defined by the Council on Environmental Quality.

2. *Degree of effect on public health and safety*

The Preferred Alternative (B) provides the designation of routes which separates some of the conflicting uses within the Sand Hills Management Area. Posting signs and the generation of maps for the area will clearly define which uses will be allowed on each route. The closure and rehabilitation of other routes will remove potentially hazardous routes from the transportation network. Establishing non-motorized access will help to further separate use. Preferred Alternative (B) creates a safer environment and a positive effect on public health and safety.

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

The Sand Hills north of Casper are part of a much larger sand dune complex and is not in and of itself a unique geographic area. There are no prime farms lands or wild and scenic rivers

within the analysis area. There are riparian and wetland habitats on private lands within the area but these do not fall under the authority of the BLM and are not directly impacted by preferred alternative (B).

4. *Degree to which the possible effects on the quality of the human environment are likely to be highly controversial*

The BLM Casper Field Office mailed 128 letters and sent 32 email notifications requesting scoping comments, held a public scoping meeting, distributed maps for public consideration, conducted on-the-ground interviews, held landowner meetings and private interviews to discuss and address the effects of the preferred alternative (B) on the human and natural environment.

Both complimentary and adversary comments were received. All comments received have been paraphrased and grouped by topic so that all relative topics could be addressed in an organized and concise manner and located in Appendix D of the EA. Full comment letters are part of the public record and are available at the Casper Field Office, 2987 Prospector Drive, Casper Wyoming, 82604.

One outstanding issue remains. Access for the general public has been an ongoing issue regarding the Sand Hills Management Area. It has been identified in the Casper RMP to pursue legal public access in decision 7054. The EA does not achieve the goal of obtaining legal access for the general public, as obtaining access will require a willing land owner for an easement, sale, or exchange. The BLM views the legal access as an outstanding item of implementation for the Casper RMP.

Although there have been some adversary comments, the possible effects of the preferred alternative (B) on the quality of the human environment are not considered to be highly controversial.

5. *Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk*

The effects of the preferred alternative (B) are not uncertain and do not involve unique or unknown risks.

6. *Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principal about a future consideration*

Preferred Alternative (B) requires the preparation of a comprehensive schedule for implementation and a monitoring plan that will incorporate adaptive management principals. The adaptive monitoring plan will help to ensure that successful implementation occurs and that needed adjustments in the decision occur in a timely manner. Should resource impacts be observed and documented as a result of implementing any decisions approved as part of the CTTMP, BLM will consider corrective measures. However, the preferred alternative (B) does not establish a precedent and does not represent a decision in principal about future considerations.

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

Preferred Alternative (B) does not produce any individual or cumulatively significant environmental impacts and is anticipated to reduce the adverse impacts occurring from current management.

8. The degree to which Preferred Alternative B may adversely affect districts, sites, highways, structures, or objects listed on or eligible for nomination to the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources

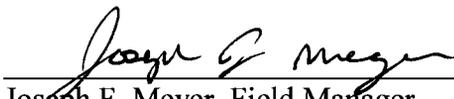
The BLM operates under a Protocol Agreement between the Wyoming State Historic Preservation Office, and the Advisory Council on Historic Preservation. Site specific environmental documentation and assessment have been completed. No site specific ground disturbing activities have been identified as part of any decisions in these documents. The Bozeman Trail will not be adversely impacted by any decision in this document.

9. Degree to which the action may adversely affect an endangered or threatened species or its critical habitat

The analysis area for the proposed action was evaluated for the presence of threatened and endangered species occurring on the U.S. Fish and Wildlife Service (USFWS) Species list for the Casper Field Office. Based on a database review and field visits it was determined that the preferred alternative (B) would have a “no effect” on any federally listed species.

10. Whether the action threatens a violation of Federal, State, or local law or requirement imposed for the protection of the environment.

The Preferred Alternative (B) is consistent with all Federal, State, and local laws.



Joseph F. Meyer, Field Manager
Casper Field Office

Date Signed: 11-5-09