

Finding of No Significant Impact

Beck Lake Mountain Bike Trail

WY-020-EA 12-85

Cody Field Office, Wind River/ Bighorn Basin District, Wyoming

April 2013



FINDING OF NO SIGNIFICANT IMPACT

WY-020-EA12-85

INTRODUCTION:

The City of Cody has applied for a linear mountain bike trail right-of-way (WYW-166001) that would authorize a system of bike trails. An Environmental Assessment (EA) has been prepared to disclose the environmental consequences of authorizing a right-of-way (ROW) grant for a mountain bike trail to the City of Cody in accordance with the Title V of the Federal Land Management Policy Act (FLPMA) and the National Environmental Policy Act (NEPA) of 1969, as amended (Handbook H-1790-1). Based on the analyses presented in this EA and the supporting documents, the Cody Field Manager will determine whether to prepare a Finding of No Significant Impact and a Decision Record approving the Proposed Action or another alternative. The project is known as the Beck Lake Mountain Bike Trail, and would be analyzed by the Cody Field Office.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA and the supporting documents, I have determined the project is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. This finding is based on the context and intensity of the project as described. In addition, 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 Cody Resource Management Plan, Final Environmental Impact Statement, and Record of Decision, signed November 8, 1990, for these reasons an environmental impact statement is not needed.

Context:

The Action would occur within the Cody Field Office boundaries and would have local impacts on the resources similar to and within the scope of those described and considered within the Cody Resource Management Plan, Final Environmental Impact Statement, and Record of Decision, signed November 8, 1990. The project is a site-specific action directly involving public land in the vicinity of Beck Lake (Cody Field Office Administrative Unit) 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 resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

The following have been considered in evaluating intensity for this proposal:

1. Impacts may be both beneficial and adverse.

Resources analyzed for impacts include: invasive, non-native species (weeds), migratory birds, threatened and endangered animals and plants, recreation, visual resource management, water quality (surface and sub-surface), riparian and wetlands, rangeland health, vegetative resources, archaeological resources, historical resources, paleontology,

minerals, geology, lands, soils, air quality, floodplains, and health and public safety (including hazardous materials).

The resources analyzed may have both beneficial and adverse impacts. Issuance of a ROW grant to the City of Cody for the portion of the trail system on public land would enable the City and volunteer groups to better meet local recreational needs involving mountain biking.

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

The designed trail system would provide a network of bike trails for all levels of experienced users and a safer environment for trail use. The trails would be signed for each level of experience.

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.

The area would be situated south of Cody, Wyoming at Beck Lake Park on City of Cody property and would include a picnic area with bathrooms and three (3) water storage reservoirs (Markham Reservoir, New Cody Reservoir, and Beck Lake).

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

Public scoping was held on February 15, 2012 followed by a 30-day comment period. Fourteen written comments were received, of which 13 were in support of the proposal, with the other comments from Wyo-Ben Inc., a bentonite mining company, expressing concern about the southern portion of the existing trail crossing some of their active mining claims.

Internal scoping was conducted by a BLM CYFO interdisciplinary team. Scoping began in March 2012. Input was given regarding the scope of the project, suggestion for alternative routes along with suggested stipulations/mitigations regarding the bike trail system.

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

Recreational activities are common actions for the BLM. Wherever possible we strive to place ROWs in locations of previous disturbance to keep the footprint of disturbance to a minimum. Therefore, there are no uncertain or unique risks associated with this project.

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.

This project neither establishes a precedent nor represents a decision in principle about future actions. The actions considered in the selected alternative were considered by the Interdisciplinary Team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects were not predicted.

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

The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the Cody Field Office Resource Management Plan and ROD. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects have not changed and would not be predicted.

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 improved bike trail would facilitate safe travel in the area. Potential impacts from the proposed action, Alternative I, would include disturbance of previously undetected, buried, cultural remains through construction activities. Additional potential impacts to cultural resources include unauthorized surface collection and looting of buried materials. Increased presence in the project area to support and maintain construction of the road would result in an indirect opportunity for additional unauthorized surface collection and buried material.

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 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.**

There would be an increased disturbance of nesting birds in the area after trail construction would be complete and the area would be used by bicyclists for recreation. There would be no take of migratory birds as a stipulation would keep migratory birds from being harmed during trail construction. There would be an increased likelihood of weed species moving in from the surface disturbance associated with the trails being built. There would be no effect on listed species.

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 non-federal requirements are consistent with federal requirements.**

The project would not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. In addition, the project would be consistent with applicable land management plans, policies, and programs.



Michael P. Stewart
Field Manager, Cody

Date 4/30/2013