

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

Decision Record
Environmental Assessment - Amendment
DOI-BLM-WY-WR02-2010-076-EA

**Little Mountain Travel Management Plan Environmental
Assessment, 2005 - Amendment, 2010**

Cody Field Office, Cody Wyoming

Cody Field Office
1002 Blackburn Street
Cody, WY 82414
307-578-5900
307-578-5939 (f)

Wind River/Bighorn Basin District Worland, Wyoming



DECISION RECORD

Little Mountain Travel Management Plan Environmental Assessment, 2005 - Amendment, 2010

DOI-BLM-WY-WR0-2010-76-EA

AUTHORITIES:

The authority for this decision is contained in 43 CFR § 8340, to protect the resources of the public lands, to promote the safety of all users of those lands and to minimize conflicts among the various uses of those lands. The National Environmental Policy Act (NEPA) of 1969, requirement for site-specific analysis has been met. The Proposed Action and No Action are in accordance with 43 Code of Federal Regulations (CFR) 1610.5-3(a); Federal Land Policy and Management Act (FLPMA) of 1976, as amended; Taylor Grazing Act of 1934; Endangered Species Act (ESA) of 1983, as amended; The Clean Air Act as amended; Clean Water Act of 1977; National Historic Preservation Act (NHPA), as amended; Migratory Bird Treaty Act (MBTA) of 1918, as amended; and the Wyoming Standards for Healthy Rangelands and Guidelines for Livestock Grazing, August 12, 1997. All pertinent statutory requirements applicable to this proposal were considered.

PUBLIC INVOLVEMENT:

Spring of 2010 saw the BLM working with local, county, state, and members of the public through field trips, listening sessions, and the use of maps to better aid discussions of travel management problems. A press release was also printed in local papers (Lovell, Powell, Cody). Transcripts of these listening sessions and map comments can be seen in the EA-Amendment, Appendix A-B.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

Pursuant to 40 Code of Federal Regulations (CFR) 1502.21 and 1508.28, this environmental assessment (EA) tiers to and incorporates by reference the information and analysis contained in the Cody Resource Management Plan, Final Environmental Impact Statement and Record of Decision (ROD), November 11, 1990.

The Amendment document also uses the affected environment and environmental consequences of the original Little Mountain Activity Plan (2005) as the resources have not changed with the exception of one new resource that was identified and analyzed in the Amendment document. That resource was for Wilderness in Character (Land Use Planning Handbook, H-1601-1).

ALTERNATIVES CONSIDERED:

Alternative I: The Proposed Action

The proposed action would be to change the Little Mountain Travel Management Plan/Activity Plan. Roads within the Little Mountain Travel Management Plan/Activity Plan area may need designation change to meet resource protection and access needs in the Little Mountain area.

The proposed action involves a decision on the part of the Authorized Officer (AO) to choose from the roads listed below to satisfy the purpose and need. The letters identify options which may include closing or opening roads or portions of roads; timing or seasonal restrictions on roads or portions of roads; and vehicles or ATVs which would be allowed in the areas under consideration for this alternative.

Choosing among the letters (below) would satisfy the reasons for amending the Travel Management Plan/Activity Plan; for the continued enjoyment of recreation and hunting on Little Mountain.

- A. Southern route on Mexican Hill – Change to designation to open to match the Bighorn National Forest Travel Management Plan (this is a well-used route and would be useful when the northern route is drifted in).
- B./C. Two short, dead-end routes – Keep designation as closed (road is rehabilitating).
- D./E. Two routes to top of Mexican Hill – Keep closed (steep, erosion, and duplicate routes).
- F. Change designation to closed to match the Bighorn National Forest Travel Management Plan (the route passes through a short distance of BLM-managed public land). The Forest Service is planning a reroute of the northern end of the Cottonwood Creek Trail. This reroute would allow non-motorized users to use the Cottonwood Creek Trail and avoid the area by the state land cabin.
- G.1. Simmons/Volpats route
 - a) Open entire route to ATV's except during the seasonal closure and during hunting season (from the beginning of archery season through close of rifle season) allow ATV use only for a two hour time period from 11:00 am to 1:00 pm for game retrieval. The rest of the day the route would be closed during hunting season. During late spring and summer the route would be open to ATVs.
 - b) Same as a) but only applies to first one mile of road where it intersects with or crosses Simmons Canyon).
 - c) All year long the route would be designated closed to motor vehicles except to ATVs for the purpose of game retrieval during hunting season. Game retrieval times 11:00 am to 1:00 pm.
 - d) Close entire route to vehicles all year.
- G.2. Keep designation as closed (very short dead-end route).
- G.3. Keep designation as closed (very short dead-end route, road is rehabilitating).
- G.4. Keep designation as closed (very faint, rehabilitated route, duplicate route).
- H.1. Change designation to open (best route for trucks).
- H.2. Keep designation as closed (faint, duplicate route).
- H.3. Keep designation open (ATVs often use this route).
- I.1. Change designation to open (there is a gate and a cattle-guard on this route).
- I.2. Change designation to closed (duplicate route and blocked by fence).
- J. Change designation to open (best of duplicate routes).
- K. Change designation to closed (worst of duplicate routes).
- L. Keep designation as closed (very rough route on northern half).
- M. Devil's Canyon Road (clarify legend on map). Motorized use allowed for administrative purposes only.
- N. Keep designation as closed (resource protection).
- O. Keep designation as closed (duplicate route nearby, dead-end).
- P. Change designation to closed (short, rehabilitated, duplicate route).
- Q. Keep designation closed (duplicate routes, riparian habitat).
- R. Keep designation closed (rehabilitated, it is within the Five Springs Falls ACEC which allows motorized use only on campground roads; it is within a Lynx Analysis Unit where snowmobile use is not allowed).

Alternative II – No Action Alternative

The No Action alternative would be to leave the situation on Little Mountain as currently described in the Little Mountain Travel Management Plan. No road designations would change, no segments of roads would be changed, and the current seasonal closure on the high country would remain in effect.

SELECTED ALTERNATIVE:

It is my decision to implement **Alternative I -- the Proposed Action**, analyzed in the Little Mountain Travel Management Plan Environmental Assessment, 2005 Amendment, 2010 as defined in EA/Amendment - **DOI-BLM-WY-WR0-2010-76-EA**. The Little Mountain Travel Management Activity Plan (DR/2006), is hereby Amended to include the following changes to the travel management plan including the following described routes (9) in the appropriate road use category. This clause is required in decision records for any further changes, amendments, or plans of the Little Mountain Travel Management Activity Plan.

ROADS THAT HAVE CHANGED TRAVEL DESIGNATION:

A: Southern route on Mexican Hill is changed to “open” to match the Bighorn National Forest Travel Management Plan (this is a well-used route and would be useful when the northern route is drifted in).

F: This is changed to “closed” to match the Bighorn National Forest Travel Management Plan; (the route passes through a short distance of BLM-managed public land). The Forest Service is planning a reroute of the northern end of the Cottonwood Creek Trail. This reroute would allow non-motorized users to use the Cottonwood Creek Trail and avoid the area by the state land cabin.

G1 (a): Simmons/Volpats route

Entire route is “open” to ATV’s except during the seasonal closure and during hunting season (from the beginning of archery season through close of rifle season), allowing ATV use only for a two hour time period from 11:00 am to 1:00 pm for game retrieval. The rest of the day the route is closed during hunting season. During late spring and summer the route is open to ATVs.

H1: This route is changed to “open” (best route for trucks)

I 1: This route is changed to “open” (there is a gate and a cattle-guard on this route)

I 2: This route is changed to “closed” (duplicate route and blocked by fence)

J: This route is changed to “open” (best of duplicate routes)

K: This route is changed to “closed” (worst of duplicate routes)

P: This route is changed to “closed” (short, rehabilitated, duplicate route)

Letters (below) which symbolize those specific elements of the decision are on Map 2, Appendix D of the Little Mountain Travel Management Plan Environmental Assessment, 2005 - Amendment, 2010, DOI-BLM-WY-WR0-2010-76-EA

A, F, G1 (a), H1, I 1, I 2, J, K, & P

RATIONALE FOR DECISION:

My decision to approve the Little Mountain Travel Management Plan/Amendment is based on the following:

The Cody RMP management objective for Off-Road Vehicle (ORV) Management is to maintain or enhance opportunities for ORV use while protecting or avoiding adverse effect of vehicular travel on other resource values. Alternative I, the Proposed Action is in conformance with the Cody RMP and stated objectives for management.

Decision Factors for Alternative Selection:

This decision provides:

- Travel opportunities for primitive camping, hunting, fishing, hiking, and other recreational activities including driving for pleasure while protecting resource values
- Designated routes adequate to meet public demand while protecting resource values
- Reasonable access for non-Federal landowners, right-of-way holders, and others with interests in BLM administered lands
- Administrative access and reasonable commercial activities including Special Recreation Permits
- Maintain and protect social and economic values in the Little Mountain area
- Consistency with RMP land management objectives and fiscal responsibilities.

Monitoring:

Monitoring transportation systems includes measuring the amount of use on routes and the associated effects. The BLM will also accept comments or visitor feedback concerning social interactions and monitor the effects to natural resources resulting from motorized and non-motorized use of routes, or as a result of unauthorized cross-country travel. Monitoring also measures the level and need for route maintenance and effectiveness of route closure efforts.

Monitoring route use and condition is critical to protecting the integrity of the landscape within the Little Mountain Travel Management Plan area from unwanted effects from route degradation, unauthorized off-road travel, or unauthorized vehicular travel. Road/route degradation can result in unacceptable effects on vegetation and soils, which affects soil stability and movement. This in turn, can affect wildlife, fisheries habitat, Special Status species, water quality, wilderness characteristics, visual resources, and the quality for visitor experiences. Monitoring will mostly consist of visual observations by field staff with some photo monitoring. Visitor feedback is also helpful.

Appeal Language:

This decision may be appealed by any adversely affected party to the Interior Board of Land Appeals, in accordance with the regulations contained in 43 CFR, Part 4, § E, Form 1842-1. If an appeal is filed, the notice of appeal must be filed with or delivered to the Cody Field Office 1002 Blackburn Street, Cody, Wyoming 82414, within 30 days of receipt of the decision in accordance with 43 CFR § 4. In filing a Notice of Appeal, you are required to provide a complete statement of the reasons why you are appealing. The appellant has the burden of showing that the decision appealed from is in error.

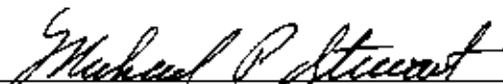
If you wish to file a petition pursuant to regulation 43 CFR § 4.21 (58 FR § 4939, January 19, 1993), for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal.

A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the Notice of Appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals. And to the appropriated Office of the Solicitor (see 43 CFR § 4.413) Office of the Regional Solicitor, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, CO 80215, at the same time the original documents are filed with the Cody Field Office 1002 Blackburn Street, Cody, Wyoming 82414. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.



Michael P. Stewart
Cody Field Manager

8/25/2010

Date