

Finding of No Significant Impact

McCullough Peaks Interpretive Tours and Photography Workshops

WY-020-EA12-75

April 2012

BLM

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



The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

FINDING OF NO SIGNIFICANT IMPACT

McCullough Peaks Interpretive Tours and Photography Workshops Programmatic Environmental Assessment

WY-020-EA12-75

INTRODUCTION: The Bureau of Land Management (BLM) has conducted a Programmatic Environmental Analysis, (EA No. WY-020-EA12-75), for a proposed action to issue Special Recreation Permits (SRPs) for day use commercial interpretive tours and photography workshops in Park County and Big Horn County, Wyoming. The interpretive tours mainly involve viewing of wild horses and the photography workshops mainly involve photographing wild horses. The tours and workshops would occur in the McCullough Peaks Wild Horse Herd Management Area about 15 miles east of Cody, Wyoming.

Alternatives analyzed in detail:

- Alternative I – Proposed Action (authorize issuance of SRPs with new and additional restrictions and stipulations)
- Alternative II – Continuation of Present Management (authorize SRPs continuing with the same restrictions and stipulations)
- Alternative III – No Action (Do Not Authorize Special Recreation Permits for Interpretive Tours and Photography Workshops).

The Programmatic EA would be available at the Cody Field Office and at the following web address and would be incorporated by reference for this Finding of No Significant Impact (FONSI):

www.blm.gov/wy/st/en/info/NEPA/documents/cyfo/srp

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the Programmatic Environmental Assessment and the supporting documents, I have determined that the project is not a major federal action and will 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 would be a site-specific action directly involving the McCullough Peaks area (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.** The proposed action would be expected to meet BLM's objectives for recreation, wild horse, wildlife management, and multiple use relationships consistent with other resource needs. The objectives are as follows:

“The recreation management objective would be to enhance opportunities for primitive recreation, while increasing visitor services in some areas (to meet the needs for more developed forms of recreation).”

“The wild horse management objective in the McCullough Peaks Wild Horse Herd Management Area would be to maintain a viable herd that would maintain the free-roaming nature of wild horses in a thriving ecological balance and to provide opportunity for the public to view wild horses.”

“The wildlife and fish habitat management objective would be to maintain and enhance fish and wildlife resources so that the forage production and quality of rangelands and fish and wildlife habitat would be maintained or enhanced.”

- 2. The degree to which the selected alternative will affect public health or safety.** The proposed action would 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 farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.** The proposed action would not affect historic or cultural resources as stipulations are applied to the Special Recreation Permits to protect those resources. No adverse impacts to the McCullough Peaks Wild Horse Herd Management Area, the sage grouse core management area, or the adjacent McCullough Peaks Wilderness Study Area would be anticipated. Timing restrictions and distance requirements help protect wild horses and sage grouse from disturbance.
- 4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects of the proposed action on the quality of the human environment would not be considered to be highly controversial, and activities such as these have been conducted in the area for many years.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** Possible effects on the human environment would not be highly uncertain, and would not involve unique or unknown risks.
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 proposed action would not establish a precedent for future actions with significant effects and would not represent a decision in principle about a future consideration. The proposed action may involve issuance of Special Recreation Permits with stipulations to protect resources. Issuance of these permits is a discretionary action. The permits could be modified, suspended, or terminated if needed.
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 proposed action would not be related to other actions with individually insignificant, but cumulatively significant impacts.
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 proposed action would not adversely affect properties listed or eligible for listing in the National Register of Historic Places, and would not cause loss or destruction of significant scientific, cultural, or historical resources.
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.** The proposed action would have no effect on threatened or endangered species or habitat which may be determined to be critical under the Endangered Species Act. Stipulations placed on the Special Recreation Permits, especially timing restrictions and distance requirements; help protect sage grouse from disturbance.
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 proposed action would not threaten to violate any Federal, State, or local laws or requirements imposed for the protection of the environment.

Michael P. Stewart
Cody Field Manager

Date