United States Department of the Interior

BUREAU OF LAND MANAGEMENT
High Desert District
Kemmerer Field Office
430 North Highway 189
Kemmerer, Wyoming 83101-9711
www.blm.gov/wy

September 30, 2014

Coal Creek Stabilization and Sediment Reduction
DOI-BLM-WY-D090-2013-0061-EA
Errata Sheet

Dear Interested Publics:

The Bureau of Land Management (BLM) Kemmerer Field Office (KFO) announces an errata to the Coal Creek Stabilization and Sediment Reduction Environmental Assessment (EA). This errata clarifies the first paragraph under the heading, "Appeals", within the Decision Record. The first paragraph reads as follows: "This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is taken (see 43 CFR 4.410), your notice of appeal must be filed within 30 days (see 43 CFR 4.411) from receipt of this decision to…".

The first paragraph will be corrected to read: "This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken (see 43 CFR 4.410), your notice of appeal must be filed in this office (at the above address) within 30 days after the date of publication of this decision."

The publication date is considered September 29, 2014, as the date the FONSI and Decision Record were correctly posted on the BLM website.

If you have any questions please contact Travis Chewning, Planning and Environmental Coordinator at (307) 828-4518.

Sincerely,

Basia Trout

Basia Trout
Acting Field Manager

United States Department of the Interior
Bureau of Land Management

Decision Record
Environmental Assessment
Coal Creek Stabilization and Sediment Reduction

September 2014

DOI-BLM-WY-D090-2013-0061-EA

U.S. Department of the Interior
Bureau of Land Management
Kemmerer Field Office
312 Highway 189 North
Kemmerer, WY 83101

BLM

DECISION RECORD

Decision: It is my decision to select the Proposed Action as described in the Coal Creek Stabilization and Sediment Reduction Environmental Assessment (EA). The EA and the FONSI analyzed the Proposed Action and found no significant impacts. Implementation of this decision will result in site specific road improvements along BLM Road 4216.

Authority: The authority for this decision is contained in the Federal Land Policy and Management Act of 1976 (FLPMA) (43 USC 1762) .

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): Kemmerer Field Office RMP/ROD (May 2010). The RMP/ROD management action 6000 regarding Travel Management (pg. 2-48) allows for providing access for resource and public use, management of existing access, resource management and for the protection of human health and safety

The Proposed Action is also consistent with the Smithsfork Allotment Management Plan (AMP) (BLM 2005). The Smithsfork AMP supports achieving proper functioning condition on streams and gaining desirable herbaceous and woody vegetation along the streams present in this allotment.

The Proposed Action is also consistent with the Thomas Fork Habitat Management Plan (HMP) (Sept 1979). The Thomas Fork HMP was prepared in response to habitat improvement requirements identified to protect rare, sensitive and threatened species as identified in 1979. This HMP identified the need that general management actions shall effort to stabilize and restore deteriorated stream and riparian habitats.

The Proposed Action is also consistent with the Raymond Mountain Area of Critical Environmental Concern (ACEC) (1982). The Raymond Mountain ACEC was developed to protect special wildlife values, including streams which contain the Bonneville cutthroat trout.

Alternatives Considered: In addition to the Proposed Action, the EA considered the "No Action Alternative". This alternative was not selected because it would not meet the purpose of the project. Under this alternative the BLM would not implement the maintenance required on BLM Road 4216 to improve the sediment reduction, road safety and proper functioning stream ecology.

Rationale for Decision: The selected Proposed Action described in this document is in conformance with the Kemmerer Field Office RMP/ROD (May 2010). The ROD allows for road maintenance and habitat improvements. The selected Proposed Action will not conflict with other decisions throughout the plan.

The EA shows that there will be no undue or unnecessary environmental impacts to the environment from the road maintenance or Coal Creek stabilization. Onsite visits have been conducted by the BLM and the Wyoming Game and Fish Department (WGFD) and both have concluded the benefits of the project will out-weigh the temporary negative effects.

Appeals: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is taken (see 43 CFR 4.410), your notice of appeal must be filed within 30 days (see 43 CFR 4.411) from receipt of this decision to:

Field Manager
Bureau of Land Management
Kemmerer Field Office
312 Highway 189 North
Kemmerer, WY 83101

The appeal shall state the reasons, clearly and concisely, why you think the final decision is in error (see 43 CFR 4.412)

If you wish to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being revewed by the Board, the petition for a stay must accompany your notice of appeal. 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 the law or other pertinent regulation, a petition for 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
(4) Whether the public interest favors granting the stay

If you decide to submit a petition for stay of the decision, a copy of the notice of appeal, statement of reasons, and petition for stay should be simultaneously filed with the Office of Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

If you have questions concerning the decision please contact Travis Chewning, Planning and Environmental Coordinator, at the Kemmerer Field Office at (307) 828-4518.

Basia Trout

Basia Trout
Acting Field Manager
Kemmerer Field Office

9-8-2014

Date