FINDING OF NO SIGNIFICANT IMPACT

Carter Lease Grazing Allotment (No. 11306)
Grazing Permit Renewal
WY-090-EA09-131

1. Introduction

The Bureau of Land Management (BLM) has conducted an environmental analysis (WY-090-EA09-131) for a proposed action to address livestock grazing permit renewal in the Carter Lease Allotment (Carter Lease) located in Lincoln and Uinta Counties. The project would renew the current livestock grazing permitees' permits for a term of ten years, or for the term of their valid base property lease, if applicable.

Based on comments received during the dispute period (beginning 8/27/2012), the Kemmerer Field Office re-examined and expanded the cumulative impacts portions of the Carter Lease Environmental Assessment. Following this re-analysis, it was determined that Alternative 4 (the initial preferred alternative) was still the preferred alternative.

2. Finding of No Significant Impact

Based upon a review of the 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 Kemmerer Resource Management Plan, Final Environmental Impact Statement and Record of Decision, signed May, 2010. For these reasons, an environmental impact statement is not needed.

2.1 Context

The proposed action would occur within the public lands within the Carter Lease Allotment (amounting to 42.1% of the land within the allotment) and would have local impacts on the resources similar to and within the scope of those described and considered within the Kemmerer Resource Management Plan, Final Environmental Impact Statement and Record of Decision. The project is an allotment-specific action directly involving approximately 118,114 acres of BLM-administered land in a one-section checkerboard pattern with private and state lands. None of the federal sections are known to have international, national, regional, or state-wide importance.

2.2 Intensity

The following discussion is organized around the ten "Significance" criteria described in 40 CFR 1508.27. The following have been considered in evaluating intensity for this proposal:

2.2.1 Impacts that may be both beneficial and adverse.

The Action/Alternatives would affect resources as described in the EA. Mitigating measures to reduce impacts to the various resources were incorporated in the design of the action alternative. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the Kemmerer Resource Management Plan, Final Environmental Impact Statement and Record of Decision.

2.2.2 The degree to which the selected alternative will affect public health or safety.

No aspect of the Action/Alternatives would have an effect on public health and safety.

2.2.3 Unique characteristics of the geographic area such as proximity to historic or cultural resources, wetlands, mineral resources, recreation/travel opportunities and Lands with Wilderness Characteristics.

The historic and cultural resources of the area have been reviewed and potential impacts mitigated in the design of the alternatives. Biological Resources such as invasive species, wildlife and wetland vegetation, Heritage Resources, Land Uses such as Recreation/Travel, and Physical Resources such as Energy and Mineral Resources are discussed, and potential impacts analyzed, in appropriate sections of the EA. Wilderness Characteristics are not present in the area. The remaining components of the Human Environment and Resource Issues (Air, Soil and Water resources) as well as Social and Economic Conditions are also discussed and analyzed in the EA.

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

Carter Lease already has some controversy surrounding it due to the fact that a portion of the Moxa Arch Gas Field underlies the northeastern corner of the allotment. Controversy over this EA and the decisions within it, from both permittees and Interested Publics, already have been shown to exist over the nature of the alternatives contained within the EA and their potential effects on wildlife, habitat and livestock grazing operations within the allotment.

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

The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

2.2.6 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 does include some unconventional (at least for this allotment) changes that include, but are not limited to, altering acceptable upland vegetative use levels to 'Moderate" (Holochek, 1988) and prescribing spring sheep use to control Cheatgrass infestations. Depending upon the

results of these and other less conventional standards or recommendations, this EA may or may not establish any sort of precedent. 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 are not predicted. An analysis of the direct, indirect, and cumulative effects of the alternatives is described in Chapter 5 of the EA.

2.2.7 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 Kemmerer RMP/FEIS. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Though the proximity of the Carter Lease to the Moxa Arch Gas Field does present the potential for aggregate small effects to create larger ones, significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapters 4 and 5 of the EA.

2.2.8 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.

A Cultural Resources survey was completed as part of the EA process, the results of which are discussed in Chapter 3 of the EA, specifically in sections 3.2 and 3.2.a. All reasonable precautions, including buffer zones, are included in Chapter 4, sections 4.2 and 4.2.a.

2.2.9 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.

Mitigating measures to reduce impacts to wildlife have been incorporated into the design of the action alternative through proper stocking rates and timing of use and utilization stipulations. These are discussed and analyzed thoroughly in Chapters 3, 4 and 5.

2.2.10 Whether the action threatens a violation of federal, state, or local environmental protection law.

The action does not threaten to violate any law. The action is in conformance with the Kemmerer RMP, which provides the direction and guidance for public land management for the area where the Carter Lease is located.

Authorized Official: Jeromy W. Caldwell — 12-10-12

Jeromy W. Caldwell
Field Manager
Kemmerer Field Office

Date