

Finding of No Significant Impact
U.S. Department of the Interior – Bureau of Land Management
Lander Field Office – Wind River/Bighorn Basin District
Green Mountain Common Allotment Proposed Grazing Management
(WY-050-EA11-5)

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-WY050-EA11-5) to determine if livestock grazing should be authorized in the Green Mountain Common Allotment on 18 of 19 permits and, if livestock grazing is to be authorized, the appropriate terms and conditions necessary to achieve land use plan objectives, including Standards of Rangeland Health. The Green Mountain Common Allotment is located in southern Fremont County and a portion of Sweetwater County. The project would renew the applicants' livestock grazing permits for a term of ten years, or for the term of a valid base property lease, if applicable.

NEED AND PURPOSE OF ACTION:

NEED: The need for the action is to renew 18 existing grazing permits on the Green Mountain Common Allotment which are due to expire, or have already expired and to address rangeland health standards that are not being met.

PURPOSE: The purpose of this action is to continue, modify, or cancel the current grazing management to promote healthy, sustainable rangeland ecosystems and to meet/continue to meet rangeland health standards. This action focuses on the environmental issues specific to livestock grazing management on the allotment, and the renewal of the term grazing permits associated with the allotment.

DECISION TO BE MADE: BLM must decide whether or not to issue grazing permits in the Green Mountain Common Allotment and if so, under what terms and conditions. The no grazing alternative and two action alternatives were analyzed in the EA.

PLAN CONFORMANCE AND CONSISTENCY:

This action is subject to the following land use plan:

NAME OF PLAN: Lander Resource Management Plan (RMP)

DATE APPROVED: June 9, 1987

REMARKS: The Lander Resource Management Plan (RMP) established the following Management Objectives for Livestock Grazing Management in the Green Mountain Common Allotment Area:

1. Provide enough forage on a sustained-yield basis to satisfy at least the present demands of livestock, wild horses, and wildlife.
2. Maintain range condition at a level that would provide for sustained yield forage production.

3. Maintain and improve terrestrial, aquatic, and riparian ecosystems to provide wildlife with adequate amounts of forage and habitat to maintain planned population levels” (RMP Record of Decision Appendix A, page 77)

The RMP also specified the following Management Actions necessary to achieve the above objective:

- Adjust stocking levels of grazing animals. For livestock this might include increases or decreases in livestock grazing, and for wildlife, increases or decreases might be proposed to the Wyoming Game and Fish Department.
- Implement grazing systems.
- Adjust turn-out dates and season of use.
- Develop water projects where livestock distribution problems have been caused by lack of water.
- Adjust turn-out dates and/or season of use, based on plant phenology and range readiness.
- Implement grazing systems to provide for the physiological needs of the key forage plants.
- Where the land-use conflicts have been causing a loss of forage production because of surface disturbance, rehabilitation efforts will be conducted and monitored for effectiveness. In order to enhance the rehabilitation effort, portions of or the entire rehabilitated surface might be fenced. Continual loss of forage production, coupled with unsuccessful rehabilitation efforts, will result in two possible actions: (1) elimination of the surface disturbing activity within the allotment, and/or (2) temporary or permanent adjustments in stocking levels of livestock.

The RMP has been reviewed and it is determined that the Alternatives conform with the land use plan Management Objectives and Actions as required by 43 CFR 1610.5.

Relationships to Statutes, Regulations, Policies, Plans or Other Environmental Analyses:

This and other grazing related Environmental Assessments are being prepared in accordance with Washington Office (WO) Instruction Memoranda WO-IM-99-039 and WO-IM-2000-022 as well as WY-IM-2000-20, which instruct all Bureau of Land Management (BLM) Field Offices to conduct National Environmental Policy Act (NEPA) review on grazing permit renewals. The primary regulations governing the analysis are 40 CFR 1500 (RE: The President’s Council on Environmental Quality implementing regulations for procedural provisions of NEPA). The principal Bureau permitting regulations for livestock grazing are found in 43 CFR 4100. The principal statutes governing livestock grazing on public land are the Taylor Grazing Act of 1934, the Federal Land Policy and Management Act of 1976, and the Public Rangelands Improvement Act of 1978.

FINDING OF NO SIGNIFICANT IMPACT:

Based upon a review of the EA 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. 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 Lander RMP/FEIS. Therefore, an environmental impact statement is not needed.

This finding is based on the context and intensity of the project as described:

Context:

The Action would occur within the Green Mountain Common Allotment and would have local impacts on the resources similar to and within the scope of those described and considered within the Lander Resource Management Plan and EIS/Record of Decision. The project is a site-specific action directly involving approximately 522,000 acres of land of which approximately 468,407 is BLM administered land.

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 Action/Alternatives would affect resources as described in the EA. Design features intended to reduce impacts to the various resources were incorporated in both action alternatives, Alternative One (Low Stocking- Low Infrastructure) and Alternative Two (Proposed Action). Mitigation measures identified in Chapter 4 of the EA have been included into the Decision Record, based on the analysis, to further reduce impacts to various resources. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the Lander Resource Management Plan/EIS/Record of Decision.

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.

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 historic and cultural resources of the area have been reviewed and potential impacts have been greatly minimized in the design of the alternatives. The proposed Granite Creek-Rocks riparian pasture fence and the Crooks Creek riparian fence will avoid most significant sites, and have been designed to render effects to the Seminole Cutoff of the California National Historic Trail and the Rawlins-Fort Washakie Trail as only weakly adverse. This was achieved through use of hardly-visible electric fencing, removable fencing elements including fence posts and gates, and the strategic location of fence routes. Improved livestock distribution and reduction of erosion would help maintain or improve prehistoric or historic resources located in previously heavily grazed areas.

The Green Mountain Common Allotment contains approximately 2092 public land acres of riparian areas. Under the most intensive alternative, an estimated 80 acres of new livestock concentration areas would develop as a result of new range improvement projects and grazing management strategies. An estimated three percent (three acres) would occur in riparian areas and wetlands. There are currently an estimated three percent (four acres) of existing livestock concentration areas within riparian zones and wetlands. An estimated three acres of riparian habitat will be disturbed due to mining activity within the area of effect. Therefore, the total cumulative impact to riparian resources is approximately ten acres.

The Green Mountain Common Allotment encompasses portions of the Sweetwater Canyon Wilderness Study Area (WSA) and Sweetwater Canyon Eligible Wild and Scenic River (WSR). All alternatives analyzed in the EA reduce permitted use and propose no range improvements within these areas. This results in an overall beneficial impact to the WSA and WSR. The Sulphur Bar Spring region has been found to potentially contain wilderness characteristics. Further inventory is required to determine if the area qualifies as a 'wild land'. The proposed Granite Creek-Rocks fence intersects this area for approximately two miles on the western flank. If the inventory finds the area contains wilderness character, appropriate mitigation measures (relocation, temporary electric fence, etc.) will be implemented, as determined by appropriate supplemental NEPA analysis, so as not to impact the wilderness characteristics. The mitigation measures will be of appropriate scope and magnitude to ensure BLM's future discretion to protect the area's wilderness characteristics.

Both action alternatives meet the requirements of the greater sage-grouse strategy identified by the BLM as required limiting adverse impacts to sage-grouse habitat.

The remaining components of the Human Environment and Resource Issues are not affected because they are not present in the project area.

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

Controversy in this context is considered to be in terms of disagreement about the nature of the effects – not political controversy or expressions of opposition to the action or preference among the alternatives analyzed within the EA.

Even though this project is being implemented at a large scale, the BLM has experience analyzing and implementing similar projects with similar levels of controversy. To the extent this project is

controversial, extensive public scoping, consultation and coordination has been completed to ensure the permittees and public's input has been considered in this analysis.

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

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.

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 are not predicted. An analysis of the direct, indirect, and cumulative effects of the alternatives is described in Chapter 4 of the EA.

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

No significant cumulative impacts were identified. Under all alternatives, the Core Area strategy provides the context by which greater sage-grouse will be managed to prevent ESA listing. Under the most intensive alternative, an estimated 80 acres of new livestock concentration areas would develop. An estimated three percent (three acres) would develop in riparian areas and wetlands. There are currently an estimated three percent (four acres) of livestock concentration areas existing within riparian zones and wetlands. Add to these seven acres the estimated three acres of riparian zone/wetland impacts from mining activity yields a cumulative impact sum of ten acres of riparian zone/wetland impacts. While more severe than the impacts under Alternative One, the context is the 2,092 acres (approximately) of public land riparian areas in the Green Mountain Common Allotment.

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 historic and cultural resources of the area have been reviewed and potential impacts have been greatly minimized in the design of the alternatives. The proposed Granite Creek-Rocks riparian pasture fence and the Crooks Creek riparian fence will avoid most significant sites, and have been designed to render effects to the Seminole Cutoff of the California National Historic Trail and the Rawlins-Fort Washakie Trail as only weakly adverse. This was achieved through use of hardly-visible electric fencing, removable fencing elements including fence posts and gates, and the strategic location of fence routes.

Cultural surveys will be completed prior to construction of infrastructure to detect potential impacts. Projects will be located to avoid cultural resources where possible. Where avoidance is not possible, mitigation actions will reduce the expected impacts to allow the BLM to recommend No Effect or No Adverse Effect determinations to the State Historic Preservation Officer.

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: a proposed to be listed endangered or threatened species or its habitat, or a species on BLM's sensitive species list.

Design features to reduce impacts to sensitive and listed species have been incorporated into the design of the action alternatives.

Impacts to pygmy rabbit were determined to be adverse due to removal and trampling of vegetation, and fence locations, but not significant. The addition of livestock move indicators and range developments proposed in Alternative Two would result in better distribution of livestock and a stable or upward trend in upland vegetation over the long term which may have a positive impact on the pygmy rabbit population.

The white-tailed prairie dog evolved alongside large grazing ungulates such as bison and elk; thus, it is unlikely to be impacted by continuation of livestock grazing. Other sensitive species such as burrowing owl, ferruginous hawks, swift fox and mountain plover are not likely to be adversely affected.

As riparian conditions gradually improve due to the continued implementation of herding, water developments, and riparian exclosures and pastures, habitat for species known to utilize these areas, such as the long-billed curlew, Northern leopard frog, Great Basin spadefoot, spotted frog, and boreal toad, would likely improve. However, the curlew, a ground-nesting bird species, can suffer nest and egg loss from trampling in areas of heavy livestock grazing. As a result, negative impacts may occur to this species during periods of livestock concentration (i.e., turnout and herding). These impacts are not expected to be significant.

A total of 473,100 acres of the Green Mountain Common Allotment are in greater sage-grouse Core Area. Both action alternatives meet the requirements of the greater sage-grouse strategy identified by the BLM as required limiting adverse impacts to sage-grouse habitat. Infrastructure projects proposed under Alternative Two have been designed to limit adverse impacts to greater sage-grouse. For the first three to five years (or however long it would take to complete developments), Alternatives One and Two would be similar in their beneficial impacts to resources because the same stubble height triggers would limit impacts from livestock grazing use. The cumulative impacts on the greater sage-grouse include mineral and energy exploration and development. Cumulative impacts to greater sage-grouse were determined to be adverse due to associated infrastructure, noise and human disturbance, but not significantly so.

Impacts to the meadow pussytoes would be slightly negative under the action alternatives. However, sufficient suitable habitat should remain to prevent a trend toward federal listing. If any of the other sensitive plants considered in this section occur in Green Mountain Common

Allotment (e.g. Limber Pine) it is unlikely that the negative impacts caused by livestock grazing would require federal listing.

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 action does not threaten to violate any law.

The action is in conformance with the Lander RMP, which provides the direction and guidance for public land management for the area where the Green Mountain Common Allotment is located.

Authorized Official:



Rubel Vigil, Jr.
Acting Field Manager

Date:

4-6-2011