

**U.S. Department of the Interior  
Bureau of Land Management**

**Finding of No Significant Impact for  
Fremont Lake Road 23-154**

**DOI-BLM-WY-100-2013-028-EA**

Wyoming High Desert District  
Pinedale Field Office  
1625 West Pine Street  
Pinedale, WY 82941-0768

**BLM**



**Introduction:**

The Bureau of Land Management, Pinedale Field Office conducted an Environmental Assessment (EA)-(DOI-BLM-WY-100-2013-028-EA) which analyzed the effects of improving shoulder slopes and drainage on the Fremont Lake Road.

Sublette County has applied for a total of 11 temporary use areas for construction, under Temporary Use Permit WYW-179526. The temporary use permit was applied for under the Federal Land Policy and Management Act of October 21, 1976 {90 Stat. 2776; 43 U.S.C. 1761} (FLPMA) to cross public lands administered by the Bureau of Land Management's (BLM) Pinedale Field Office. The project would improve shoulder slopes and drainage along the Fremont Lake Road, thus improving safety for all users of this road.

The Proposed Action consists of replacing the asphalt and improving the shoulders and drainage. The project would also improve the snow removal by providing flat areas for snow catchers on the north and west sides of the roadway and sloping back the cut areas to allow room for snow to collect farther from the road. The shoulder on the north and west sides of the road would be built wide enough to accommodate a future bike path. In most areas the improvements fall within the existing 100 foot right-of-way authorized under WYW-091073. However due to the size of the fills and need for borrow areas near to the work areas, a total of 11 temporary work areas would be needed to complete the project. The intent of this project is to place 15-20 feet of 6:1 shoulder slopes along those areas of Fremont Lake Road CR 23-154 where the existing shoulders are steep. The materials needed for filling these slopes will come from expanding the existing borrow ditches along the roadway. The total area required by the 11 temporary work areas is 6.13 acres. Construction would take place between May 01, 2013 and October 31, 2013.

Environmental Assessment (DOI-BLM-WY-100-2013-028-EA) is attached and is incorporated by reference for this Finding of No Significant Impact (FONSI). A no action alternative was also analyzed in the EA.

**Plan Conformance:**

The action is in conformance with multiple management objectives and decisions of the Pinedale Field Office Record of Decision and Resource Management Plan, approved on November 26, 2008. The plan has been reviewed (see page 2-15 and 2-16) and the proposed action as mitigated, conforms to the land use plan terms and conditions as required by 43 CFR 1610.5.

**Finding of No Significant Impact Determination:**

On the basis of the information contained in the EA and the supporting documents, I have determined that (1) the implementation of Proposed Action will not have significant environmental impacts beyond those already addressed in the "Pinedale Field Office Record of Decision and Resource Management Plan," (November 2008) and (2) the Proposed Action is in conformance with the Pinedale Field Office Record of Decision and Resource Management Plan; and (3) The Proposed Action does not constitute a major federal action having significant effect on the human environment. Therefore, an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

This finding and conclusion is based on my consideration of the Council of Environmental Quality's (CEQ) criteria for significance (40 Code of Federal Regulations 1508.27), both with regard to the context and the intensity of impacts described in the EA and as described below.

**Context:**

The project is a site-specific action directly involving up to 6.13 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance. Sublette County has applied for a temporary use permit under FLPMA across public lands administered by the Bureau of Land Management's Pinedale Field Office. The impacts of the Proposed Action would be beneficial to public safety.

**Intensity:**

The following discussion is organized around the 10 Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memorandum, Acts, regulations and Executive Orders.

**1.) Impacts that may be both beneficial and adverse.**

The environmental assessment has considered both beneficial and adverse impacts of road improvement project. Overall, the project could result in improved traveler's safety. Adverse effects include minor impacts to soils, vegetation, wildlife, and visual resources. Mitigating measures to reduce impacts to these resources were incorporated in the design of the proposed action. None of the environmental effects discussed in detail in the EA and associated appendices are considered significant, nor do the effects exceed those described in the EA.

**2.) The degree to which the proposed action affects public health or safety.**

The Proposed Action will have no adverse effects to public health or safety. Public safety should improve as the road is improved. The Proposed Action achieves the balance of resource protection and beneficial uses of the human environment envisioned by the national environmental policy.

Without the project the roads safety would not be improved. Environmental commitments, as part of project, will minimize any public safety effects during construction activities.

**3.) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

No historic and cultural resources have been identified in the area of potential effect for the Proposed Action.

The following components of the Human Environment and Resource Elements are not affected by the project: Environmental Justice, Farm lands, Prime or Unique, Native American Religious Concerns, Wastes, hazardous or solid, Wild and Scenic Rivers, Wilderness/WSAs/ACECs, Forests and Rangelands, Land Use and Livestock Grazing, Wetlands, Riparian Resources and Floodplains, Paleontological Resources, Lands Wilderness Characteristics, Wilderness/WSAs/ACECs, Water Quality; Drinking/Ground, Aquatic Resources, Threatened or Endangered Species, Recreation, Sensitive Status Plants, Air Quality, Global Climate Change, Fish Habitat, Migratory Birds

The following components of the Human Environmental and Resource Elements were analyzed in detail in Chapter 4: Cultural Resources, Noxious Weeds and Invasive Species, Soils, Vegetation, Visual Resources, Wildlife and Sensitive Species. None of these components will be significantly impacted because of design of the project, and/or mitigation measures incorporated into the project.

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

The effects of the actions planned under the Proposed Action are similar to many other actions in the Pinedale Field Office Area. The entire project is located adjacent to an existing and highly traveled road.

Public input regarding the project has been solicited during a 30 day scoping period. The public had been provided the opportunity to submit comments and recommendations by mail, telephone, email, or in person. Public scoping for the Proposed Action began December 18, 2012. An open house public meeting was held on January 15, 2013 at the BLM PFO, at which six people signed in. No comments were submitted at the open house. Comments were accepted until February 10, 2013.

The BLM received two comment letters. One letter was from the Wyoming Game and Fish Department and the second letter was from the Sublette County Recreation Board. Comments from both letters were addressed in the revised Plan of Development submitted by Sublette County.

Based on the small number and content of the comments received, the effects on the quality of the human environment are not considered highly controversial. No anticipated project specific effects are likely to be considered highly controversial. No unique or appreciable scientific controversy has been identified regarding the effects of the Proposed Action.

**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 in 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.**

The Proposed Action establishes a precedent for future consideration that Sublette County roadways will be improved for safety purposes where practicable. The intent with this decision is to improve public safety along Sublette County roadways. The Proposed Action was considered by the interdisciplinary team within the context of past, present and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect and cumulative effects of the Proposed Action and No Action 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.**

The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the project is contained in Chapter 4 of the EA.

The environmental analysis did not reveal any cumulative effect beyond those already analyzed in the EIS, which accompanied the Pinedale RMP.

**8.) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP, or may cause loss or destruction of significant scientific, cultural, or historical resources.**

An intensive archeological inventory to identify districts, sites, or other properties eligible for listing to or included on the National Register of Historic Places was completed. The investigations satisfied the Secretary of the Interior's Standards and Guidelines for the identification of historic properties.

No archeological sites were identified within the area of potential effect for the Proposed Action.

**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 ESA of 1973.**

Mitigating measures to reduce impacts to wildlife and fisheries have been incorporated into the design of the Proposed Action via the Plan of Development submitted by Sublette County. The Plan of Development is legally incorporated into the temporary use permit via stipulation.

No endangered or threatened species or its habitat was found in the project area.

**10.) Whether the action threatens a violation of federal, state, or local laws or requirements imposed for the protection of the environment.**

The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. In addition, the project is consistent with applicable land management plans, policies, and programs.



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4-8-13  
Date