

Finding of No Significant Impact

Term Grazing Permit Renewal for the Allotments in the Boulder Landscape; and Establishment of a Travel Management Plan for the Boulder Landscape NEPA DOI-BLM-WY-100-2009-35-EA

Allotments involved: Big Sandy Individual, Boulder Pasture, Butte Individual, Chalk Butte Common, Circle 9 Individual, Cowley Tract, East Fork Common, Fremont Butte Common, Fremont Butte Individual, Individual Fenced, Irish Canyon Tracts Individual, Muddy Meadows, North Pasture Individual, Sandy Fenced, Sandy Individual, Sandy Upper Muddy, Southwest Pasture Individual, and Square Top Common.

Introduction

BLM has two purposes in preparing the Boulder Landscape Plan. The first purpose is to provide the opportunity for continued livestock grazing in the 18 allotments in the Boulder landscape area. The second purpose of the Landscape Plan is to designate a sustainable transportation network that provides for public access to recreate, perform permitted activities, and manage public lands.

The need for the action is to meet the fundamentals of rangeland health in the 18 allotments; to act on BLM's responsibility under FLPMA and the Taylor Grazing Act to provide orderly use of the rangeland resource, where appropriate; and to fulfill a commitment made in the 2008 Pinedale RMP to complete transportation planning.

Summary of Proposed Action

Livestock Grazing

Livestock grazing permits would be renewed for 10-year terms. According to the grazing regulations at 43 CFR 4100, permittees who are leasing the base property supporting the permit for a period less than 10 years would be issued a BLM grazing permit for the term of their private base property lease. Permits would be renewed in 18 allotments, with a total of 8,099 permitted AUMs. Permits would include changes to the terms and conditions.

In the Square Top Common allotment, some horse AUMs would be converted to cattle AUMs. Three permittees currently have horse AUMs on the permit.

The Fremont Butte Common allotment would be separated into two allotments along the US Highway 191 corridor that splits the allotment naturally.

Spring range readiness criteria would be applied in all allotments to ensure that the vegetation has reached a development stage appropriate for livestock turnout. Turnout would not occur prior to range readiness

Flexibility criteria would be part of each renewed grazing permit.

Trailing use would be authorized within 2 weeks either side of the permitted grazing period.

Upland trend monitoring would be conducted at existing monitoring sites.

Transportation Management

BLM would maintain the areas established in the RMP as limited to existing roads and trails, limited to designated roads and trails, and closed to OHV use. A travel and transportation plan would be developed, with roads selected and designated for use. Roads not designated for travel would be closed (10 miles).

All roads in big game crucial winter ranges and raptor nesting areas would be subject to annual seasonal closures (81 miles, Map 2) to protect wildlife and habitats during sensitive life stages.

Washed out roads would be repaired for access to range improvements in 3 locations:

Rationale

The proposed action was chosen because:

- It best meets the purpose and need.
- The effects to the environmental resources in the vicinity of the proposed action are within the range of acceptable effects, with mitigation, as defined in the Pinedale Resource Management Plan (RMP) Record of Decision (ROD) (2008) and the National Environmental Policy Act (NEPA) documents to which this Environmental Assessment (EA) is tiered.
- The selected alternative will not cause any undue or unnecessary environmental degradation.
- The selected alternative will not cause any undue or unnecessary effects to wildlife and is in accordance with the *Instruction Memorandum No. WY-2012-019 for Greater Sage-Grouse Habitat Management Policy on Wyoming Bureau of Land Management (BLM) Administered Public Lands Including the Federal Mineral Estate*.

Context and Intensity of Selected Alternative

Context

The Boulder landscape is located approximately 15 miles southeast of Pinedale, Wyoming. It is bounded on the north by Wyoming Highway 353 (the Boulder Highway), on the west by US Highway 191, on the south by the boundary between the Pinedale (PFO) and Rock Springs (RSFO) Field Offices of the BLM, and on the east by the Boulder Highway and the Bridger Teton National Forest (BTNF). The area includes 18,400 acres of private lands, 10,200 acres of State of Wyoming lands, and 72,000 acres of public lands administered by the Bureau of Land Management, for a total of 100,600 acres (Map 1). The area is drained by Muddy Creek and the East Fork River, with few flowing waters located on public lands.

The topography of the area ranges from somewhat rolling sagebrush areas in the main portion of the landscape that lies between the Boulder Highway and Hwy 191, to somewhat steeper, rockier, and a few timbered areas in the East Fork Common allotment and Irish Canyon area that extends from the Boulder Highway to the BTNF boundary. The area also includes Fremont Butte and Chalk Butte at the northern end of the landscape. The elevation varies from about 7000' near the western boundary, to about 9000' in the northeast corner of the East Fork Common allotment, on the BTNF boundary.

Intensity:

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

The EA has considered both beneficial and adverse impacts of the proposed action. None of the impacts considered in the EA approach the threshold of significance (i.e. exceeding air or drinking water quality standards, contributing to a decline in the population of a listed species, etc.). In other words, none of the resource impacts are intensely adverse or beneficial.

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

The proposed action would not result in potentially substantial or adverse impacts to public health and safety.

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.*

The EA and the Pinedale RMP/EIS have evaluated the impacts of livestock grazing on natural resources and unique geographic characteristics. No site-specific concerns were identified.

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

While it may be controversial to continue to permit livestock grazing on public lands, there is little controversy as to the impacts. The EA analyzed various alternatives to address any controversy.

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

The effects of livestock grazing are well known and documented. Management practices are employed to meet resource objectives and maintain or achieve rangeland health.

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 will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Renewing the grazing permit does not establish a precedent for other Rangeland Health Assessments and Decisions. The grazing permit is limited to a 10-year term and will be reanalyzed at the end of that term. Any future actions or projects within the area or in surrounding areas will be analyzed and evaluated on their own merits and would be implemented or not, independent of the actions currently selected.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

No significant cumulative effects have been identified in the EA. Past, present, and reasonably foreseeable future actions in the cumulative effects study area would not result in cumulatively significant impacts in association with the proposed and/or alternative actions. For any actions that may be proposed in the future, further environmental analysis, including the assessment of cumulative effects, would be required.

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.*

Any districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (NRHP) were identified in the project area and considered in the EA. The proposed action will not cause the 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 ESA of 1973.*

The BLM is required by the Endangered Species Act of 1973, as amended, to ensure that no action on the public lands jeopardizes a threatened, endangered, or proposed species. Threatened, Endangered, or Proposed species were considered in the EA. No impacts were identified that would jeopardize any of these species.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The proposed action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment.

Finding of No Significant Impact

I have determined the proposed action is in conformance with the approved Pinedale Resource Management Plan (2008), and is consistent with applicable plans and policies of county, state, tribal and Federal agencies. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Based on the analysis of potential environmental impacts detailed in the attached EA, and in accordance with the National Environmental Policy Act (NEPA) and the Pinedale Resource Management Plan Record of Decision (November 2008), and the applicable NEPA documents listed within the **Context** section above, I have determined that the impacts of the Proposed Action, when coupled with mitigation measures and environmental protection measures presented and detailed in the EA and accompanying Decision Record, are not significant per the definition of significance in 40 CFR 1508.27 and grant implementation of the proposed action. Therefore, preparation of an environmental impact statement is not required.

/s/ Shane DeForest
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6/16/2014
Date