

FINDING OF NO SIGNIFICANT IMPACT
Bureau of Land Management
Pinedale Field Office

EA Number: WY-100-EA10-310

Proposed Action Title/Type: North Pasture Individual Allotment Improvement Project

Location of Proposed Action:

North Pasture Individual Allotment (NPJA) Improvement Project, WY-100EA10-310, is a rangeland improvement project. The NPJA is a single use allotment encompassing approximately 630 total acres (480 federal, 150 private) in Sublette County approximately 12 miles southeast of Boulder, WY (Map 1). The legal location of the project is T31 R107 S 13 and 18. This Environmental Assessment (EA) was prepared by the Pinedale Field Office (PFO), Pinedale Wyoming.

BACKGROUND

This project is the result of a Jonah Interagency Mitigation & Reclamation Office (JIO) funded Conservation Easement with Conservation Plan. The NPJA Improvement project fulfills one portion of the Conservation Plan included in the MJ Ranch Sagebrush Mitigation & Conservation Project. The purpose of the MJ Ranch Sagebrush Mitigation & Conservation Project is to directly address the goals of the JIO by creating a permanently protected, large-scale platform site for habitat treatment and improvement work to directly benefit sage brush obligate species. The collaborative approach of the Wyoming Game & Fish Department (WGFD), The Conservation Fund, and the Wyoming Stock Growers Agricultural Land Trust provides an innovative, effective, and efficient means for directly addressing the JIO's Off-Site Mitigation Strategic Goals. The core action of the MJ Ranch Sagebrush Mitigation & Conservation Project is to purchase a conservation easement that will maintain the MJ Ranch as productive and valuable wildlife habitat. The conservation easement includes general provisions that will provide for maintaining and improving the quality and quantity of sagebrush habitat on private and Bureau of Land Management (BLM) lands.

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Based upon the information contained in the attached environmental assessment and all other information available to me, it is my determination that: (1) implementation of Alternative 3 the Fishery Action will not have significant environmental impacts beyond those already addressed in Pinedale RMP FEIS; (2) Alternative 3 the Fishery Action is in conformance with the Resource Management Plan; and (3) Alternative 3 the Fishery Action does not constitute a major federal action having a 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 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 to the intensity of the impacts described in the EA or as articulated in the letters of comment.

Context

The Project site is located within the Pinedale Field Office Resource Management Plan (RMP) and the Pinedale Anticline Project Area (PAPA). This analysis tiers to the RMP Final Environmental Impact Statement (FEIS) and the PAPA Supplemental Environmental Impact Statement (SEIS). These documents are included in the analysis by reference.

Intensity

I have considered the potential intensity/severity of the impacts anticipated from the Mesa Mule Deer Winter Habitat Improvement Project decision relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. Impacts that may be both beneficial and adverse.

The proposed action would impact resources as described in the EA. Those resources analyzed are: vegetation, invasive non-native species, soils, water quality, threatened and endangered plants and animals, visual resources, wildlife, sensitive species, cultural resources and Native American religious concerns, and livestock grazing. Stipulations will be applied to protect wildlife resources.

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

The proposed action is designed to have minimum impact or improvement on public health and safety. Transportation of equipment to the project location will be in conformance with state and federal laws.

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

A Class III inventory was conducted and associated reports compiled to assess and evaluate the proposed undertaking's effect on cultural resources in the project's Area of Potential Effect (APE) (Schweitzer 2010). A total of 10 acres for the proposed NPIA Improvement project was inventoried for cultural resources at a Class III level. BLM-PFO recorded no new sites within the inventoried area. One historic property, the NRHP listed historic Otto Jensen Ranch, is located approximately 1.3 miles from this proposed project area. This property falls outside of the standard 1 mile visual APE for historic properties. The addition of a stock tank to the surrounding environs is in character with a historic working ranch. The proposed project is consistent with land use during the period of significance of the Otto Jensen Ranch. As per the Wyoming State Protocol Appendix C Section II, Part 2, a setting assessment is not necessary if a proposed undertaking is consistent with land use during a property's period of significance. A formal visual contrast rating was not undertaken due to the project's distance from the historic property and the setting analysis finding cited above. In conclusion, as designed, the proposed undertaking will result in no adverse effects to cultural resources eligible or considered eligible for inclusion to the National Register of Historic Places.

The following Critical Elements of the Human Environment and Other Resource Issues are not present in the project area and are not affected: areas of critical environmental concern, environmental justice, farmlands (prime or unique), flood plains, Native American religious concerns, wilderness, wastes (hazardous or solid), and wild/scenic rivers.

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

No anticipated project specific effects are likely to be considered highly controversial.

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

Implementation of the proposed action would not pose highly uncertain, unique or unknown risks to the human environment. Project Design Features have been built into the proposed action to reduce or avoid any adverse effects to area resources.

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.*

Neither alternative would establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Any future actions would undergo the NEPA process.

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

As there are no known cultural properties located within the current proposed project APE, there will be no cumulative effects from the placement of the well at the proposed location.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or 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 historic resources.*

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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.

Threatened, Endangered and Candidate Species that may occur within the project area.

SPECIES	STATUS	HABITAT	OCCURRENCE IN PROJECT AREA
Black-footed ferret (<i>Mustela nigripes</i>)	Endangered	Prairie dog towns	Does not occur
Blowout Penstemon (<i>Penstemon haydenii</i>)	Endangered	Blowouts and sand dunes	Does not occur
Canada lynx (<i>Lynx canadensis</i>)	Threatened	Montane forests	Does not occur
Colorado River Fish Species	Endangered	Yampa, Green and Colorado River systems downstream of Wyoming	Occurs downstream
Gray wolf (<i>Canis lupus</i>)	Nonessential/experimental populations	Greater Yellowstone Ecosystem	May occur
Greater sage-grouse (<i>Centrocercus urophasianus</i>)	Candidate	Basin prairie shrub, mountain foothill shrub	Present
Grizzly bear (<i>Ursus arctos horribilis</i>)	Threatened	Montane forests	Does not occur
Ute ladies'-tresses orchid (<i>Spiranthes diluvialis</i>)	Threatened	Seasonally moist soils and wet meadows of drainages below 7,000 feet elevation	Does not occur
Yellow-billed cuckoo (<i>Coccyzus americanus</i>)	Candidate	Riparian areas west of Continental Divide	Does not occur

Greater sage-grouse

Greater sage-grouse are dependent on sagebrush habitats year-round. The general distribution of greater sage-grouse is associated with the distribution of sagebrush (*Artemisia* spp.), and in particular, big sagebrush (*A. tridentata*). Greater sage-grouse require open areas within the sagebrush community for leks where they perform courtship rituals. These strutting grounds (lek sites) are considered "traditional" or "historic" because the birds return to them annually. Adult male greater sage-grouse arrive first on leks, usually by mid-March, thereafter joined by sub-adult males and females. Females move to nest site vicinities several days after copulation. Although reports indicate that most females nest within 2 miles of leks where they breed, some greater sage-grouse hens in the PAPA have nested farther than that. Greater sage-grouse hens tend to nest in the same vicinity in consecutive years. After nesting, the hens

move to brood areas that support forb understory or succulent vegetation (i.e., riparian areas or irrigated fields) and large populations of insects in late spring and late summer. The sage-grouse diet consists almost entirely of sagebrush during late fall and winter (FEIS).

Greater sage-grouse breeding, nesting, brood-rearing and foraging habitats are present within the project area. According to the WGFD 2009 greater sage-grouse database, there are 3 occupied leks located within 4-miles of the project area. According to BLM records, several historic nest locations have been documented within 4-miles of the project area.

Greater sage-grouse movements to winter ranges can take some time and may occur between late August and December. Wintering greater sage-grouse depend, in part, on sagebrush extending above the snow (FEIS). The nearest winter concentration area for sage-grouse is located approximately 2-miles south of the project area. Another winter concentration area is located approximately 3-miles to the west of the project area.

According to BLM IM No. WY-2010-012 it is the policy of the Wyoming BLM to manage sage-grouse seasonal habitats and maintain habitat connectivity to support population objectives set by the WGFD. This guidance is consistent with the guidelines provided in the Governor's Sage-grouse Implementation Team's Core Population Area strategy and the Governor's EO (State of Wyoming Executive Department EO 2008-2) that delineates core population areas and stipulations. The entire project area is located within the Governor's Designated "South Pass" Sage-grouse Core Area.

Colorado River Fish Species

The four federally endangered Colorado Fish species include the bonytail (*Gila elegans*), Colorado pikeminnow (*Ptychocheilus lucius*), humpback chub (*Gila cypha*), and razorback sucker (*Xyrauchen texanus*). Federal agency actions resulting in water depletions to the Colorado River system may affect these endangered species and their designated critical habitats and requires formal consultation with the USFWS when the projected amount of water consumption per year is 0.1 acre-feet or more.

Ute Ladies'-tresses Orchid.

Ute ladies'-tresses orchid (*Spiranthes diluvialis*) was listed as threatened in 1992. In Wyoming, Ute ladies'-tresses orchid have been located on old oxbows or flood plain terraces associated with small streams on sites that remain moist (meadow plant communities) throughout the summer, either due to seasonal flooding or sub-irrigation (Fertig, 2000). All four of the known populations in Wyoming occur in the eastern half of the state. Searches were conducted in western Wyoming (Jackson Hole, National Elk Refuge, and Green River Basin) during the 1990s (Fertig, 2000). Given the elevation ranges and precipitation regimes associated with site occurrence, the species' presence is unlikely. There are no known occurrences of the Ute ladies'-tresses orchid within the project area. There is no habitat in the project area fitting the requirements of the plant. There are no anticipated effects to the Ute ladies'-tresses orchid from the proposed action and this species will not be discussed further.

Blowout Penstemon

Blowout penstemon (*Penstemon haydenii*) was declared an endangered species in 1987. In Wyoming, blowout penstemon is found on sandy blowouts and sand dunes in the early stages of plant development (Heidel et al., 2007). There are no known records of blowout penstemon

in the or near the project area. There is no habitat in the project area fitting the requirements of the plant. There are no anticipated effects to the blowout penstemon from the proposed action and this species will not be discussed further.

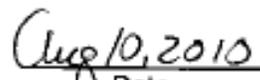
10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The implementation of the either of the action alternatives would not threaten a violation of Federal, State, or local law, or requirements imposed for the protection of the environment.

Authorized Official:



Nancy Baker
Acting Field Manager
Pinedale Field Office



Date