

Finding of No Significant Impact and Decision Record

North Platte River Recreation Area Management Plan Environmental Assessment

September 2013

BLM

High Desert District: Rawlins Field Office, Wyoming



The Bureau of Land Management's (BLM) multiple-use mission's is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The BLM accomplishes this by managing such activities as outdoor recreation, livestock grazing, mineral development, and energy production, and by conserving natural, historical, cultural, and other resources on public lands.

DOI-BLM-WY-030-2013-0094-EA

FINDING OF NO SIGNIFICANT IMPACT

North Platte River Recreation Area Management Plan

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Finding of No Significant Impact

Based upon the analyses of potential environmental impacts contained in the attached Environmental Assessment (EA), I have determined that the proposed actions, consisting of the following Preferred Alternatives Key Actions: 1) Boat-In Campground, 2) Leave-No-Trace Education, 3) North Platte River Special Recreation Permit (SRP) Allocations, 4) Additional Parking Lot and Ramp Expansion at Bennett Peak Campground, 5) Improvement of Corral Creek Campground, 6) Improvement of Prospect Creek Undeveloped Recreation Site (including Prospect Creek Rd.), and 7) Improvement of Big Creek Undeveloped Recreation Site, will not result in significant impacts. Therefore, an Environmental Impact Statement is not necessary.

The approved design criteria/mitigation measures and the intensity of effects have been examined to reach the Finding of No Significant Impact (FONSI).

This FONSI is based on the BLM's 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.

Context

The significance of the proposed actions was considered in several contexts, such as the nation as whole, regionally, and locally. Both short and long-term effects were considered. The proposed actions in Key Actions 2 and 3 are planning area-wide actions involving a planning area of approximately 4,322 acres of Bureau of Land Management (BLM) managed public lands within a Special Recreation Management Area (SRMA). The proposed actions in Key Actions 1, 4, 5, 6, and 7 are site-specific actions involving 6.36 surface acres of disturbance area within the boundaries of the SRMA. The SRMA does not have international or national importance. The regional and state-wide importance of the project area is noteworthy when compared to typical BLM lands, but the recreational and natural setting of the project area is widespread when considered in the context of other federal lands in the state and region (e.g. U.S. Forest Service lands).

Intensity

The following discussion is organized around the 10 Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into Section 7.3 of the BLM National Environmental Policy Act Handbook (Manual H-1790-1, pg. 70), and supplemental Instruction Memorandum, Acts, regulations, and Executive Orders. The following have been considered in evaluating intensity for this proposal:

Impacts may be both beneficial and adverse. The proposed actions would impact resources as described in the attached EA. Specific items in the proposed actions were developed to reduce impacts to many resources. The proposed actions seek to balance the management of

the project area by offsetting the negative impacts due to the large amount of recreation in the area with the positive impacts of public education efforts and restriction of certain activities. The considerations listed in 40 CFR 1508.27(6)(1-10) were used to evaluate the intensity of the effects described in the EA. None of the environmental effects discussed in detail in the EA are considered significant.

1. **Public health and safety:** The proposed actions in Key Actions 1 through 7 include overall management actions designed to manage and reduce the dangers to public health and safety throughout the planning area.
2. **Unique characteristics of the geographic area:** There are no prime or unique farmlands within the planning area; therefore those resources will not be affected.

There are no designated Wild and Scenic Rivers within the planning area. One segment of the North Platte River was found to be eligible but not suitable. The proposed action would not affect this designation.

There are no Areas of Critical Environmental Concern (ACECs) within the planning area.

There are no designated Wilderness or Wilderness Study Areas within the planning area.

3. **Highly controversial effects:** There is no scientific controversy over the nature of the impacts.
4. **Highly uncertain effects or unique or unknown risks:** The proposed actions are not uniquely new or unusual with unknown effects. Implementation of the proposed actions would not result in any new activities or management practices that have not already been occurring in the project area.
5. **Precedent for future actions with significant impacts:** The proposed actions do not set precedence for future actions; possible future actions would require their own analyses and authorizations. The proposed actions have no bearing on, or recommendations for or against, potential future Congressional designations (e.g. National Conservation Area or additional Wilderness designation).
6. **Relationship to other actions with cumulatively significant issues:** The proposed actions were considered within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted.
7. **Scientific, cultural, or historic resources:** Potential impacts to cultural and historic properties have been evaluated and consulted on with the Wyoming State Historic

Preservation Office. There are no historic properties that would be adversely affected.

8. **Threatened or endangered species and their critical habitat:** An assessment was conducted and it was determined that there are two federally listed threatened or endangered species that could potentially occur within the planning area. These include the Canada lynx and Ute ladies'-tresses. There should not be any management issues with the Canada lynx since this species only uses the riparian habitats between ranges during dispersal and it would be unlikely that this species would be traveling through the analysis area. There should not be any significant impacts to this species as a result of implementing the proposed actions.

There should not be any significant impacts to Ute ladies'-tresses as a result of implementing the proposed actions. Site specific surveys were completed and no Ute ladies' tresses were found. Therefore, the proposed improvement projects would have No Effect on Ute ladies'-tresses. If future monitoring or site-specific surveys provided evidence of either of these two species within the planning area, consultation with the U.S. Fish and Wildlife Service would be initiated.

9. **Federal, State, Tribal, or local laws or requirements imposed for the protection of the environment:** The project does not violate any known federal, state, tribal, or local law or environmental policy.

Determination:

This FONSI is based on information contained in the EA and BLM's consideration of criteria for significance (40 CFR 1508.27). It is the BLM's determination that: 1) the implementation of the proposed actions for the Preferred Alternatives in Key Actions 1 through 7 will not have significant environmental impacts; and 2) the proposed actions for the Preferred Alternatives in Key Actions 1 through 7 do not constitute a major federal action having a significant effect on the human environment. Therefore, an Environmental Impact Statement is not necessary.

Authorized Official:



Dennis J. Carpenter
Field Manager

SEP 20 2013

Date

DECISION RECORD
North Platte River Recreation Area Management Plan
Environmental Assessment
DOI-BLM-WY-030-2013-0094-EA

DECISION: It is the Bureau of Land Management's (BLM) decision to select and implement the Preferred Alternatives presented in the following Key Actions. This decision is in full force and effect upon signing.

Key Action 1: Boat-In Campground

Preferred Alternative: Construct a boat-in campground (Map 1). Provide site and boundary marking signs initially. Provide ongoing monitoring to determine future adaptive management.

Key Action 2: Leave-No-Trace Education

Preferred Alternative: Conduct a Leave-No-Trace educational program on a voluntary basis. Provide ongoing monitoring to determine adaptive management.

Key Action 3: North Platte River Special Recreation Permit (SRP) Allocations

Preferred Alternative: Allocate commercial SRPs using the average Middle Country limit. Permit up to three SRP requests every other year until such time as the above Middle Country limit has been reached. Wade fishing SRPs would be exempt from the above allocation and limits until further notice.

Key Action 4: Additional Parking Lot and Ramp Expansion at Bennett Peak Campground

Preferred Alternative: Construct a primitive overflow parking lot north of Bennett Peak boat ramp (Map 2). Expand the existing concrete boat ramp to two or three trailer spaces (Map 2). Provide u-bolt anchors for boats within 10-20 feet downstream of boat ramp. Pursue a campground host to assist in monitoring and education. Provide a native-colored educational kiosk with updated ownership maps, education materials, and regulations. Provide ongoing monitoring to determine adaptive management.

Key Action 5: Improvement of Corral Creek Campground

Preferred Alternative: Provide ongoing monitoring to determine adaptive management. Conduct a lottery and issue a limited number of keys to the gated river access through a Special Recreation Permit Application initially. Provide an unimproved overflow parking area (Map 3) and upgrade the campground to current BLM fee site standards. Provide horse corral(s). Pursue a campsite fee.

Key Action 6: Improvement of Prospect Creek Undeveloped Recreation Site

Preferred Alternative: Conduct maintenance of the existing, two-track known as Prospect Creek Road. Re-route the current road to avoid the steep grade by providing a switchback

to connect to an adjacent, existing two-track (Map 4). Provide space for passing vehicles on the existing two-track. Clear bordering vegetation to enlarge the existing unimproved parking area at boat launch. Provide ongoing monitoring to determine adaptive management.

Key Action 7: Improvement of Big Creek Undeveloped Recreation Site

Preferred Alternative: No provision would be made for creating new two-tracks or any other additional river access at Big Creek Undeveloped Recreation Site.

The BLM has determined that the proposed actions are in conformance with the Rawlins Field Office's Resource Management Plan (RFO RMP) approved December 24, 2008.

The BLM's decision is also to implement the North Platte River Recreation Area Management Plan (RAMP), which includes the following:

- 1) Retain the current management goals, objectives, and actions of the North Platte River Special Recreation Management Area (SRMA) described in the 2008 RFO RMP (pg. 2-27).
- 2) Implementation of the Monitoring Plan to include the data collection described in Chapter X (pgs. 71-72) of the EA as well as implementation of the Reclamation Plan described in Chapter XVIII (pgs. 109-111).

Items of interest included in this decision, which vary from previous management, are:

- Construct a Boat-In Campground on the North Platte River just north of Oxbow Bend and signage.
- Implement a Leave-No-Trace Educational program within the planning area, including constructing a formal Leave-No-Trace educational kiosk next to the existing boat ramp at Bennett Peak Campground.
- Expand the existing boat ramp at Bennett Peak Campground to two or three lanes.
- Construct an overflow parking area for users of the existing boat ramp at Bennett Peak Campground.
- Remove the current moratorium on new float fishing SRPs and provide North Platte River Special Recreation Permit (SRP) Allocations to meet recreation setting objectives.
- Allow limited access under Special Recreation Permits through the gated river access at Corral Creek.
- Construct a horse corral(s) and overflow parking area at Corral Creek Campground.
- Upgrade Corral Creek Campground to meet current BLM fee site standards and pursue an overnight camping fee.
- Construct a switchback on Prospect Creek Road. to decrease the steep grade.
- Provide water bars and fill to control erosion of Prospect Creek Road.

MONITORING: The monitoring methods and outcome measures detailed in Chapter X: Implementation and Future Monitoring Strategies, (pgs. 71-72 of the RAMP EA) will be implemented. Additional monitoring measures listed in the RAMP EA under the Preferred

Alternatives in Key Actions 1 through 7 will also be implemented. Furthermore, the Reclamation Plan for Bennett Peak Campground will be implemented (XVIII. Appendix E: Reclamation Plan for Bennett Peak Campground, pgs. 109-123).

DECISION RATIONALE:

The rationale for selecting the Preferred Alternative for Key Action 1: Boat-In Campground included consideration of conformance with the 2008 RFO RMP objectives for the North Platte River SRMA. Maintenance limitations inherent to the remoteness of the site (boat-in access required to conduct maintenance) suggested that a fully developed campground was not feasible at this point in time.

The rationale for selecting the Preferred Alternative for Key Action 2: Leave-No-Trace Education included consideration of conformance with objectives for the North Platte River SRMA as stated in the 2008 RFO RMP (pg. 2-27). The RMP states that the SRMA should be managed to provide high-quality recreational opportunities as a Middle Country Recreation Setting. The SRMA should also be managed to meet the Wyoming Standards for Healthy Rangelands, which would include consideration for the sanitary disposal of human waste, and any subsequent effects on water quality.

The rationale for selecting the Preferred Alternative for Key Action 3: North Platte River Special Recreation Permit (SRP) Allocations included consideration of conformance with the 2008 RFO RMP objectives for the North Platte River SRMA. Middle Country guidelines recommend an average of 15-29 encounters on the river per day with any other group. The Preferred Alternative provides for a limit of 22 encounters, which is an average of the above range of encounters defined under Middle Country recreation setting objectives.

The rationale for selecting the Preferred Alternative for Key Action 4: Additional Parking Lot and Ramp Expansion at Bennett Peak Campground included consideration of conformance with the 2008 RFO RMP objectives for the North Platte River SRMA. Bennett Peak Campground has seen intensive peak weekend use where demand for parking exceeds the capacity of the current parking areas. Illegally parked vehicles have been impeding traffic and prompting frequent complaints to the BLM. Waiting times at the boat ramp have also been a source of conflict and have prompted complaints from the public. Selection of the Preferred Alternative, which includes expanding the boat ramp and parking area, would directly address these conflicts among visitors.

The rationale for selecting the Preferred Alternative for Key Action 5: Improvement of Corral Creek Campground included consideration of conformance with the 2008 RFO RMP objectives for the North Platte River. The potential dispersal of visitors and SRPs to Corral Creek Campground could provide some relief from the parking congestion, waiting times, and conflicts currently experienced at Bennett Peak Campground.

The rationale for selecting the Preferred Alternative for Key Action 6: Improvement of Prospect Creek Undeveloped Recreation Site included consideration of conformance with the 2008 RFO RMP objectives for the North Platte River SRMA. The potential dispersal of visitors

and SRPs to Prospect Creek Undeveloped Recreation Site could provide some relief from the parking congestion, waiting times, and conflicts currently experienced at Bennett Peak Campground. This dispersal was considered in the selection of the Preferred Alternatives. Also, Prospect Creek Road is in disrepair and there are public safety concerns due to the steep grade. The proposed switchback under the Preferred Alternative would reduce this grade. Finally Prospect Creek watershed failed the Upper North Platte Watershed Standards and Guidelines Assessments due to poor road maintenance conditions.

The rationale for selecting the Preferred Alternative for Key Action 7: Improvement of Big Creek Undeveloped Recreation Site included consideration of conformance with the 2008 RFO RMP objectives for the North Platte River SRMA.

COMPLIANCE with LAWS, REGULATION, and POLICY: This decision is in compliance with implementation of the 2008 RFO RMP. This decision is in compliance with other major laws to minimize environmental impacts to public lands, including: Endangered Species Act of 1973 (P.L. 94-325); Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-712); Federal Water Pollution Control Act of 1948 (Clean Water Act), as amended (33 U.S.C. Chap. 26); Clean Air Act of 1963, as amended (P.L. 88-206); Federal Noxious Weed Act of 1974, as amended (P.L. 93-629, 7 U.S.C. 2801 *et seq*); National Historic Preservation Act of 1966, as amended (P.L. 89-665); Archaeological and Historic Preservation Act of 1974 (P.L. 86-253); Archaeological Resources Protection Act of 1979, as amended (P.L. 96-95); and Native American Graves Protection and Repatriation Act of 1990 (P.L. 101-601).

APPEALS: This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is taken (see 43 CFR 4.410), your notice of appeal must be filed within 30 days (see 43 CFR 4.411) from receipt of this decision to:

Field Manager
Bureau of Land Management
Rawlins Field Office
P.O. Box 2407, 1300 N. Third St.
Rawlins, Wyoming 82301

The appeal shall state the reasons, clearly and concisely, why you think the final decision is in error (see 43 CFR 4.412).

If you wish to file a petition pursuant to regulations at 43 CFR 4.21 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay:

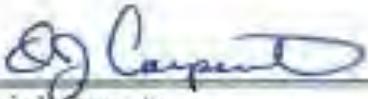
Except as otherwise provided by law or other pertinent regulation, a petition for stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied
- (2) The likelihood of the appellant's success on the merits
- (3) The likelihood of immediate and irreparable harm if the stay is not granted
- (4) Whether the public interest favors granting the stay.

If you decide to submit a petition for stay of the decision, a copy of the notice of appeal, statement of reasons, and petition for stay should be simultaneously filed with the Office of Regional Solicitor, Rocky Mountain Region, U.S. Department of the Interior, 755 Parfet Street, Suite 151, Lakewood, CO 80215.

If you have questions concerning this decision please contact Christopher D. Jones, Outdoor Recreation Planner, at the Rawlins Field Office at (307)328-4206.

Authorized Official:



Dennis J. Carpenter
Field Manager

SEP 20 2013

Date