

Environmental Assessment

for

**Sweetwater County Fire District #1
Training Facility and Fire Station
Recreation and Public Purpose
WYW167587**

Prepared by

**Carol Montgomery
Realty Specialist**

**Bureau of Land Management
Rock Springs Field Office
280 Highway 191 North
Rock Springs, Wyoming**

DOI-BLM-WYD40-2009-113-EA

1. Introduction

Proposed Action Title/Type: Fire Training Facility and Fire Station for the Sweetwater County Fire District #1

Location of Proposed Action: T. 19 N., T. 105 W., section 4: S½NW¼SE¼; 6th P.M., Sweetwater County, Wyoming

Applicant (if any): Sweetwater County Fire District #1 (SCFD)

Subject Function/Lease/Serial/Case File No.: WYW167587

Conformance with Applicable Land Use Plan/s:

Name of Plan/s: Green River RMP **Date Approved:** August 8, 1997

Regulations at 43 CFR 1610.5-3 require actions to be in conformance with the approved land use plan. The Proposed Action is in conformance with the Green River RMP. RMP decision's pertaining to this proposal includes:

Record of Decision and Green River Resource Management Plan, page 9, Land and Realty Management:

1. Manage public lands to support the goals and objectives of other resource programs;
2. Respond to public demand for land use authorizations; and
3. Acquire administrative and public access where necessary.

Other Authorities

The lease/patent will be made under the authority of Title V of the Federal Land Policy and Management Act (FLPMA) of 1976 (43 CFR U.S.C. 1761).

Recreation and Public Purposes (R&PP) Act (68 Statute 173; 43 United States Code 869 et seq.) as a complete revision of the Recreation Act of 1926 (44 Stat. 741).

Purpose and Need for Action

The purpose of this action is to consider the SCFD's proposal for a training facility and fire station on public land managed by the BLM. The proponent requires the R&PP Lease to construct the training facility and fire station. The need for this action has been established under Title II, Section 212 of FLPMA.

Scoping and Public Involvement and Issues

On August 13, 2009, the Notice of Realty Action was published in the *Federal Register* (Volume 74, No. 155, page 40842). The publication started the 45-day comment period. The *Federal Register* publication also segregated all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act and leasing under the mineral leasing laws. The notice was also published in the Rock Springs Rocket-Miner once a week for three consecutive weeks, on August 18, 2009; August 25, 2009; and September 2, 2009. Letters containing the Notice were sent to adjacent land owners, and local and state governments requesting comments and the companies who hold authorized rights-of-way that intersect the parcel requesting comments. One adjacent land owner made a personal visit to the RSFO in support of the proposed action. The Wyoming Game & Fish

Department submitted a comment indicating that the proposed action will not have any wildlife impacts. No comment letters were received from the local community on the proposed action. No adverse comments were received.

The BLM has prepared a Communication Plan for the R&PP Lease Application. The purpose of the communication plan is to inform the public that the document is available, where they can obtain a copy and encourage public participation and comments.

2. Proposed Action and Alternatives

Description of Proposed Action

The SCFD serves a response area comprising 2,000 square miles in Sweetwater County. The boundaries extend 20 miles north and 30 miles south of I-80 from milepost 97 (approximately 2-3 miles west of the City of Rock Springs) to milepost 150 (Table Rock).

The proposed facility is a fire training facility and fire station. The facility will involve 20.00 acres of public lands:

T. 19 N., R. 105 W., section 4: S½NW¼SE¼; 6th P.M., Sweetwater County, Wyoming

The proposed facility will be located on the north side of the City of Rock Springs between the streets of Melody Drive to the west, Desert Lane to the north, and Apache Lane to the south.

The eastern boundary of the parcel is approximately 300 ft. to the east of Yellowstone Road. The SCFD will provide services to all residents of the fire district. The training facility will provide training for the SCFD fire crews.

The SCFD proposes to lease the parcel for five years; however, the BLM will issue the lease for a 25-year term as allowed by the Act. After full development has been accomplished, the SCFD can request that the parcel be conveyed to the SCFD utilizing the patent option of the Act.

The proposed training facility will include:

1. A burn tower (22.00 ft. X 22.00 ft.) and attached residential type burn building (72.00 ft. long X 22.00 ft. wide)
2. A fire station building
 - a. single story
 - b. approximately 120.00 ft. long by 80.00 ft. wide
 - c. office and class room space
 - d. no living quarters are planned at this time due to the volunteer nature of the staff
3. A pump test reservoir
 - a. 20,000-gallon underground water reservoir
 - b. approximately 30 ft. long by 20.00 ft. wide
 - c. filled from the surface by a dry hydrant
4. Extrication ground
 - a. including a metal canopy to facilitate training
5. Car fire property
6. Liquefied Petroleum Gas (LPG) Fire Prop area
 - a. 500 to 1,000-gallon residential **empty** propane tank used for training purposes
7. Apparatus drill area
8. Hose lay drill area
9. 50- to 60-space paved parking lot

10. 60-ft. access road to the east portion of the R&PP on the east side of Yellowstone Road
11. 8.00 ft. tall and 4.00 ft. tall chain link fence with privacy slats
12. Storage propane tank approximately 1,000 gallons
13. Storage shed approximately 24 ft. long by 24 ft. wide
14. Sound barrier landscaping to include trees and brush

Training will be held on a regular schedule (Wednesday nights from 6:00 pm – 9:00 pm) with some incidental training scheduled throughout the year. Most training will be held from March to October, with very little training during the winter months. Training classes usually involve from 20-30 trainees and instructors. On the rare occasion classes can be as large as 45 participants. The larger classes would then be taught off site and only visit the facility for actual hands on training.

At this time the fire district employs four full-time staff who will work at the fire station when it is completed. When the fire station is completed, the other firefighters will use the facility on a daily basis for training and other needs.

Burn Tower and Residential Burn Building

The proposed action is for a 50-ft. tall tower and attached four-story residential type burn building. This structure will be used for training purposes. The facility has been designed to meet the current and future needs of the community, with respect to the growth the community is experiencing from the mineral industry. The facility will be used year round for fire training and protection purposes.

Burn Tower

The tower is approximately 22 ft. long by 22 ft. wide by 50 ft. tall. Tower access will be from an internal and external system of stairways with four landings. Roof access will be from the interior stairway with a landing on the top of the structure for high angle training operations. The tower will be constructed of steel with both interior and exterior sheathing.

Residential Type Burn Building

This portion of the fire training facility will be used to simulate residential firefighting situations. The attached residential burn building will be approximately 22 ft. wide and 50 ft. long. The building will have a concrete foundation. The residential building consists of:

1. the residential tower portion is approximately 22 ft. wide by 12 ft. long by 44 ft. high
2. the main residential portion which is approximately 22 ft. wide by 24 ft. long by 24 ft. tall;
2. the residential annex is approximately 22 ft. wide by 14 ft. long by 10 ft. tall.

Fencing

During construction the facility perimeter will be fenced with an 8-ft. tall chain link fence. When the fire station is completed, the fencing in the fire station area will be reduced to a 4-ft. tall fence or eliminated. The 8-ft. fence around the training facility will remain for the life of the facility.

When the facility is completed the entire ground surface may be paved to aid in fire prevention on the site.

The purchase price and rental charges under the R&PP Act are determined in accordance with the 43 CFR 2741.8 and 43 CFR 2912.1-1(d). Applicant qualifications and use are the determining factors in which pricing programs are applied. For Government entities, the charges are made on the basis of the land use. The SCFD application qualifies for the special pricing schedule. Under special pricing schedules, purchases may be made for \$10 an acre, with a minimum price per transfer of \$50, or land may be leased for \$2 per acre per year with a minimum annual rent of \$25.

The patent or lease, if issued, will be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior, and will contain the following terms, conditions, and reservations:

1. Provisions of the R&PP Act, including, but not limited to, the terms required by 43 CFR 2741.9.
2. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).
3. All minerals, together with the right to prospect for, mine, and remove the minerals under applicable laws and regulations established by the Secretary of the Interior shall be reserved to the United States.
4. Lease and/or patent of the lands shall be subject to all valid existing rights of record documented on the official public land records at the time of lease/patent issuance.
5. Any other reservations that the authorized officer deems appropriate.
6. An appropriate indemnification clause protecting the United States from claims arising out of the lease/patentee's use, occupancy, or operations on the property.

Description of Alternatives Analyzed in Detail

The only other alternative would be the "no action" alternative. This would require the SCFD to find a different location for the proposed training facility and fire station.

Alternatives Considered but not Analyzed in Detail

None

3. Affected Environment

There will be a loss of vegetation on the parcel involved. This impact will be for the life of the project. However, this impact is insignificant since the parcel is small and is not used for grazing or other uses which rely on the vegetation.

The proposed action is within the Rock Springs allotment (13018); Rock Springs Grazing Association is the permittee. The Animal Unit Month (AUM) affected by this proposal is one (1) AUM. On January 27, 2010, Rock Springs Grazing Association waived any right to the two-year grazing notification. No further impact to this resource is anticipated; therefore, it will not be discussed further.

A Mineral Report was completed to determine the impact of the proposed action on the mineral estate. The parcel was determined to have a low potential for geothermal energy, potassium, sodium, and oil shale, and moderate potential for oil, gas, and coal based upon data from all available literature and from the data from the Wyoming Oil and Gas Conservation Commission

(WOGCC). The parcel is currently unleased for oil and gas. Due to the proximity of the residential community, it is unlikely that an oil and gas lease would be issued for the extraction of this resource. Nonmetallic minerals/industrial minerals and common variety minerals have a low potential. The subject lands are not known to have any occurrence of any metallic or uranium or thorium. There are no mining claims authorized on the parcel. The proposed action will not affect the mineral estate; therefore, it will not be discussed further.

After a search of environmental records and field investigation, it has been determined that the parcel involved with the proposed action does not have any evidence of hazardous substances, petroleum contamination, or environmental liability. The initial assessment has not revealed any evidence of hazardous substances, petroleum products, or recognized environmental conditions which would prohibit approval of the proposed action. Therefore, the parcel is free of any contaminants and the proposed action may proceed. No impact is anticipated; therefore, it will not be discussed further.

The following resources are not present and will not be further analyzed:

- Air Quality
- Areas of Critical Environmental Concern (ACEC)
- Cultural Resources
- Environmental Justice
- Prime or Unique Farmlands
- Flood Plains
- Invasive, Non-Native Species
- Native American Religious Concerns
- Noxious Weeds
- Paleontology
- Recreation
- Soils
- Special Status Species
- Threatened and Endangered Species
- Traditional Cultural Properties
- Visual Resource Management
- Water Quality and Prime or Sole Source of Drinking Water
- Wetlands and Riparian Zones
- Wild and Scenic Rivers
- Wilderness Values
- Wildlife

4. Environmental Effects

The proposal to building the SCFD training facility and fire station will help alleviate the safety concerns that the SCFD currently has within the fire district. When the fire station is built there will be fire protection in the immediate area, which is not available at this time. The training facility and fire station will be built and the site will be cleared of above ground vegetation and obstacles.

Proposed Action Direct Effects

Construction of the proposed action would result in a total disturbance of 20.00 acres on Federal land. The disturbance will affect vegetation and topsoil. The vegetation will be bladed and removed. These effects will be for the life of the project. There will be dust and noise associated with the construction, this impact will be short lived (4-6 weeks) and only present during the construction. Training will be held on Wednesdays from 6-9 pm. Training schedule will be posted inside the fence.

Proposed Action Indirect Effects

The proposed action will provide for better fire protection for the residents of the SCFD. There will be infrequent weekend training sessions and night drill each year. There will be noise associated with the training activities. This noise will be consistent with fire training activities for suppression operations - i.e. ladder raises, water hose operations, etc. The noise will be diffused by the vegetative screening provisions of the Conditional Use Permit issued by Sweetwater County. The levels are not high enough to exceed the normal OSHA time-weighted averages for noise exposure in the workplace. Sirens will rarely be used if at all. Area lighting will be in use for security purposes when the facility is not in use. Lighting will be established for night training purposes; this lighting will be specifically focused at the scene and will not adversely impact neighboring occupancies.

No Action Alternative

Selection of the “no action” alternative would prevent the SCFD from constructing the proposed training facility and fire station. The SCFD would not have improved training facilities. The fire protection in the area would not be improved. It is possible that if the proposal is not approved the SCFD could spend years looking for another suitable site for their new facilities. The SCFD would have to find another way to train and improve fire protection for the residents of the fire district.

Cumulative Effects

Proposed Action

It is anticipated that the proposed action would not negatively impact the environment. The fire station and training facility is servicing the SCFD. The impacts associated with the project would not be significant due to scope of the proposal.

No Action Alternative

If the “no action” alternative is selected, the proposal would not be constructed; therefore there would be no improvement to fire protection in that area of the fire district. If the proposal is not approved the SCFD would have to find another way to train and provide fire protection for the residents of the fire district. There will be no loss of vegetation on the parcel involved.

Residual Effects

Proposed Action

There will be a loss of vegetation on the parcel involved. This impact will be for the life of the project. However, this impact is insignificant since the parcel is small and is not used for grazing or other uses which rely on the vegetation.

No Action Alternative

If the “no action” alternative is selected, the proposal would not be constructed; therefore there would be no effect to the proposed project area.

5. Tribes, Individuals, Organizations, or Agencies Consulted

Bernadine Craft, Wyoming State Representative
Bill Thompson, Wyoming State Representative
Cynthia Lummis, United States House of Representatives
Dave Freudenthal, Governor of Wyoming
G & S Development Inc. (WYW162420)

John Barrasso, United States Senate
John Hay III, Rock Springs Grazing Association (Allotment 13018)
Joint Powers Water Board (WYW126145)
Marty Martin, Wyoming State Senate
Michael Enzi, United States Senate
Mr. & Mrs. Ronald & Pamela Jackson
Mr. Charles Riddle
Ms. Betsy Meads
Pacific Power and Light (WYW0067545, WYW039776 and WYW139913)
Questar Gas Company (WYW142598)
Qwest Corporation (WYE0017005)
State School Facilities Commission
Sweetwater County Board of County Commissioners
Sweetwater County Planner
Tim Kaumo, Mayor of Rock Springs
U.S. Fish and Wildlife Service
Vase Funeral Home
Western Watershed
White Mountain Water & Sewer (WYW125178)
Wyoming Game and Fish Department
Wyoming Public Lands Council
Wyoming State Planning

6. List of Preparers

Carol Montgomery, BLM Realty Specialist
Ken Henke, BLM State Hazardous Materials Coordinator
Peter Sokolosky, BLM Geologist
Penny Daniels, BLM Archeologist
Josh Freeman, BLM Wildlife Biologist
Samantha Thurston, BLM Physical Scientist
Cherette Mastny, BLM Range Specialist
Jay D'Ewart, BLM Wild Horse Specialist
Adam Day, BLM Geologist
Lorraine Keith, BLM Public Affairs Specialist
Myra Peak, President, Peak Environmental Management, Inc.
Laura Nowlin, Historic Preservation Specialist, SHPO
James Wamsley, Fire Chief, Sweetwater County Fire District #1

Appendices

Appendix A – Cultural Clearance
Appendix B – Wildlife Clearance
Appendix C – Natural Resource Clearance
Appendix D – Range Management Clearance
Appendix E – Wild Horse Clearance
Appendix F – Geologic Clearance
Appendix G– Comment Letters
Wyoming Game and Fish Department
John Hay III – Rock Springs Grazing Association
Betsy Meads – Conversation Record
Appendix H - Mineral Report
Appendix I – Phase I Environmental Assessment
Appendix J – Communication Plan

FINDING OF NO SIGNIFICANT IMPACT
Bureau of Land Management
Rock Springs Field Office

Lease/Serial/Case File No.: WYW167587

EA Number: WY040-EA09-113

Proposed Action Title/Type: Fire Training Facility and Fire Station for the Sweetwater County Fire District #1

Location of Proposed Action: T. 19 N., T. 105 W., section 4: S½NW¼SE¼; 6th P.M., Sweetwater County, Wyoming

Applicant: Sweetwater County Fire District #1 (SCFD)

Based upon a review of the attached environmental assessment, I have determined that the proposed action will not have significant impacts on the human environment, therefore preparation of an environmental impact statement is not required under the regulations found at 40 CFR 1508.13.

Rationale for the Finding of No Significant Impact

The area involved is not in the area of special management and allowance of the right-of-way would not affect the overall management decisions in the plan. The decision will not result in any undue or unnecessary environmental degradation.

Authorized Official: _____
Field Manager

Date

**Decision Record
Bureau of Land Management
Rock Springs Field Office
DOI-BLM-WYD40-2009-113-EA
WYW167587**

1. Compliance with major laws pertinent to the decision and conformance with the land use plan and other applicable laws, regulations, policies.

The lease/patent will be made under the authority of Title II, Section 212 of the Federal Land Policy and Management Act of 1976 (43 CFR 1761) and be subject to the terms and conditions in 43 CFR 2740 **and rental payments as determined by 43 CFR 2741.8**. The lease/patent will be subject to the mitigation set forth in the application/plan of development and the Recreation and Public Purposes (R&PP) Act (68 Statute 173; 43 United States Code 869 et seq.).

1. Provisions of the R&PP Act, including, but not limited to, the terms required by 43 CFR 2741.9.
 2. A right-of-way thereon for ditches or canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).
 3. All minerals, together with the right to prospect for, mine, and remove the minerals under applicable laws and regulations established by the Secretary of the Interior shall be reserved to the United States.
 4. Lease and/or patent of the lands shall be subject to all valid existing rights of record documented on the official public land records at the time of lease/patent issuance.
 5. Any other reservations that the authorized officer deems appropriate.
 6. An appropriate indemnification clause protecting the United States from claims arising out of the lease/patentee's use, occupancy, or operations on the property.
2. Selected Alternative.
The action proposed by the SCFD is selected for approval. The R&PP Lease/Patent will be subject to the terms and conditions for the R&PP Lease and the Plan of Development.

T. 19 N., T. 105 W., section 4: S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; 6th P.M., Sweetwater County, Wyoming

3. Reference the FONSI.
I have determined that the proposed project is in conformance with the approved land use plan. I have reviewed this environmental assessment including the analysis of potentially significant environmental impacts. I have determined that the proposed action with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required. It is my decision to implement the project.

4. Public Involvement.

The proposal was internally scoped, comments were received from BLM resource specialists, and all issues have been addressed in this decision. The proposal was externally scoped, comments were received, and all issues have been addressed in this decision.

On August 13, 2009, the Notice of Realty Action was published in the *Federal Register* (Volume 74, No. 155, page 40842). The publication started the 45-day comment period. The *Federal Register* publication also segregated all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act and leasing under the mineral leasing laws. The notice was also published in the Rock Springs Rocket-Miner once a week for three consecutive weeks, on August 18, 2009; August 25, 2009; and September 2, 2009. Letters containing the Notice were sent to adjacent land owners, and local and state governments requesting comments and the companies who hold authorized rights-of-way that intersect the parcel requesting comments. One adjacent land owner made a personal visit to the RSFO in support of the proposed action. The Wyoming Game & Fish Department submitted a comment indicating that the proposed action will not have any wildlife impacts. No comment letters were received from the local community on the proposed action. No adverse comments were received.

5. Rationale for Alternative Selected.

The alternative was selected because it would allow for the development of the training facility and fire station for the SCFD. If the training facility and fire station are not built the SCFD would have to find another way to train and to protect the residents of the fire district.

6. Appeal Procedures.

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 4. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 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. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. 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 a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- | | |
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| 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, and |
| 4. | Whether the public interest favors granting the stay. |

Field Manager

Date