

**FINDING OF NO SIGNIFICANT IMPACT**  
**Bureau of Land Management**  
**Rock Springs Field Office**  
**High Desert District**

**Project Title:** Proposed Sale of Public Land

**EA Number:** WY-040-EA14-85

**Lease/Serial/Case File No.:** WYW167726

**Applicant:** PacifiCorp

**Location of Proposed Action:**

T. 21 N., R. 101 W., section 24: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
6<sup>th</sup> P.M., Sweetwater County, Wyoming

**Background**

The Sale Parcel is adjacent to the Jim Bridger Power Plant and landfill. The existing landfill is currently at capacity. PacifiCorp intends to expand the landfill onto the Sale Parcel if the land sale is completed. If the sale is not completed, under current conditions, the existing landfill design would be modified to accommodate impending capacity needs, reducing the landfill life.

The Power Plant is owned by PacifiCorp and Idaho Power and produces power for the electrical grid in the western United States (Idaho, Oregon, Utah, Washington, and Wyoming). The Power Plant secured a Solid Waste Chapter 3 Operating Permit (SHWD File #20.455) from the State of Wyoming, Department of Environmental Quality (WyDEQ) to construct and operate a landfill for their power generation operations. This permit expired on August 18, 2011, and was extended to December 31, 2013 via a letter from the WyDEQ dated July 21, 2011. PacifiCorp has applied for a second extension on the operating permit. The second permit extension was approved on April 26, 2013 and is set to expire 8 years from the approval date (April 26, 2019).

Under a plan approved by the operating permit, the landfill is divided into predetermined subdivisions called cells that are used to track the waste disposal rate and landfill capacity. The current landfill design shows the current status and future development on portions of cells 10, 11, and 12 extending onto the Sale Parcel.

Under the Proposed Action Alternative, the BLM would offer conveyance of the surface estate of public land to PacifiCorp on a non-competitive basis, at a price no less than fair market value. The mineral estate would remain under the ownership of the BLM.

The Sale Parcel is a 60.00-acre tract of land located adjacent to an existing landfill and an existing power plant in the T. 21 N., R. 101 W., section 24: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , 6<sup>th</sup> P.M., Sweetwater County, Wyoming (see **Appendix A, Figures 1.2 and 2.1** of the EA).

The 60.00-acre Sale Parcel has no buildings, structures or improvements except a fence, authorized by right-of-way under BLM federal number WYW109298, located on the ownership line between BLM and PacifiCorp lands. The existing landfill is located to the south of the Sale Parcel. The purchase of the 60.00 acres of federal land would allow the landfill expansion to continue on contiguous land to the north.

A U.S. Department of the Interior Certified Appraiser prepared a land appraisal report to determine fair market value of the Sale Parcel. The evaluation determined that the land proposed for sale is valued at \$9,600.00 or \$160.00 per acre. The evaluation is valid until June 5, 2015. The land appraisal conforms to Uniform Appraisal Standards for Federal Land Acquisitions (2000) and the Appraisal Foundations Uniform Standards of Professional Appraisal Practice (USPAP).

The land proposed for sale specifically meets the disposal criteria under Section 203 [43 U.S.C 1713], Part 1 of the Federal Lands Policy and Management Act of 1976 (FLPMA), which states that:

*“...a tract of the public lands (except land in units of the National Wilderness Preservation System, National Wild and Scenic Rivers Systems, and National Systems of Trails) may be sold under this Act where, as a result of land use planning required under section 202 of this Act, the Secretary determines that the sale of such tract meets the following disposal criteria...because of its location or other characteristics is difficult and uneconomic to manage as part of the public lands, and is not suitable for management by another Federal department or agency.”*

### **Finding of No Significant Impact**

Based upon the information contained in the Proposed Sale of Public Land Environmental Assessment and all other information available to me, it is my determination that: (1) the implementation of the Proposed Action would not have significant environmental impacts beyond those already addressed in Green River RMP EIS; (2) the Proposed Action is in conformance with the Resource Management Plan; and (3) 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 would not be prepared.

The Proposed Action has been designed to avoid or minimize environmental impacts to the extent feasible. 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. No mitigation was identified by the resource specialists.

### **Context**

The proposed action is located in T. 21 N., R. 101 W., section 24, Sweetwater County, Wyoming. The area is located approximately 25 miles northeast of the city of Rock Springs, Wyoming. The sale parcel is located entirely on federally managed land. The area is rural but is

adjacent to the Jim Bridger Power Plant and landfill. There are no special management areas or unique geologic attractions in the area.

### **Intensity**

I have considered the potential intensity/severity of the impacts anticipated from the proposal. As a result, I have determined that a FONSI is consistent with regard to each of the ten factors. The basis of these conclusions is summarized briefly below:

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

The proposed sale is consistent with the Record of Decision for the Green River Resource Management Plan and Final Environmental Impact Statement (GRRMP/FEIS/ROD hereafter referred to as the GRRMP) and would provide for better land management in this area. The sale would permanently remove land from the public use and federal management. Private entities would thereafter control its use and resources.

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

The proposed sale is not anticipated to result in any public health and safety issues. The sale would permanently remove land from the public use and federal management. Private entities would thereafter control its use and resources.

#### ***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.***

The Proposed Action has no potential to affect unique characteristics such as historic or cultural resources or properties of concern to Native Americans. There are no park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas present on the parcel proposed for sale.

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

The effects of the implementation of the Proposed Action are presented in the EA document. "Whether a proposed action is 'likely to be highly controversial' under 40 CFR 1508.27(b)(4) is not a question about the extent of public opposition, but, rather, about whether a substantial dispute exists as to its size, nature, or effect." *Missouri Coalition for the Environment*, 172 IBLA 226, 249 n.23 (2007). BLM has no expert scientific evidence supporting claims that the project would result in highly controversial effects on the human environment.

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

Possible effects on the human environment are not highly uncertain and do not involve unique or unknown risks. The analysis for the Proposed Action does not show that this action would involve any unique or unknown risks. Refer to Chapter 4 of the EA for impact analysis.

#### ***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.***

After thorough analysis, the EA properly determined that the Proposed Action would result in no significant effects. This conclusion is based on the specific facts of this project and does not set a precedent for, or automatically apply to, future sales that the BLM may be reviewing. Future actions would be subject to evaluation through the appropriate level of NEPA analysis.

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

The impacts identified do not exceed the level of impacts outlined in the GRRMP. The analysis for the land sale found low or negligible cumulative significant impacts.

**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.**

Direct or indirect impacts to significant scientific, cultural or historic resources are not anticipated to occur from implementation of the Proposed Action. There are no sites, highways, structures, or objects listed or eligible for listing National Register of Historic Places within the sale parcel.

**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.**

The sale would permanently remove land from the public use and federal management. Private entities would thereafter control its use and resources.

Implementation of the project would adversely impact Greater Sage-Grouse nesting habitat, both through direct loss and avoidance of the area by sage-grouse. An initial 60 acres of habitat would be removed from federal management. Realization of the sale would also contribute to reduced effectiveness of management of habitat on federal lands. Disruptive activities related to maintenance and construction could inhibit sage-grouse from using remaining habitat. The proposed project does not occur in Wyoming Core sage-grouse or mapped habitat areas. Refer to Chapter 4 of the EA for impact analysis on Greater Sage-Grouse.

**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 does not violate any known federal, state, local, or tribal law or requirement imposed for the protection of the environment.

Authorized Official: Kimberlee D. Foster  
Kimberlee D. Foster  
Field Manager  
Rock Springs Field Office

5/20/15  
Date