Finding of No Significant Impact and Decision Record
North Grass Creek Allotment No. 00621
Livestock Grazing Permit Transfer

BLM

Wind River/Bighorn Basin District – Worland Field Office

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

NATIONAL SYSTEM OF PUBLIC LANDS

May, 2010

Finding of No Significant Impact
Worland Field Office

INTRODUCTION:

The Bureau of Land Management (BLM) has conducted an environmental analysis to address grazing in the North Grass Creek Allotment No. 00621. The action would transfer the grazing permit and preference to LU Sheep Co. for a term of 10 years either with or without changes to grazing management on the allotment.

Need and Purpose of Action

NEED: This action is needed to transfer the grazing permit and to address grazing management/terms and conditions on the North Grass Creek Allotment.

PURPOSE: This action focuses on the environmental issues specific to livestock grazing management and transferring the term grazing permit associated with this allotment. The purpose of this action is to continue, modify, or cancel the current grazing management to promote healthy, sustainable rangeland ecosystems and to meet/continue to meet rangeland health standards.

A no action alternative and two action alternatives were analyzed in the EA.

PLAN CONFORMANCE AND CONSISTENCY:

The proposed action and alternatives have been reviewed and found to be in conformance with one or more of the following BLM Land Use Plans and the associated decision(s):

Name of Plan: Grass Creek Resource Management Plan (RMP)
Date Approved: September, 1998

Remarks: The Grass Creek RMP established the following Management Objective for Livestock Grazing Management:

> "Improve forage production and range condition to provide a sustainable resource base for livestock grazing while improving wildlife habitat, watershed protection, and forage for wild horses." [Page 13]

Specific livestock grazing management actions from the Grass Creek RMP, which apply to this proposed action include,

> "The amounts, kinds, and seasons of livestock grazing use will continue to be authorized until monitoring indicates a grazing use adjustment is necessary, or an environmental assessment indicates that a permittee's application to change grazing use is appropriate." [Page 13]
>
> And,

> "Grazing strategies (including the timing of grazing) will be designed to accommodate the growth requirements of "desired" species within plant communities." [Page 14]

The RMP has been reviewed and it is determined that the proposed action conforms to the land use plan terms and conditions as required by Title 43 Code of Federal Regulations, part 1610.5.

Relationship to Statutes, Regulations, Policies, Plans or Other Environmental Analyses:

This and other grazing related Environmental Assessments are being prepared in accordance with Washington Office (WO) Instruction Memoranda WO-IM-99-039 and 2000-022 as well as WY-IM-2000-20, which instruct all Bureau of Land Management (BLM) Field Offices to conduct National Environmental Policy Act (NEPA) review on grazing permit renewals. The primary regulations governing the analysis are 40 CFR 1500 (RE: The President's Council on Environmental Quality implementing regulations for procedural provisions of NEPA). The principal Bureau permitting regulations for livestock grazing are found in 43 CFR 4100. The principal statutes governing livestock grazing on public land are the Taylor Grazing Act of 1934, the Federal Land Policy and Management Act of 1976, and the Public Rangelands Improvement Act of 1978.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the Grass Creek Resource Management Plan. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described:

Context:

The Action would occur within the North Grass Creek Allotment No. 00621 and would have local impacts on the resources similar to and within the scope of those described and considered within the Grass Creek Resource Management Plan and EIS/Record of Decision. The project is a site-specific action directly involving approximately 3621 acres of BLM administered land that by itself does not have international, national, regional, or state-wide importance.

Intensity: (*Intensity refers to the severity of the impact.)* The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1790-1), and supplemental Instruction Memorandum, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal:

1. **Impacts may be both beneficial and adverse**. The Action/Alternatives would affect resources as described in the EA. Mitigating measures to reduce impacts to the various resources were incorporated in the design of the action alternatives. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the Grass Creek Resource Management Plan/EIS/Record of Decision.

2. **The degree to which the selected alternative will affect public health or safety**. No aspect of the Action/Alternatives would have an effect on public health and safety.

3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas**. The only unique characteristics present within the allotment area are historic and cultural resources. These characteristics have been deemed to be not affected by the Action/Alternatives with mitigating measures by the BLM Specialist

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial**. Controversy in this context is considered to be in terms of disagreement about the nature of the effects– not political controversy or expressions of opposition to the action or preference among the alternatives analyzed within the EA. No unique or appreciable controversy has been identified regarding the effects of the Action or Alternatives.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks**. The Action/Alternatives are not unique or unusual. The BLM has experience implementing similar actions in similar areas. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

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.** This project neither establishes a precedent nor represents a decision in principle about future actions. The actions considered in the selected alternative were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted-see EA.

7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.** The environmental analysis did not reveal any cumulative effects beyond those already analyzed in the Grass Creek RMP/FEIS. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted.

8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other 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 historical resources.** There are no features within the project area listed or eligible for listing in the National Register of Historic Places.

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, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list**. Mitigating measures to reduce impacts to wildlife have been incorporated into the design of the action alternatives through proper stocking rates, timing of use and utilization stipulations.

10. **Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.** The Action does not threaten to violate any law. The Action is in conformance with the Grass Creek RMP which provides the direction and guidance for public land management for the area of which the North Grass Creek Allotment is in.

Authorized Official:_____

Michael J. Phillips, Assistant Field Manager-Resources

Date:_____

The BLM manages more land – 253 million acres – than any other Federal agency. This land, known as the National System of Public Lands, is primarily located in 12 Western States, including Alaska. The Bureau, with a budget of about $1 billion, also administers 700 million acres of sub-surface mineral estate throughout the nation. The BLM's multiple-use mission is to sustain the health and productivity of the public lands for the use and enjoyment of present and future generations. The Bureau 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-R010-2010-0047-EA