

Finding of No Significant Impact (FONSI)
Bennett Mountain North Grazing Permit Renewal Environmental Assessment
DOI-BLM-ID-B010-2011-0021-EA

Introduction

The National Environmental Policy Act (NEPA) assigns the Council on Environmental Quality (CEQ) the task of ensuring that Federal agencies meet their obligations under the Act. The Council shapes the guidelines, policies, and regulations that agencies must follow to meet these obligations. To that end, the NEPA process is used to identify and assess the reasonable alternatives to proposed agency actions that will avoid or minimize adverse effects of these actions upon the quality of the human environment (40 CFR 1500.2 (e)).

An environmental assessment (EA) is a public document for which a Federal agency is responsible that provides sufficient evidence and analysis for determining whether to prepare an environmental impact statement (EIS) or a finding of no significant impact (FONSI) (40 CFR 1508.9 (a) (1)).

A FONSI is a document prepared by a Federal agency, in this case the Bureau of Land Management (BLM), that briefly presents the reasons why an action would not have a significant effect on the human environment and for which an environmental impact statement (EIS) will not be prepared. A significant impact, as described in NEPA documents, would be of sufficient context and intensity¹ that an EIS would be required (40 CFR 1508.27). The FONSI should include the EA or a summary of it. If the EA is included, the FONSI need not repeat any of the discussion in the EA but may incorporate it by reference (40 CFR 1508.14). Neither the EA nor the FONSI are the authorizing documents for the action; the decision record is the authorizing document.

Finding

I have carefully reviewed the actions that are analyzed in detail within the four alternatives in Environmental Assessment (EA) #DOI-BLM-ID-B010-2011-0021-EA, which is incorporated by reference here in its entirety (40 CFR 1508.14). This EA discloses the environmental impacts that would result in renewing livestock grazing permits in the 12 Bennett Mountain North allotments: Hammett #1 (North and Berry Pastures; 01033), East Hammett #5 (01037), Hammett #6 (01038), Hammett #7 (01039), South Camas (01043), North Slope (01044), Camas Creek Field (01091), North Camas (01098), East Bennett Mountain (01101), Hammett Livestock Company (01195), Ballantyne Section 15 (01198), and Joost Section 15 (01199).

¹ Context: This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant. Intensity: This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action.

I considered the impacts resulting from implementing Alternative A (no grazing), Alternative B (renewing current permits), Alternative C (permittee applications), and Alternative D (the BLM proposal). Alternative D would be implemented on four allotments if monitoring indicates significant progress toward meeting Idaho’s Standards for Rangeland Health (Standards) is not occurring after five years (Table 1).

Table 1. Summary of rangeland health determinations and preferred alternative, Bennett Mountain North allotments, Elmore County, Idaho.

Allotment		Meeting Applicable Standards	Preferred Alternative
Name	Number		
Hammett #1	01033	No	C (D if progress not made in 5 years)
East Hammett #5	01037	No	C (D if progress not made in 5 years)
Hammett #6	01038	No	C (D if progress not made in 5 years)
Hammett #7	01039	No	C (D if progress not made in 5 years)
South Camas	01043	Yes	B
North Slope	01044	Yes	B
Camas Creek Field	01091	Yes	C
North Camas	01098	No	B and D
East Bennett Mountain	01101	No	C
Hammett Livestock Company	01195	Yes	C
Ballantyne Section 15	01198	Yes	C
Joost Section 15	01199	Yes	C

I reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in EA #DOI-BLM-ID-B010-2011-0021-EA (incorporated by reference into this document), would not constitute a major federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not required. This finding was made by considering both the context and intensity of the potential effects, as described in the aforementioned EA, using the following factors defining significance:

- 1) *Impacts that may be both beneficial and adverse – a significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.*

The consideration of intensity must include analysis of both these beneficial and adverse effects, not just a description of the net effects. Only a significant adverse effect would trigger the need to prepare an EIS (BLM NEPA Handbook, H-1790-1, 7.3, p 71). Through the scoping process and the assessment, evaluation, and determination of whether applicable Standards were being met, we identified and analyzed the beneficial and adverse effects from past, present, and reasonably foreseeable future actions, including livestock grazing, and the beneficial effects of adjustments to grazing that would be implemented to reduce and limit adverse impacts on resource values. My obligation is to insure that the selected alternatives would maintain (where currently meeting) or make significant progress toward meeting Standards. For seven allotments (including East Bennett Mountain, Table 1), implementation of Alternatives B and/or C would maintain current resource conditions in a desirable state (EA Section 3.0).

For five allotments, implementation of Alternative C, and Alternative D if necessary, would insure significant progress toward meeting Standards where current livestock grazing is considered a significant contributing factor. Changes in season, intensity, duration, and/or frequency of grazing use would be applied to allotments where these issues apply. The changes were developed to meet the needs of wildlife (e.g., during sage-grouse nesting and brood-rearing seasons), upland vegetation, soils, and riparian areas. Four allotments would transition to Alternative D if significant progress toward meeting Standards is not evident after five years. In the Hammett #1 Allotment, herding rather than construction of 4.8 miles of fencing would be used to implement the grazing system and avoid significant impacts to wilderness study area (WSA) values (EA sections 3.7.2.4 and 3.7.2.5).

The Proposed Action would have the following beneficial impacts and minimal direct or indirect adverse impacts to natural resources, grazing management, the overall economy of Elmore County, and to the human environment over the short and long term (EA Section 3.0).

Beneficial effects:

1. Implementation of grazing systems (Hammett #1, Hammett #5, and Hammett #6) would reduce spring grazing impacts on perennial vegetation allowing tall- and mid-stature grass frequencies to increase.
2. Increases in perennial grasses and forbs would improve sage-grouse nesting and brood-rearing habitat.
3. Approximately 5.7 miles of streams would improve to proper functioning condition over the long term, providing suitable habitat for redband trout and riparian dependant terrestrial wildlife.
4. Conditions at 19 springs would improve over the long term and better meet wildlife habitat needs.
5. Naturalness, solitude, and primitive and unconfined recreation values would be maintained in the King Hill Creek WSA.

Adverse effects:

1. Temporary minor impacts to soils, vegetation, and wildlife would occur annually due to livestock grazing.
2. Grazing during the late spring nesting period of sage-grouse could reduce perennial grass cover (new growth and residual cover) crucial in concealing nests from avian and mammalian predators, subsequently reducing nesting success and fecundity of sage-grouse populations.
3. Implementation of Alternative D (Hammett #1, Hammett #5, and Hammett #6) would adversely affect the economics of individual permittees, but impacts would be negligible at the county level.

2) *The degree to which the proposed action affects public health or safety.*

No activities authorized under the grazing permit would affect long-term public health or safety.

- 3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

There are no park lands, prime farmlands, jurisdictional wetlands, or wild and scenic rivers in the allotments. The majority of the Hammett #1 Allotment occurs in the King Hill Creeks WSA. Implementing Alternatives C (grazing system) and D (herding and spring maintenance and temporary electric fencing) would minimize short and long term livestock grazing impacts to WSA values (EA sections 3.7.2.4 and 3.7.2.5). The allotment includes the King Hill Creek Area of Critical Environmental Concern (ACEC). The ACEC is not accessible to livestock from the allotment; therefore, the streams and uplands would not be affected by the actions. Surveys recorded 23 cultural resource sites. Four sites were evaluated as eligible for listing in the National Register of Historic Places, seven were not eligible, and the remainder have not been evaluated. Livestock congregation areas could adversely affect cultural resources. The EA concluded maximum numbers of livestock could cause impacts in congregation areas, but these areas have been subjected to this type of disturbance and conditions would remain static over the long term. Seven allotments provide preliminary priority and preliminary general habitat for sage-grouse. Grazing management changes would maintain suitable habitat in four allotments (South Hammett #7, West Hammett #7, North Camas, North Slope) and improve conditions in three allotments (Hammett #1, Hammett #5, Hammett #6; EA sections 3.6.2.5 and 3.6.2.6).

The Tribes were consulted on the renewal of these grazing permits pursuant to the American Indian Religious Freedom Act and the National Historic Preservation Act. Issues were identified related to spring maintenance and development; however, the Tribes agreed that consultation during the implementation phase and adjustments to proposed actions where necessary would address their concerns. No recorded or known traditional cultural properties or identified sacred sites are in the allotments.

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

Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to a proposed action or preference among the alternatives that the EA analyzes (H-1790-1 at 71). I recognize that there is disagreement about livestock grazing management decisions; however, based on a thorough review of scientific literature, the EA did not identify substantial controversy related to the nature of the effects associated with the proposed actions.

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

The analysis did not identify any effects on the human environment that are highly uncertain or involve unique or unknown risks. Grazing has been the primary land use in

this area for at least 80 years (Taylor Grazing Act, 1934). Numerous published documents (Section 5) were used to complete DOI-BLM-ID-B010-2011-0021-EA and to verify effects of the alternatives. Different grazing management strategies have been in place throughout the Four Rivers Field Office (FRFO) for decades. This research and decades of grazing management has given the BLM and public good knowledge of anticipated effects from livestock grazing and multiple uses. Therefore, the effects of the proposed actions on the human environment are not highly uncertain, and do not 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.*

The analysis showed how the alternatives would implement direction from 1987 Jarbidge Resource Management Plan and applicable laws and policies including Idaho's Standards for Rangeland Health and Conformance with the Guidelines for Livestock Grazing Management. The actions proposed are similar to those previously taken in the FRFO and would not establish precedent for any future actions. Implementation of these decisions would not trigger other actions.

- 7) *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming the action temporary or by breaking it down into small component parts.*

The analysis did not identify any known significant cumulative or secondary negative effects (EA sections 3.1.3, 3.2.3, 3.3.3, 3.4.3, 3.5.3, 3.6.3, 3.7.3, 3.8.3, and 3.9.3). Outside this project area, additional livestock grazing assessments and determinations are planned that would result in changes in livestock management. However, those actions in combination with this decision are not expected to result in cumulatively significant negative impacts. The proposed actions associated with this EA and with other grazing decisions are expected to improve (where not meeting Standards) or maintain (where meeting Standards) vegetation and wildlife resource conditions. Other actions (e.g., range management projects, livestock trailing, rights-of-way construction and maintenance, emergency stabilization and rehabilitation, Paradigm Project fuel breaks, and off-highway vehicle use and management) additive beneficial and adverse impacts; however, none would be cumulatively significant either spatially or temporally.

- 8) *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The analysis showed that the alternatives would not result in significant adverse effects to cultural resources that are considered eligible for listing in the National Register of Historical Places (EA Section 3.8). Modifications to grazing systems and completion of rangeland management projects would not substantially increase impacts in livestock

congregation areas and would improve overall vegetation and watershed conditions which would help stabilize cultural resources over the broad area.

9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has determined to be critical under the Endangered Species Act of 1973.*

No threatened or endangered species are known in these twelve allotments (EA sections 3.3.1, 3.5.1, and 3.6.1). Impacts to BLM sensitive species and candidate species for federal listing as endangered or threatened are discussed in sections 3.3.2, 3.5.2, and 3.6.2, and would be neutral or beneficial. Improvements in upland, riparian, and wetland habitats would benefit a variety of special status species including sage-grouse and redband trout (EA Appendix 10).

10) *Whether the action threatens a violation of Federal, State, and local laws or requirements imposed for protection of the environment.*

The analysis in the EA shows that the proposed actions would be consistent with Federal, State, and local laws or requirements imposed for protection of the environment (EA Section 1.4).

I find that implementing Alternative B as described for the South Camas, North Slope, and North Camas (with a component from Alternative D) allotments, Alternative C as described for the Camas Creek Field, East Bennett Mountain, Hammett Livestock Company, Ballantyne Section 15, and Joost Section 15 allotments, and Alternative C (with implementation of Alternative D as necessary) as described for the Hammett #1, (East) Hammett #5, Hammett #6, and (South and West) Hammett #7 allotments, would not constitute a major federal action that would significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both the beneficial and adverse effects to resources, including the direct, indirect, and cumulative effects resulting from the implementation of Alternatives B, C and/or D for grazing permit renewals in these allotments.

/s/ *Jate Fischer*

May 27, 2014

Tate Fischer
Four Rivers Field Manager

Date