

**U.S. Department of the Interior
Bureau of Land Management**

**Environmental Assessment
DOI-BLM-ID-B010-2011-0065-EA**

**McFadden Lane Free Use Permit Renewal
Environmental Assessment**

September 29, 2012

U.S. Department of the Interior
Bureau of Land Management
Four Rivers Field Office
3948 Development Avenue
Boise, ID 83705



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Prepared by:

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

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09/29/2012

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Environmental Assessment # DOI-BLM-ID-B010-2011-0065-EA (McFadden Lane FUP)

1.0 INTRODUCTION

1.1 Background

Washington County Road and Bridge Department (Wash. Co. R&B) has applied for the renewal of a free use permit (FUP) serialized as IDI-31373. The permit renewal would be for the removal of crushed basalt from the existing material site under IDI-31373 which is along McFadden Lane (see Exhibit 1.4).

The BLM has previously authorized Wash. Co. R&B to use this site as a mineral materials source since 1975. The quantity of materials disposed from this site over the past 35 years is approximately 300,000 cubic yards. The mineral materials from this source have been used for the on-going operation and maintenance of unpaved/gravel roads in Washington County that are within relative proximity to this material site. It would be necessary for the disposal to be in a geographic location that contains the appropriate type mineral material for the intended use ongoing operation and maintenance of county roads. The location of the source used would also need to be strategic to allow for the shortest possible hauling distances.

1.2 Location and Setting of Lands Involved

The mineral material site is located about 5 miles southeast of Crane Creek Reservoir, and 12.5 miles northwest of the town of Ola within Washington County, Idaho. The legal description of the lands involved consist of a 40-acre parcel within T. 11 N., R. 1 W., Section 4, Boise Meridian. The site is accessed directly off McFadden Lane.

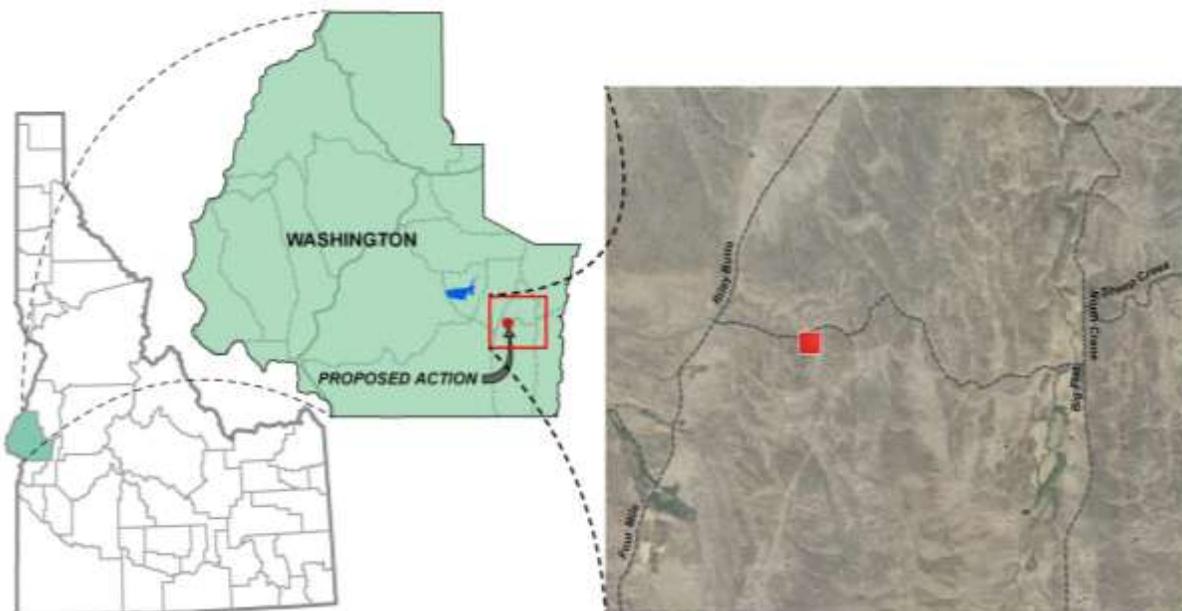


Exhibit 1.2 – Geographic location of existing McFadden Lane crushed basalt quarry.

1.3 Need for and Purpose of Action

Need

The need for the federal action is established by BLM's responsibility under 43 CFR 3601.3, the Material Act of July 31, 1947 (61 Stat 681), as amended, which provides authority for the Secretary of the Interior, in his discretion, to dispose of mineral materials not subject to mineral leasing or location on public lands when the benefits to be derived exceed aggregate damage values to public land (43 CFR 3601.6).

Purpose

The purpose of this action would be the disposal of up to 100,000 cubic yards of crushed stone mineral materials.

1.4 Federal Decision to be Made

Upon completion of this analysis, BLM will exercise its delegated authority to authorize (or not authorize) a FUP to Wash. Co. R&B within T. 11 N., R. 1 W., Section 4, BM of Washington County, Idaho (see Exhibit 1.4).

Summary of Proposed Action

Renewal of an existing material site for the disposal of 100,000 cubic yards of crushed basalt material for a term of 10 years.

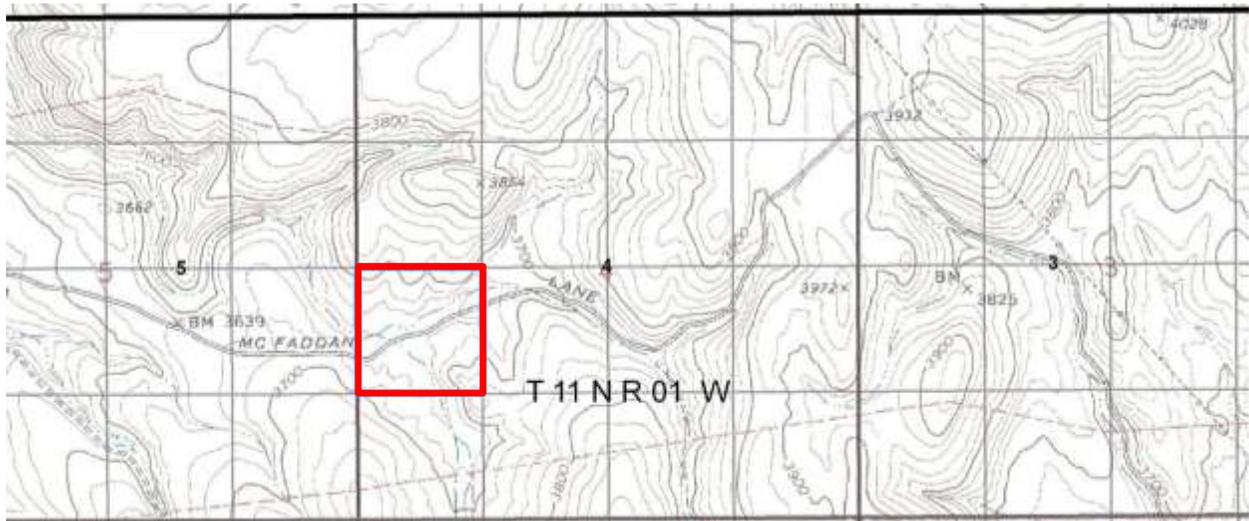


Exhibit 1.4 - Outline of McFadden Lane Free-Use-Permit site for mineral material disposal to Washington Co. Road & Bridge located in T. 11 N., R. 1 W., Section 4 (NWSW)

1.5 Conformance with Applicable Land Use Plan

The proposed action would be in conformance with the Cascade Proposed Resource Management Plan and Final Environmental Impact Statement (RMP-FEIS) that was signed in August 1987 and also the Resource Management Plan Record of Decision (RMP-ROD) that was signed in July 1988. Mineral material disposals have been specifically provided for in the following RMP-FEIS and RMP-ROD management direction and guidelines:

RMP-FEIS:

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“Minerals Management, Saleable: Sands, gravels and other saleable minerals would be made available from three material sites and 16 free use sites. Rationale: The plan recognizes a continuing demand for mineral materials and the policy to make these materials available where consistent with protection of other resource values. The procedure for saleable allows for protection of resource values through the sale agreement and for adequate site rehabilitation after the materials have been removed.”

Page 31

“Continue making available saleable minerals from three material sale sites and 16 free-use sites as needed.”

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“BLM will manage geological, energy, and minerals resources on the public lands. Geological resources will be managed so that significant scientific, recreational, ecological and educational values will be maintained or enhanced. Generally, the public lands are available for mineral exploration and development, subject to applicable regulations and Federal and State laws.”

Page 56

“Mineral material sales are discretionary actions. All mineral disposals will be made in accordance with 43 CFR 3600. The general policy shall be to promote the use of existing sites. New sites may be set up if it is determined that an existing site will not meet the applicant’s needs and site impacts can be sufficiently mitigated.”

“Exploration for new sites will be the responsibility of the applicant. Exploration will be allowed where appropriate under a letter of authorization from the Area Manager. Sale approval will be subject to environmental analysis and may include stipulations to protect other resources.”

Page 63

“Consistency with Other Plans, Minerals (Energy and Non-energy): The local land use plan supports the development of mineral resources in a manner compatible with environmental goals (protects streams and minimizes unfavorable visual impacts).”

Page 65

“Implementation, Minerals (Energy and Non-energy): Procedures outlined in current laws and regulations (federal and state) will be applied to all applications. Mineral reports and environmental assessments will be prepared and appropriate clearances obtained. Standard and special stipulations will be followed.”

1.6 Relationship to Statutes, Regulations, and Other Requirements

Materials Act (30 U.S.C 601 et seq. passed on July 31, 1947), as amended

43 CFR § 3601.3(a) explains that the Materials Act provides authority for the Secretary of the Interior to dispose of mineral materials on public lands. The Bureau of Land Management

policy is to make mineral materials available unless it is detrimental to the public interest to do so and to protect the public land resources and environment during the removal of such minerals (43 CFR § 3601.6(a)(d)).

Federal Land Management Policy Act of 1976 (FLPMA) (43 U.S.C. 1732)

The Federal Land Management Policy Act of 1976 (FLPMA) (43 U.S.C. 1732) provides for general authority for BLM to manage the use, occupancy, and development of the public lands under the principles of multiple use and sustained yield according to BLM’s applicable land use plan(s).

Migratory Birds

Executive Order 13186 expressly requires that Federal agencies evaluate the effects of proposed actions on migratory birds (including eagles) pursuant to NEPA “*or other established environmental review process;*” restore and enhance the habitat of migratory birds, as practicable; identify where unintentional take reasonably attributable to agency actions is having, or is likely to have, a measurable negative effect on migratory bird populations; and, with respect to those actions so identified, the agency shall develop and use principles, standards, and practices that will lessen the amount of unintentional take, developing any such conservation efforts in cooperation with the Service.

Cultural Resource Laws and Executive Orders

BLM is required to consult with Native American tribes to “*help assure (1) that federally recognized tribal governments and Native American individuals, whose traditional uses of public land might be affected by a proposed action, will have sufficient opportunity to contribute to the decision, and (2) that the decision maker will give tribal concerns proper consideration*” (U.S. Department of the Interior, BLM Manual Handbook H-8120-1). Tribal coordination and consultation responsibilities are implemented under laws and executive orders that are specific to cultural resources which are referred to as “*cultural resource authorities,*” and under regulations that are not specific which are termed “*general authorities.*” Cultural resource authorities include: the National Historic Preservation Act of 1966, as amended (NHPA); the Archaeological Resources Protection Act of 1979 (ARPA); and the Native American Graves Protection and Repatriation Act of 1990, as amended (NAGPRA). General authorities include: the American Indian Religious Freedom Act of 1979 (AIRFA); the National Environmental Policy Act of 1969 (NEPA); the Federal Land Policy and Management Act of 1976 (FLPMA); and Executive Order 13007-Indian Sacred Sites. The proposed action is in compliance with the aforementioned authorities.

Southwest Idaho is the homeland of two culturally and linguistically related tribes: the Northern Shoshone and the Northern Paiute. In the latter half of the 19th century, a reservation was established at Duck Valley on the Nevada/Idaho border west of the Bruneau River. The Shoshone-Paiute Tribes residing on the Duck Valley Reservation today actively practice their culture and retain aboriginal rights and/or interests in this area. The Shoshone-Paiute Tribes assert aboriginal rights to their traditional homelands, as their treaties with the United States, the Boise Valley Treaty of 1864 and the Bruneau Valley Treaty of 1866, which would have extinguished aboriginal title to the lands now federally administered, were never ratified.

Other tribes that have ties to southwest Idaho include the Bannock Tribe and the Nez Perce Tribe. Southeast Idaho is the homeland of the Northern Shoshone Tribe and the Bannock Tribe. In 1867 a reservation was established at Fort Hall in southeastern Idaho. The Fort Bridger Treaty of 1868 applies to BLM's relationship with the Shoshone-Bannock Tribes. The northern part of the BLM's Boise District was also inhabited by the Nez Perce Tribe. The Nez Perce signed treaties in 1855, 1863 and 1868. BLM considers off-reservation treaty-reserved fishing, hunting, gathering, and similar rights of access and resource use on the public lands it administers for all tribes that may be affected by a proposed action.

1.7 Scoping and Development of Issues

External Scoping

External scoping for this environmental analysis (EA) consist of posting of the EA, Findings of No Significant Impact (FONSI), and Record of Decision (ROD) on the BLM's NEPA Register website which allow for the public to be aware that there is a project being proposed at the location listed and also for the public to review this analysis and appeal the associated decision if they would be adversely affected. The itemized environmental factors that led to the level of external scoping for this analysis was based on the items listed below concerning these public lands:

- the routine nature of renewing an existing mineral material site
- the rural/remote setting of the site
- the limited size/scale of the proposed action
- the negligible impacts concerns to natural resources resulting from the proposed action
- a 35-year complaint-free history from public/other source regarding the site's existence and/or the proponent's method of operation
- a 35-year history of the proponent's compliance with laws, regulation, and stipulations as well as their timely response in resolving any issues brought to their attention by the BLM and its staff.

Internal Scoping

Internal scoping was performed by a BLM interdisciplinary (ID) team through formal resource clearances which analyzed the potential consequences of the proposed action in 2004-2008. Due to the length of time between original clearances and the environmental analysis additional resource clearance coordination was completed in 2011.

Detailed analyses of the affected resources are shown in Sections 3 and 4 of this EA.

Development of Issues from Internal Scoping:

- Wildfires in this region have reduced bitterbrush somewhat. What would the impact of this proposed action be to bitterbrush and, if affected, what would the impacts of further loss be on deer and elk critical winter habitat?
- What impacts would the proposed action have on special status wildlife species (specifically Southern Idaho Ground Squirrels (SIDGS) and Sage Grouse)?
- The Boise District Wild Horses and Burros specialist has indicated that herds would not be affected by the proposed action. The area of this proposed mineral material disposal lies within the Crane Creek Herd Area that encompasses approximately 10,336 acres which was established by Congress for the management of Wild Horses and Burros. Although this proposed action would directly impact this herd area (HA) by a net loss of up to 60 acres, it would not affect any wild horses/burros because BLM has previously

removed all wild horses from this HA. The removal of all wild horses from this HA was the result of managing a compatibility issue between wild horse management and rangeland management as described in the Cascade Resource Management Plan.¹

- Would the proposed action affect any sensitive or special status plant species within the proposed action area/region?
- What impacts would there be to rangeland management within the West Crane Common allotment?
- Would the proposed action result in the introduction/spread of non-native/invasive weeds to the region?
- Would the disposal of further mineral materials from this site result in a significant or cumulative effect to the sustainability of the mineral resources in the region?
- Would any cultural/historical resources be adversely affected?
- Does the continued disposal of mineral materials conflict with the visual resource category of the region?
- Would the proposed action and/or connected actions associated with the disposal and transportation of mineral materials reduce air quality in the region? Air quality is a concern for mineral material disposal authorizations due to fugitive dust during hauling/crushing. According to BLM Boise District's free use permit standard stipulation 11 (see Appendix A) the potential dust from any mineral disposal operation will be required to be mitigated by the permittee to a negligible level. It is the BLM's policy in accordance with federal regulations to cancel any mineral materials permit that does not comply with the stipulations of the contract.²
- What would the socioeconomic impacts be from the proposed action or the action alternatives?
- Are there any wetlands in the area and if so, what would the impacts be from the proposed action?
- Since no trees exist in the proposed project area, and very limited trees exist within the region surrounding the project area, it is anticipated that there will be no impacts to forestry resources from the proposed actions.
- The proposed action would be identical in nature to the past authorizations of this site as a mineral material source for the county road department. Over the past 33 years of use in this site, health and safety in the immediate area have not been affected. Therefore, health and safety is not considered to be an issue for further analysis.

¹ Cascade RMP July 1, 1988

² 43 CFR 3601.61(c)

2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 Alternative 1

This action alternative would authorize the renewal of a material site for Washington County Road and Bridge Department. The site would be a 40-acre parcel of land located in Township 11 North, Range 1 West, Section 4 (NWSW) (see Exhibit 2.1). The permit has been requested for the term of 10 years (2012-2022) and in the amount of 100,000 cubic yards of broken basalt and inter-mixed soils/fines. During the 10-year term of the permit the intended use of the crushed basalt would be used for the operation and maintenance purposes on local county roads.

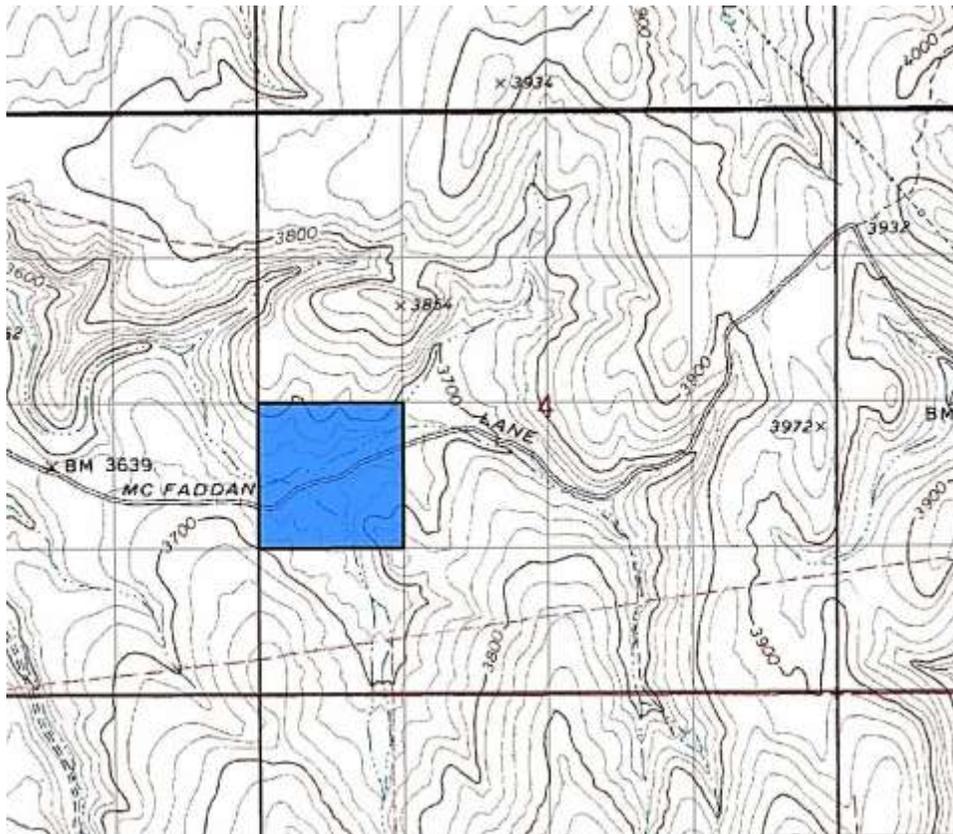


Exhibit 2.1 - Free-Use-Permit alternative 1 located in T. 11 N., R. 1 W., Section 4 (NWSW)

2.2 Alternative 2

Alternative 2 would consist of a modification to the proposed action of the proponent. The proponent originally intended to have greater room south of McFadden Lane for maneuverability and this alternative would administratively remedy this situation by locating the permitted area slightly to the south. The development of this alternative was also the result of the foreseeable need of the proponent to migrate their gravel pit operation to the south and east as the current area becomes depleted. This need would most likely occur within 15 years if the proposed action were authorized. Compared to the action alternative 1 (40-acre parcel), this action alternative would allow ample room for their operation to migrate to the east and while still providing plentiful area for equipment access and maneuverability south.

This alternative would modify the legal description of the proposed permit area for the material site from NWSW Section 4 (40 acres) to S2NWSW, N2SWSW, SWNESW, NWSESW of Section 4 (60 acres) (see Exhibit 2.2).

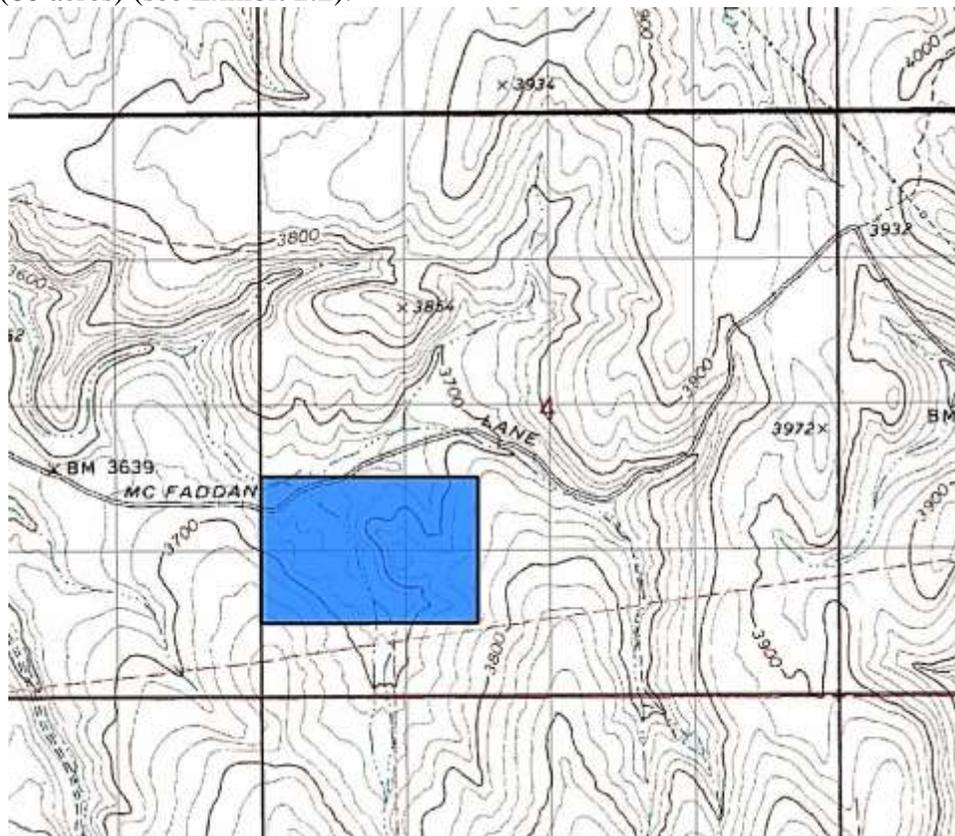


Exhibit 2.2 - Free-Use-Permit alternative 2 located in T. 11 N., R. 1 W., Section 4 (S2NWSW, N2SWSW, SWNESW, NWSESW)

2.3 Alternative 3 (*Preferred alternative*)

Alternative 3 would be a 40-acre footprint which is the same size as alternative 1 but shifted to the south as proponent originally intended for greater maneuverability room south of McFadden Lane. Compared to alternative 2, this alternative would reduce the permitted area by 20 acres. Action alternative 3 would still be comparable in nature to action alternative 2 in that, it was developed with the foreseeable need to expand the disposal and equipment operation area to meet the proponent's needs. This modification would consist of the S2NWSW and N2SWSW of Section 4 (See exhibit 2.3). The BLM's mission as a multiple use agency is to balance and sustain natural resources from a comprehensive standpoint. Upon deliberation of the action alternatives and their respective impacts to natural resources, this alternative is the preferred because it is the option with the least resource impact that still meets the applicant's criteria as described in section 2.5 of this document.

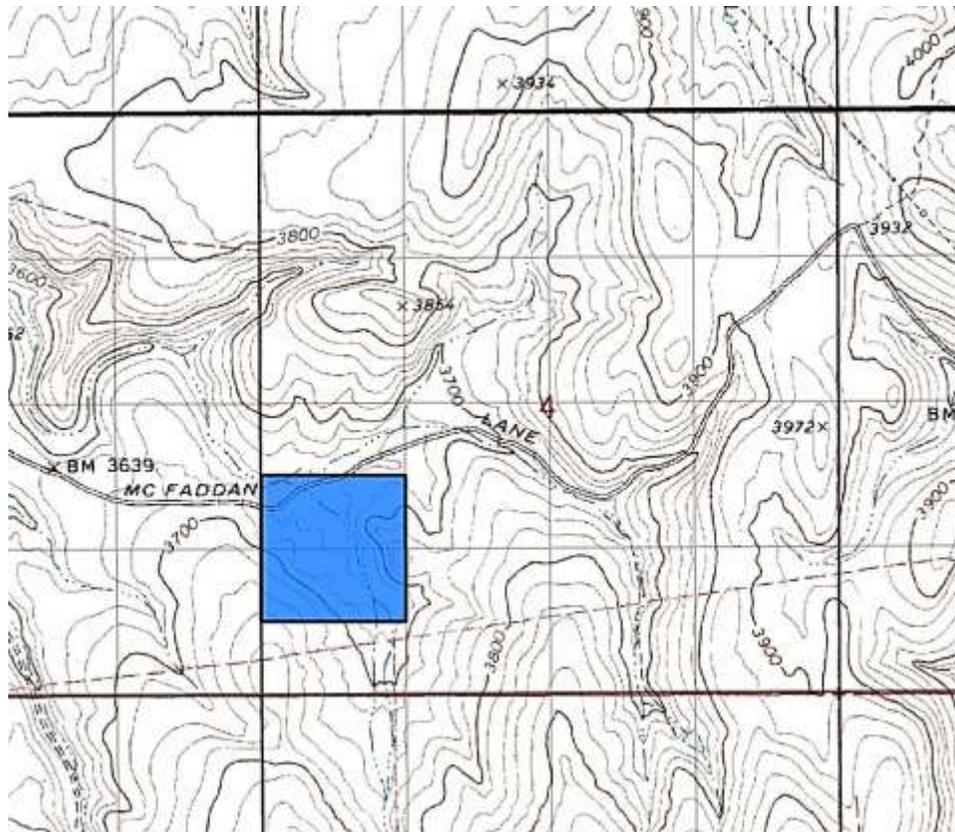


Exhibit 2.3 - Free-Use-Permit alternative 3 (preferred alternative) located in T. 11 N., R. 1 W., Section 4 (S2NWSW, N2SWSW)

2.4 Alternative 4 (*Reject Application*)

This action alternative would consist of rejecting Washington County Road and Bridge's application for a free use permit of the existing material source. This would be a cessation of the county's operation at the site and would result in the proponent's requirement to begin reclamation of the disturbed area under the previous authorization.



Exhibit 2.4 - Alternative 4 (reject application) area to be reclaimed located in T. 11 N., R. 1 W., Section 4

2.5 Description of Action Alternatives Considered But Not Analyzed in Detail

Locating another source for mineral materials

Locating an alternate to the applied for mineral material site where impacts could be further reduced was briefly deliberated but foregone due to the applicant's criteria which include:

- A source of free materials
- Exists in a geographically strategic area in Washington County that meets the shortest hauling distance from material source to the roads that need to be maintained
- A plentiful supply of mineral materials
- Materials that meet the required type and quality for applicant's purpose

This action alternative was removed from consideration without a detailed analysis because no other known source meets the proponent's listed criteria.

3.0 AFFECTED ENVIRONMENT / ENVIRONMENTAL CONSEQUENCES

3.1 Botany

Affected Environment – Botany

The environment surrounding and encompassing the proposed action area consists of a shrub/grassland mix including mostly cheatgrass, medusa head, sagebrush, bitterbrush, and rabbitbrush. Vegetation in Washington County consists of a forestland/rangeland mix ecosystem. The most represented vegetated cover type is "Basin & Wyoming Big Sagebrush" dominated rangelands at approximately 16.7% of the total area. The next most common vegetation cover type represented is the Bitterbrush rangeland at 15.6%. Perennial grass slopes are the third most common plant cover type at 13.6% along with Perennial Grassland (11.4%) and Shrub/Steppe Annual Grass-Forb (7.7%), and Agricultural lands (7.4%)³ (Idaho Department of Lands, 2004).

Environmental Consequences – Botany

Alternatives 1, 2, 3 and 4

Authorizing a mineral material disposal in this area would have a direct impact through surface disturbance activities that would result in the loss of up to 60 acres of cheatgrass, sagebrush, bitterbrush, and rabbitbrush in this area. Approximately 8 acres of this area has already been disturbed from past quarry operations and currently has a negligible amount of vegetation or no vegetation at all. The current disturbed area would continue to be quarried for broken rock until that area is depleted. The quarry operation would then migrate to an undisturbed and vegetated area within the authorized area. The previously disturbed area would likely be fully reclaimed with the exception of any area that is still needed for access or stockpiling purposes. Once the site is completely depleted of mineral materials, the proponent would be required to reclaim all areas disturbed from their operation (including re-contouring the land and re-seeding/re-vegetating) according to permit stipulations and to the authorized officer's satisfaction.

Design features would include reclamation requirements for all alternatives except for Alternative 4 - Reject Application. The Proposed Action (Alternative 1) and Alternative 3

³ Washington County, Idaho, Wildland-Urban Interface Wildfire Mitigation Plan, June 28, 2004
McFadden Lane Free Use Permit Renewal
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(Preferred Alternative) would reduce impacts to botanical resources by 20 acres (33%) compared with Alternative 2 (60-acre option).

All action alternatives (including rejecting the application) would have no adverse environmental consequences to any special status plant species because none occur within the area of the proposed action.

3.2 Wildlife/Special Status Animals

Affected Environment – Wildlife/Special Status Animals

Big game –

Mule Deer and Elk exist in the region surrounding the proposed mineral material site renewal area. Wildfires have destroyed a significant amount of bitterbrush habitat within the some regions of Washington County in recent years. The loss of bitterbrush in this region would have an impact on deer winter habitat. Bitterbrush is a key component browse species for mule deer to survive through the winter. Exact total acres of bitterbrush lost over the last 20 years is difficult to determine due to minimal post fire monitoring of re-sprouted bitterbrush and a lack of long term records of successful bitterbrush plantings after wildfire rehabilitation.

Special status animal species –

The proposed mineral material disposal site lies within the range of the Southern Idaho Ground Squirrel (SIDGS). Also, three (3) sage-grouse leks are located within a three mile radius of the proposed site. As of 2008, two of the leks were determined to be inactive while the third remained active. 2009 surveys revealed that the third lek was no longer active. No further data is available at the time of this analysis.

Environmental Consequences – Wildlife/Special Status Animals

Alternatives 1 and 3

Big game –

The potential loss of bitterbrush in the proposed mineral material site renewal area would negatively impact mule deer and elk critical winter habitat, as deer specifically rely on bitterbrush for the nutrients required for a healthy diet. The preferred alternative for the proposed action would remove approximately 1-2 acres of bitterbrush that exists within the proposed action boundary. The total deer and elk winter range habitat in the region of this proposed action is approximately 100,000 acres. The loss of 2 acres of bitterbrush in the proposed action boundary represents less than 0.002% of deer and elk winter range habitat in the region.

Special status species –

Field surveys of the proposed pit expansion determined the disposal of a 40-acre parcel at this location would have no impact on SIDGS. The soil type is not suitable for the structure and stability of burrows SIDGS require for escape cover, hibernation and raising of squirrel pups or juveniles. No populations of SIDGS have been documented within the area and are not likely to occur.

The proposed action would have a negligible impact on sage-grouse. Human-caused disturbance at the mineral material site has been ongoing for numerous years and is not expected to change. Sage-grouse have either acclimated to human disturbance in the area or

avoid the area during active periods. The area's most recent survey of sage-grouse activity in 2009 found no birds utilizing the three (3) leks that occur within three (3) miles of the mineral material site. Additionally, mineral disposal activities would be intermittent and would last for only a couple weeks at a time. Mitigation for possible impacts would be to limit major activities (*excavating / rock crushing or continuous loading/hauling from the site*) during nesting season (March 15-June 15) should there be suitable nesting sites present.

Sage-grouse could occur in the proposed project area on a yearlong basis. The project area does not possess the vegetative qualities needed to provide suitable nesting habitat, however, suitable nesting habitat does occur near the mineral material site. Islands of winter habitat and brood rearing habitat occur adjacent to the pit and a small amount of habitat would be expected to be impacted.

Impacts to migratory birds in the immediate area would occur at the site-specific level. Effects occurring from the material disposal would displace local bird individuals to areas adjacent to the mineral disposal activity. Therefore, the impact to migratory birds would be negligible.

Alternative 2

Big game –

The potential loss of bitterbrush would have similar impacts to mule deer and elk and deer winter habitat; however, the area of this alternative would remove approximately 10-15 acres of bitterbrush.

Special status species –

The disposal of the 60-acre parcel in this alternative would have no impact on SIDGS, sage-grouse or migratory birds as discussed in alternatives 1 and 3 of this section.

Alternative 4

Big game –

The no action alternative would require Washington County Road and Bridge to reclaim the previously disturbed area (including re-contouring and re-vegetating) to the stipulations associated with the permit. Big game animals would benefit by reduced disturbance and, once native and seeded vegetation was re-established (10-15 years), would have more habitat available.

Special status species –

As discussed in the environmental consequences for alternatives 1 and 3, this alternative of rejecting the application would also have no impact on SIDGS, sage-grouse or migratory birds.

3.3 Rangeland Management

Affected Environment – Rangeland management

The proposed action would lie within the southernmost portion of the West Crane Common allotment. The allotment is approximately 9,300 acres (see Exhibit 3.3).

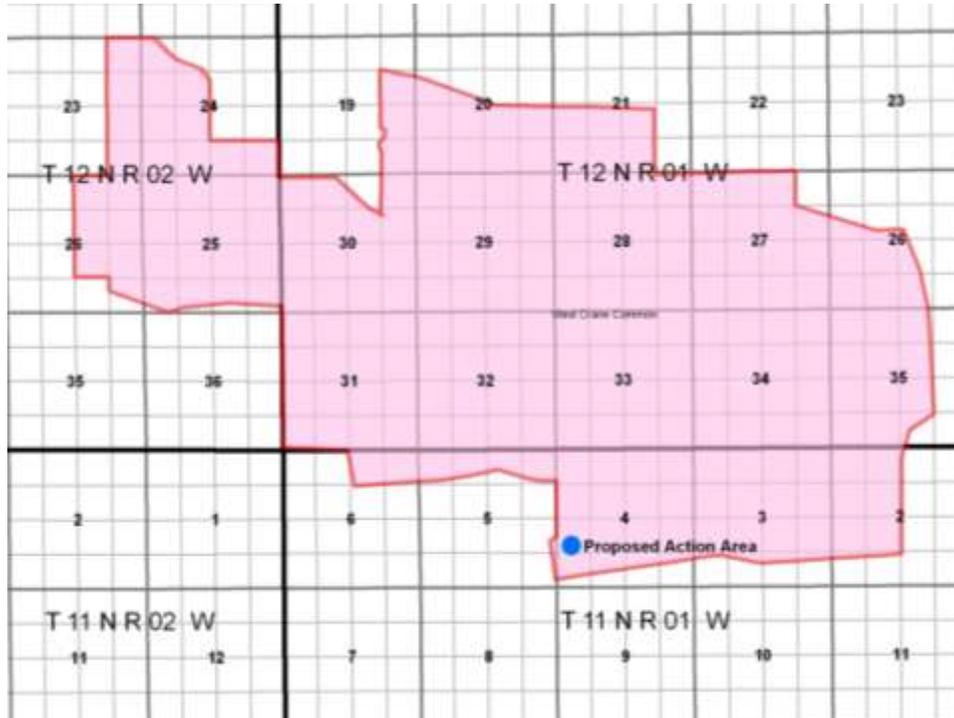


Exhibit 3.3 - West Crane Common Allotment showing the proposed action area

Environmental Consequences – Rangeland management

Alternatives 1, 2 and 3

The renewal of a 40 to 60-acre site for mineral material disposal would result in the continued loss of these acres to grazing resources for the term of 10 years. If the loss of acreage from the largest alternative (60-acre) were a complete loss, it would equate to 0.6% reduction of the overall acreage in this allotment for grazing. This reduction percentage would be a negligible impact to rangeland management resources.

Alternative 4

The no action alternative would allow the currently disturbed area of approximately 12 acres to be returned to the grazing allotment once reclamation has been accomplished. This would add a net increase in acreage of 0.4% to the allotment. This increase in lands would amount to an insignificant effect to the grazing resources within this allotment.

3.4 Invasive, Non-native weed species

Affected Environment – Invasive, Non-native weed species

The project area and surrounding environment have been aggressively colonized by invasive species due to several factors including their highly competitive nature and a lack of natural enemies within this region. The dominant invasive species identified within and adjacent to the

site include cheatgrass and medusahead rye. Noxious weed species known to occur in the area include rush skeletonweed and scotch thistle.

Environmental Consequences – Invasive, Non-native weed species

Alternatives 1 and 3

The establishment and spread of noxious and invasive species is a potential issue with any mineral material disposal site due to surface disturbance as well as truck/trailer hauling activities to and from the material site. These alternatives would increase the potential for further invasive and noxious weeds as a result of the surface disturbance. It is estimated that approximately 10-20 acres of the total 40 permitted acres would experience direct disturbance to the soil resources from heavy equipment. This would lead to soil exposure which, in-turn would increase the opportunity for the establishment and expansion of invasive and noxious weeds during and after the excavation, crushing, and hauling activities.

Alternative 2

The proposed action of a 60-acre mineral material disposal site would increase the potential for further invasive and noxious weeds as a result of the surface disturbance. It is estimated that approximately 20-40 acres of the total 60 permitted acres would experience direct disturbance to the soil resources from heavy equipment. This would lead to soil exposure which, in-turn would increase the opportunity for the establishment and expansion of invasive/noxious weeds during and after the excavation, crushing, and hauling activities.

Permit stipulations would mitigate or greatly reduce impacts from invasive, non-native weed species; therefore no further analysis of action alternatives is necessary.

Alternative 4

The previously disturbed areas would be re-seeded and re-vegetated in accordance with the conditions/stipulations associated with the previous authorization for this mineral material disposal site.

3.5 Geology / Mineral Resources

Affected Environment – Geology / Mineral Resources

The mineral resource composition in the surrounding area is largely broken rock and mixed sands/fines. The mineral material disposal site encompasses a steep rolling-hill (5 acres) of almost entirely decomposing igneous rock, a gentle sloped hill (25 acres) consisting of igneous rock with a substantial layer of a sandy/soil overburden, and a flat area (10 acres) between that consists of the same substantial layer of a sandy/soil overburden.

Environmental Consequences – Geology / Mineral Resources

Alternatives 1, 2 and 3

The removal of 100,000 cubic yards of mineral materials in the form of broken basalt would take place over the next 10 years. The township this site exists within has approximately 9,000 acres of federally owned public lands available for mineral material disposal. The impact to mineral resources from the largest acreage alternative (60-acres) would amount to 0.6%

decrease of this resource area. The long-term environmental consequence of the proposed action would be an irreversible and irretrievable loss of these mineral materials from the source area.

Alternative 4

The no action alternative would result in reserving the proposed 100,000 cubic yards of mineral material resources being proposed within this analysis.

3.6 Cultural Resources

Affected Environment – Cultural Resources

A field survey was performed to locate cultural and paleontological resources within the project area. This survey located one historic scatter that contained a few rusted cans and glass fragments. The historic scatter was determined to be ineligible for listing in the National Register of Historic Places. The Idaho State Historic Preservation Office was consulted about this project, and they agreed that the historic scatter was not eligible to be listed on the National Register of Historic Places.

Environmental Consequences – Cultural Resources

Alternatives 1, 2, 3 and 4

The activities of all alternatives are likely to result in the loss of the historic scatter. The loss of this historic scatter would be minimal because all the important site data has been captured in the site record with descriptions, maps and photographs. There would be no impacts from these alternatives to any significant cultural or paleontological resources because none were inventoried within the project area. Any cultural or paleontological resources discovered by the proponent would be protected through standard free use permit stipulations which would require the proponent to report any such discovery to the BLM immediately and to cease all operations until the BLM archeologist is able to evaluate the findings and coordinate with the appropriate officials.

3.7 Visual Resource Management (VRM)

Affected Environment – VRM

The area of the proposed action would exist within an area classified as VRM Class III. The area within a 5-mile radius of the proposed action is VRM Class III & VRM Class IV.

Definition of VRM Classes:

VRM Class III

“The objective of this class is to partially retain the existing character of the landscape. The level of change to the characteristic landscape should be moderate. Management activities may attract attention but should not dominate the view of the casual observer. Changes should repeat the basic elements found in the predominant natural features of the characteristic landscape.”

VRM Class IV

“The objective of this class is to provide for management activities which require major modifications of the existing character of the landscape. The level of change to the characteristic landscape can be high. These management activities may dominate the view and be the major focus of viewer attention. However, every attempt should be made to minimize the

impact of these activities through careful location, minimal disturbance, and repeating the basic elements.⁴”

Environmental Consequences – VRM

Alternatives 1, 2 and 3

Visual resources within the region would be moderately affected by each of the action alternatives similarly. The primary difference between the alternatives is the size or scale of the impacts. All of these action alternatives would attract visual attention in relation to the character of the natural landscape. Mineral material disposal sites such as this create a scar on the landscape over the short-term (10-15 years) and would be noticeable for a short distance (less than 1/3 mile) when driving along McFadden Road and when flying overhead. Restoration of the landscape through re-vegetation and re-contouring would mitigate the long-term effects of short-term landscape change. The permit requirements stipulate that the proponent re-contour/re-vegetate the land to match/blend-in with the surrounding natural landscape.⁵



Exhibit 3.8 – Existing site area photo, dated (10/13/2011) showing moderate landscape change.

Alternative 4

As an existing source of materials with previous surface disturbing activities, the effect of rejecting this FUP application would be the implementation of the requirement for the previously disturbed areas to be reclaimed. This would result in short-term visual resource impacts of the existing moderately changed landscape, and would be anticipated to be fully reclaimed with new contouring and vegetation within two to three years. Once fully reclaimed, the site would have negligible difference from the surrounding natural landscape.

3.8 Air Quality

Affected Environment – Air Quality

The air quality of the southeast Washington County region of the proposed action is generally clear and smog-free. It is best described as excellent. Occasional wildfire activity or multiple owners burning within this air-shed in a short-period of time can lead to occasional haze in the region of the proposed action.

⁴ BLM VRM manual 8410 Section V, Part B

⁵ Free use permit standard stipulation 16 (Appendix A)

Environmental Consequences – Air Quality

Alternatives 1, 2 and 3

These action alternatives would each create occasional fugitive dust, exhaust, and noise pollution associated with a mineral material disposal operation. There would be no measurable amount of dust from wind erosion due to the lack of soils described in section 3.5 of this document. The effects of dust, exhaust, and noise pollution would be highly localized within the site area and would occur for relatively short durations. Digging, crushing, and stockpiling would occur for a duration of 2-3 weeks, every three years (based on the past 35-year history of the proponent's operation at this site). Intermittent material hauling would primarily occur from May to October and possibly outside these months in emergency road repair situations.

Alternative 4

This alternative would have the effect of increasing the air quality in the immediate area surrounding the proposed site by a negligible amount due to the elimination of a mineral disposal operation.

3.9 Socioeconomic

Affected Environment – Socioeconomic

Washington County has approximately 10,198 residents according to the U.S. 2010 census, of which approximately 17% of the residents of Washington County are at or below the poverty level compared to the Idaho average of approximately 14%.⁶

Environmental Consequences – Socioeconomic

Alternatives 1, 2 and 3

The socioeconomic impact of BLM's policy to issue free use permits to governmental agencies for qualifying purposes is effectively a net benefit to local residents. Each alternative involving disposal of federal mineral materials at no cost would remove the need for Washington County to use county taxes to purchase materials to maintain county roads.

Alternative 4

The no action alternative would have a minor direct effect on the residents in Washington County due to the loss of a source of free materials from the BLM. The indirect effect would result in requiring the county to locate an alternate source of road materials, possibly at cost.

⁶ www.census.gov

3.10 Wetlands

Affected Environment – Wetlands

Within the boundary of the proposed action, a small (0.15-acre), man-made seasonal wetland is present downstream of the pit area. This seasonal wetland exists only as a result of historic road construction fill, which formed a dam in the fully-functioning 4-acre watershed. A 12-inch diameter road culvert is present which drains water beneath the roadway. No obligate riparian species are present due to the seasonal nature of this wetland. Vegetation is limited to annual grasses, graminoides, and spike rush. The ephemeral channel has minimal slope, and is hydrologically stable.

Environmental Consequences – Wetlands

Alternatives 1, 2 and 3

If approved, the effects of the proposed action alternatives would include continued spring run-off passing through the gravel quarry into the small wetland area. The combination of the lack of soils present in the broken basalt, minimal slope, and grass vegetation in the channel would continue to mitigate the erosion potential by sequestering sediment before it enters the wetland area. However, silt fencing would be installed and maintained yearly to reduce potential for sediment discharge into the wetland. Silt fencing or an equivalent form of sediment mitigation would be required under all alternatives. The risk of adverse effects to the seasonal wetland would be negligible under each alternative.

Alternative 4

Rejecting the application would require the site to be reclaimed from the previous 35 years of use. The area of the wetland as well as the immediate surrounding area have not been disturbed and are not in need of reclamation; however, silt fencing or an equivalent form of sediment mitigation would be required to ensure that no sediment enters the wetland area until vegetation is completely restored over the currently disturbed area. Therefore, no adverse effect to wetland resources would occur from this action.

4.0 CUMULATIVE EFFECTS ANALYSIS

The Council on Environmental Quality (CEQ) defines cumulative effects as the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions (40 CFR 1508.7). A June 2005 CEQ memorandum states:

The environmental analysis required under NEPA is forward-looking, in that it focuses on the potential impacts of the proposed action that an agency is considering. Thus, review of past actions is required to the extent that this review informs agency decision making regarding the proposed action. This can occur in two ways:

First, the effects of past actions may warrant consideration in the analysis of the cumulative effects of a proposal for agency action. CEQ interprets NEPA and CEQ's NEPA regulations on cumulative effects as requiring analysis and a concise description of the identifiable present effects of past actions to the extent that they are relevant and useful in analyzing whether the reasonably foreseeable

effects of the agency proposal for action and its alternatives may have a continuing, additive and significant relationship to those effects. In determining what information is necessary for a cumulative effects analysis, agencies should use scoping to focus on the extent to which information is "relevant to reasonably foreseeable significant adverse impacts," is "essential to a reasoned choice among alternatives," and can be obtained without exorbitant cost (40 CFR 1502.22). Based on scoping, agencies have discretion to determine whether, and to what extent, information about the specific nature, design, or present effects of a past action is useful for the agency's analysis of the effects of a proposal for agency action and its reasonable alternatives. Agencies are not required to list or analyze the effects of individual past actions unless such information is necessary to describe the cumulative effect of all past actions combined. Agencies retain substantial discretion as to the extent of such inquiry and the appropriate level of explanation (Marsh v. Oregon Natural Resources Council, 490 U.S. 360, 376-77 [1989]). Generally, agencies can conduct an adequate cumulative effects analysis by focusing on the current aggregate effects of past actions without delving into the historical details of individual past actions.

Second, experience with and information about past direct and indirect effects of individual past actions may also be useful in illuminating or predicting the direct and indirect effects of a proposed action. However, these effects of past actions may have no cumulative relationship to the effects of the proposed action. Therefore, agencies should clearly distinguish analysis of direct and indirect effects based on information about past actions from a cumulative effects analysis of past actions.

The following cumulative impact analysis is limited to past, present, and reasonably foreseeable future actions that involve impacts to a resource value that overlaps temporally and/or spatially with the Proposed Action's impacts to that same resource value. Thus, not all actions identified are discussed for each resource.

4.1 Botany

No special status plant species exist within two (2) miles of the proposed action area. Because no special status plant species would be impacted by the proposed action there would be no cumulative impacts (to special status plant species) associated with the proposed action.

4.2 Wildlife/Special Status Animals

The area of this proposed action is one of three mineral material sites that exist within a 15-mile area of mule deer and elk winter range. The other two mineral material sites are expected to be renewed in the foreseeable future. This total loss of mule deer and elk winter range habitat is depicted by the table below:

Acreage loss within Mule Deer and Elk Winter Range Habitat	
McFadden Lane FUP	40 acres
Big Flat Road FUP	75 acres
Four Mile Pit	40 acres
Total	155 acres

The total area of deer and elk winter range habitat in the region of the proposed action is approximately 100,000 acres. Because the total loss of deer and elk winter range habitat (155 acres) represents only 0.16% of that total, cumulative impacts to winter range would be negligible.

4.3 Rangeland Management

The preferred action alternative (40-acre) site is currently the only known and foreseeable project within this allotment. The loss of this 40-acre area of the approximately 9,300 total acres of the allotment would be a loss of 0.4% for grazing purposes. Therefore, there are no known cumulative impacts to rangelands.

4.4 Geology / Mineral Resources

Over the past 33 years the BLM has authorized the disposal of federal mineral materials for qualified purposes. Although the disposal of these materials have accumulated and further disposal is planned in the future; the 60-acre site only amounts to 0.00012% of the total acreage (487,466 acres) managed under the Cascade RMP. The nine mineral sites listed in Section 4.4 range in size between five acres to 60 acres. If all sites were 60 acres, and the loss was considered, it would equate to 0.0011% of the total acreage managed under the Cascade RMP. Although the combined effect of these mineral sites is cumulative, it is negligible.

Mineral Sites within a 15-mile radius of proposed action
1. Big Flat Road Pit
2. Skow Cove Creek Sale
3. Sheep Creek Pit
4. Four Mile Pit
5. Indian Valley Pit
6. Carlock Quarry
7. Almaden Community Pit
8. Almaden Competitive Sale
9. Little Weiser River Quarry

4.5 Cultural

The defined area concerning potential cumulative impacts to cultural resources is the 40 acres described in alternative 3. Mining activities over the past 35 years have not impacted cultural resources. The proposed action would result in the loss of the historic scatter described in section 3.6. There would be no impacts to cultural resources in the future because no additional cultural resources were located during the surveys.

4.6 Visual Resources

The cumulative impacts analysis presented in this document is based on the potential effects of past, present, and reasonably foreseeable future projects that occupy the same field of view as the alternatives described and the potential impacts to the visual quality of the area.

The rolling topography of the area limits one's field of view primarily to the foreground and middle ground distances. The existing visual intrusions to the viewshed are McFadden Lane, (a

gravel county road), and the proposed renewal of this existing material site. These impacts would be appropriate to the BLM's VRM management criteria range for this area and would not dramatically alter the classification.

4.7 Air Quality

The air quality in the region of the proposed action is considered excellent. Forest fires have affected the air quality of this region on occasion over the past decades but once the fires are no longer present the air-shed returns to excellent condition. Present and reasonably foreseeable BLM actions in this region are listed in Section 4.4. Other present and future actions within this region that would affect air-shed quality are the hauling of materials on, and maintenance of local county gravel roads. These actions would all mitigate excessive dust by spraying with water or other suitable substances as necessary. Minor fugitive dust from crushing operations, minimal county road traffic (including some hauling) that would not warrant spraying with water or other suitable substances would have a negligible effect to the air-shed from July through September when roads are at their driest. The dust during these months is anticipated to settle quickly or be dispersed by the prevailing winds. Therefore, there would be no known significant cumulative impacts by the proposed action.

4.8 Socioeconomic

The proposed action would be one of seven free use permits that are authorized to Washington County Road and Bridge. The combined socioeconomic impact from the free use of mineral material would be a net benefit to the general public in the county. This is in line with BLM's policy to dispose of mineral materials to qualifying local governments to serve as a benefit to the public. This beneficial impact to each of the approximately 10,000 residents of Washington County would be considered relatively minor since it will not greatly enhance the population's socio-economic status or otherwise change the society or its culture. It is anticipated that the benefit would be largely unnoticed in general. Although it is difficult to measure the changes in less-tangible factors associated with socioeconomics, it is estimated that the cumulative impacts by the proposed action would be best described as a minor benefit because it would not alter the overall quality of life for county residents.

4.9 Wetlands

There are nine other material sites within a 15-mile radius of the proposed action as listed in Section 4.4. None of the sites have wetlands within or adjacent to the material site, therefore, there would be no known cumulative impacts by the proposed action.

5.0 CONSULTATION AND COORDINATION

5.1 BLM Interdisciplinary Team Providing Input and Review

Jeremy P. Bluma, BLM Land Law Examiner
Seth Flanigan, BLM NEPA Specialist
Jill C. Holderman, BLM Wildlife Biologist
Dean C. Shaw, BLM Archeologist
Mark E. Steiger, BLM Botanist
Larry E. Ridenhour, BLM Outdoor Recreation Planner

Valerie Lenhartzen, BLM Geologist
Lonnie R. Huter, BLM Natural Resource Specialist (Weeds)

5.2 List of Agencies, Organizations, and Individuals Consulted

Idaho State Historic Preservation Officer
Washington County Road and Bridge Department

5.3 Public Participation

The public was notified in 2008 when the BLM listed the project on the Idaho NEPA webpage, and in 2011 on the ePlanning NEPA Register webpage.

No comments were received from either posting.

7.0 LITERATURE CITED

- Idaho Department of Lands*. (2004, June 28). Retrieved October 1, 2011, from Washington County: Washington County, Idaho, Wildland-Urban Interface Wildfire Mitigation Plan June 28, 2004
http://www.idl.idaho.gov/nat_fire_plan/county_wui_plans/washington/washington.htm
- Bureau, U. C. (2011, October 27). *State and County QuickFacts*. Retrieved October 31, 2011, from U.S. Census Bureau: <http://quickfacts.census.gov/qfd/states/16/16087.html>
- Interior, U. D. (2001). *The Federal Land Policy and Management Act of 1976 As Amended*. Washington D.C.
- Interior, U. D. (2010). *Title 43 Code of Federal Regulations, Public Lands: Interior*. Washington D.C.: U.S. Government Printing Office.
- Northwest Management, I. (2004). *Washington County, Idaho, Wildland-Urban Interface Wildfire Mitigation Plan*. Moscow.
- USDI-BLM. (1988). *Cascade Resource Management Plan*. Boise District Office: U.S. Department of Interior Bureau of Land Management.
- USDI-BLM. (2008). *National Environmental Policy Act Handbook, H-1790-1*. U.S. Department of Interior, Bureau of Land Management.

8.0 APPENDICES

8.1 Appendix A

FREE USE PERMIT STANDARD STIPULATIONS

1. All materials removed would be extracted in accordance with approved conservation practices so as to preserve, to the maximum extent feasible, all scenic, recreational, watershed and other values of the land and resources (43 CFR § 3601.6).
2. When American antiquities or other objects of historic or scientific interest, including but not limited to: historic or prehistoric ruins, vertebrate fossils or artifacts, are discovered in the performance of this contract, the item(s) or condition(s) would be left intact and immediately brought to the attention of the district manager or his authorized representative.
3. The permittee shall maintain the area free of trash, refuse, and invasive plants during operations and termination of the contract.
4. Permittee shall be responsible for suppression costs of any fires resulting from actions under this permit or contract.
5. Each year, within 30 days of January 1st and 30 days prior to the expiration date of the permit, the permittee would submit a statement to the BLM indicating the type and volume of materials removed from the permit area during the previous year.
6. The approved mining and reclamation plan is part of this permit as special conditions governing all operations under the permit.
7. Any deviations from the approved reclamation plan and these stipulations would be subject to approval by the BLM authorized officer prior to such actions.
8. Upon expiration of the permit the permittee would, within 90 days, remove all equipment, personal property, and other improvements from the area.
9. The authorized officer may cancel the permit if the permittee fails to observe its terms and conditions, or if the permit has been issued erroneously (43 CFR § 3601.61).
10. The permittee shall indemnify and save harmless the United States of America against any liability for damages to life, person, or property arising from the use of the lands under this permit.
11. The subject site and haul roads shall be sprayed as necessary with water or other suitable material to minimize dust created by these activities.
12. Proper mufflers and spark arresters shall be maintained on equipment used in this project to reduce noise levels and to limit the potential for fires. In addition, the permittee and any contractors or subcontractors shall maintain and have on the site adequate fire prevention and extinguishing equipment.
13. The permittee shall remove only as much overburden and vegetation as is needed for each operation so as to keep visual, wildlife, and land stability impacts to a minimum.

14. No construction waste material or other debris may be hauled onto the site, stockpiled or used as fill material, other than that material which was found on the site at the time of signature of this contract.
15. Whenever possible, reclamation should proceed concurrently with excavation.
16. Upon completion of this project, the authorized officer would inspect the site to determine which quarry walls may be left intact for use as nesting sites for raptors. Sites not left intact shall be sloped to a minimum of 3:1 ratio. Overburden would be replaced and all remaining disturbed areas would be seeded with a mixture of seed and rate to be specified by the BLM at the time of reclamation.
17. This permit does not grant the permittee exclusive use of the public lands identified herein. The Bureau of Land Management reserves the right to remove materials from the land and the right to authorize other governmental agencies or individuals to obtain materials from the site, consistent with safe and orderly use of the lands.
18. All operators are required to provide employee training sufficient to meet the requirements of Title 30, CFR, Part 46 and 62, regarding operator safety training and noise exposure standards. Permittees that contract crushing and screening of materials are responsible for ensuring that contractors have met all of the above requirements. Additional information may be obtained from the internet at www.msha.gov/.
19. Noxious weed and invasive plant control would be the responsibility of the permit holder. Best management practices would be followed. These include, but are not limited to:
 - a. Washing the undercarriage of all vehicles prior to use in any work area.
 - b. Monitoring of disturbed areas for noxious or invasive weeds for three (3) years after work completion.
 - c. Prompt treatment action after identification of noxious or invasive weed infestation, including proper application of BLM-approved herbicides, or physical removal and disposal.
 - d. At the completion of the permit, replanting with a BLM-approved seed mix to help prevent weed infestation.
 - e. Monitoring the site after completion of the permit to ensure that a self-sustaining population of BLM-approved native plants has been established.