

**Finding of No Significant Impact  
Stipulation to Dismiss Appeals  
Documentation of NEPA Adequacy  
DOI-BLM-ID-B020-2010-0002-DNA  
In regards to: East Castle Creek Allotment  
Livestock Grazing Permit Renewal  
Environmental Assessment ID-120-2008-EA-45**

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in EA #ID-120-2008-EA-45 (EA) and those actions reviewed in DNA # DOI-BLM-ID-B020-2010-0002 (DNA) 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 above EA and the DNA, using the following factors defining significance:

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

The management actions identified in the Stipulation are analyzed as part of alternatives D or C. Voluntary nonuse in the spring pastures would continue through the 2011 grazing season and any subsequent changes in livestock use would be based on annual indicator criteria (AIC) and effectiveness monitoring which is effectively the same action as in Alternative D (page 44 of the EA, 1<sup>st</sup> paragraph) and in Term and Condition 2 in the final grazing decisions (page 11). Therefore, the affects from the grazing management prescription for the spring pastures described for Alternative D (EA on pages 67, 87, 112-113, 160, 167) would accurately apply to the DNA proposed action and were not found to be significant in the FONSI associated with the EA.

Allowing a longer season of use and greater number of AUMs in the pastures 28 and 28A could result in adverse impacts to upland and riparian resources as described in Alternative C in the EA. However, if annual indicator criteria (AIC) are met, it is reasonable to expect that the livestock grazing management provided for in the Stipulation would result in the same impacts as described for Alternative D in the EA and progress would be made toward meeting Idaho Standards for Rangeland Health (Standards).

The DNA proposed action would add the Sheep Creek Riparian Enclosure to the list of priority projects. This project was analyzed as part of Alternative C on pages 86, 111, 121, and 159. The analysis stated that, "excluding springs and wetlands from livestock grazing is the fastest way to improve functioning condition and overall health of the system (EA on page 106)". The analysis for the Sheep Creek Riparian area indicates, "This [project] would improve the condition of the Sheep Creek here [in the enclosure] to PFC in the mid-term." (EA on page 111). The enclosure would only be constructed if impacts to cultural or historical resources could be avoided or mitigated.

If monitoring shows that other sites or areas are not making progress toward meeting Standards, additional projects could be built to enhance control of grazing management impacts. Any impacts from these actions would be addressed in subsequent NEPA documentation.

The DNA proposed action would consequently have the same effects as described for Alternative D in the EA. The proposed action would improve overall rangeland health conditions of soils and watersheds, upland vegetation, sensitive plant populations, wildlife (including sensitive species), water quality, and wetlands and riparian areas within the East Castle Creek Allotment as described in Sections 3.1 through 3.7 of EA ID-120-2008-EA-45.

The DNA proposed action would have primarily beneficial impacts and minimal direct or indirect adverse impacts to cultural resources, the overall economy of Owyhee County, and to the human environment over the short and long term (Sections 3.8 through 3.12 of EA ID-120-2008-EA-45). Other resources would be enhanced, such as visual quality, naturalness in the Little Jacks Creek Wilderness (page 184, EA) and scenic values along the Backcountry Byway (page 180, EA).

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

No major effects to public health and safety were identified in the EA.

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

No significant effects on unique geographic characteristics of the area, cultural or historical resources, wetlands, wild and scenic rivers, or ecologically critical areas were identified in the EA (ID-120-2008-EA-45). Cultural resources would not be significantly impacted (Section 3.8 of EA ID-120-2008-EA-45). Improvement to wetlands and riparian areas would be expected with the implementation of the grazing practices and range improvement projects found in Alternative D of the EA (carried forward in the DNA proposed action) and adaptive management in response to monitoring (AIC, mid- and long-term effectiveness monitoring) (Section 2.7 of the EA and the DNA Proposed Action). The grazing prescription and West Fork Shoofly Creek Fence Realignment would enhance naturalness and primitive recreational opportunities in the Little Jacks Creek Wilderness. No parklands, designated Wild and Scenic Rivers, ecologically critical areas, or prime farmlands occur in the project area.

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

Public comments have been received that expressed concerns about the effects of management actions and projects on various resource values. The effects were analyzed and discussed in the EA (Sections 3.1 through 3.13 of EA). The analysis did not identify any effects on the quality of the human environment that were highly controversial.

Specific comments about resource impacts and BLM's impact analysis that were incorporated into protests received by BLM from Gordon King and Western Watersheds Project (WWP) were addressed in responses prepared and sent with the Final Decisions of February 20, 2009 to permittees, agencies, Tribes, and all interested publics of record.

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

The analysis in the EA did not identify any effects on the human environment that would be highly uncertain or involve unique or unknown risks, and the management actions identified in this Stipulation are retained from alternatives D and C in the EA (refer to Item 1 above). Livestock grazing has been a primary use in this area for at least 70 years. Grazing management and projects have been completed in other parts of the Bruneau Field Office and southwestern Idaho. The effects of the DNA proposed action 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 in the EA showed how the Bruneau Management Framework Plan (Bruneau MFP, USDI 1983) would be implemented under the different alternatives (Sections 1.5, 1.2, and 1.6 and 3.1 through 3.13 of the EA). Those implementation actions are carried forward in the DNA proposed action and are similar to those previously taken in the Bruneau Field Office. The DNA proposed action would not establish precedent for any future actions. Any subsequent actions would go through the adaptive management Decision Tree and subsequent NEPA review if needed. Implementation of the DNA proposed action would not trigger other actions, nor is it a part of a larger action in the project area encompassed by this decision.

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

The analysis in the EA (Section 3.13 of the EA) did not identify any known significant cumulative or secondary negative effects within the analysis area (FONSI (signed December 24, 2008) associated with the EA). The findings in those documents remain valid because no unanticipated actions or events have occurred in the analysis area since their completion.

- 8) *The degree to which the action may adversely affect properties 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.*

The analysis showed that Alternative D (and consequently the DNA proposed action with the exception of the proposed Sheep Creek Riparian Exclosure) would not result in adverse effects to cultural resources that are considered eligible for listing in the National

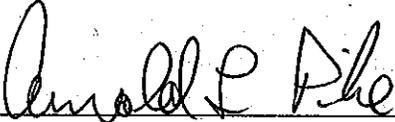
Register of Historical Places (Section 3.8 of EA ID-120-2008-EA-45). The Sheep Creek Riparian Exclosure would only be constructed if impacts to cultural or historical resources could be avoided or mitigated.

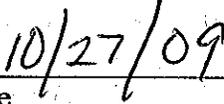
9) *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has determined to be critical under the Endangered Species Act of 1973.*

No endangered or threatened species are known in this allotment (Sections 3.5, 3.6, and 3.7 of the EA). Impacts to BLM sensitive species and candidate species for federal listing as endangered or threatened are discussed in Sections 3.5, 3.6, 3.7, and 3.13 of the EA), and would be neutral or beneficial.

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

The DNA shows that the analysis in the EA still pertains to the DNA proposed action and is consistent with Federal, State, and local laws or requirements imposed for protection of the environment (Sections 1.6 and 3.1 through 3.13 of the EA).

  
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Arnold Pike  
Bruneau Field Manager

  
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Date