

Finding of No Significant Impact (FONSI)
McPherson Individual Allotment Permit Renewal
Environmental Assessment #DOI-BLM-ID-B010-2012-0013-EA

I have reviewed the Council on Environmental Quality Regulations (CEQ) for significance (40 CFR 1508.27) and have determined the actions analyzed in the McPherson Individual Allotment Grazing Permit Renewal Environmental Assessment (EA, DOI-BLM-ID-B010-2012-0013-EA) 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, using the following factors defining significance:

1) Impacts that may be both beneficial and adverse.

The beneficial effects of Alternative D would include:

1. Increased plant vigor and residual litter/cover/forage would result in less erosion and improved vegetative composition and diversity (EA Sections 3.1.2.5 and 3.2.2.5).
2. Improved habitat conditions for slickspot peppergrass.
3. Improved livestock control and distribution.

The adverse effects of Alternative D are:

1. Temporary minor impacts to soils, vegetation and wildlife due to livestock grazing.

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.

Although habitat for slickspot peppergrass (i.e., element occurrences, proposed critical habitat, and occupied habitat) occurs in the allotment, no major impacts were identified in the EA from livestock grazing or proposed range management projects (EA Section 3.2.2.5). Only one potentially eligible National Register of Historic Places (NRHP) site (Basye Freight Road occurs in the vicinity of the allotment and a proposed fence realignment would have a minor effect on soil erosion near the trail and aesthetics (EA Section 3.6.2.5).

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

There is negligible controversy in the scientific community about the effects of livestock grazing on watershed components, vegetative communities, special status plants and animals, cultural resources, and recreation. The effects are well known, widely documented, and in agreement. Potentially controversial issues are discussed in the General Discussion of Impacts sections (EA Sections 3.1.2.1, 3.2.2.1, and 3.3.2.1).

- 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 use in this area for at least 78 years (1934 Taylor Grazing Act). Grazing management systems and rangeland management projects similar to those proposed have been implemented in other parts of the Four Rivers Field Office (FRFO). Post-implementation monitoring has confirmed that the impacts identified in associated NEPA documents have correctly identified and documented effects. The EA (Sections 3.0 and 5.0) also relied on documentation of effects from other sources, primarily peer-reviewed scientific studies, to characterize impacts.

- 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 in the Cascade Resource Management Plan (CRMP) and would not establish precedent for any future actions. The Proposed Action would implement a spring use/rest rotation, rangeland management projects, and terms and conditions that would not require future actions beyond those identified in the document (e.g., monitoring, movement of animals). Any subsequent actions in the area not addressed in the EA would be addressed in a new NEPA document.

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

The analysis did not identify any known substantial cumulative or secondary effects (EA Sections 3.1-7.3). The proposed action would result in negligible additional cumulative impacts to resources when the context and intensity of actions within the cumulative impacts analysis areas were considered.

- 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.*

Only one potentially eligible NRHP property, the Basye Freight Road, could be affected by the proposed action. Implementation of the proposed action would have minor effects on the road and would not jeopardize its listing in the NRHP (EA Section 3.6.2.5).

- 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.*

Slickspot peppergrass (listed as threatened under the Endangered Species Act) and its habitat occurs in the allotment. The BLM evaluated the effects of Alternative D in a Biological Assessment (BA). The BA determined that the proposed action “may affect,” and is “likely to adversely affect” slickspot peppergrass and slickspot peppergrass habitat, and proposed critical habitat in the action area, and requested a Biological Opinion (BO) for the affects to the species and habitat, and concurrence on the effects to proposed critical habitat. The BA was transmitted to the U.S. Fish and Wildlife Service (USFWS) on May 21, 2012. While no BO has been received from the USFWS to date, under Section 7(d) of the ESA, the action agency may authorize an action that may affect listed species after initiation of consultation so long as the action agency makes no “irreversible or irretrievable commitment of resources with respect to the agency action which has the effect of foreclosing the formulation or implementation of any reasonable and prudent alternative measures which would not violate subsection (a)(2).” Per a 2010 USFWS BO of ongoing grazing actions authorized by BLM, similar actions across the range of the species have been found by the USFWS to not jeopardize (no jeopardy) the continued existence of the species. Similar actions do not constitute destruction or adverse modification of critical habitat. The 2009 Federal Register Notice listing the species indicated that livestock grazing and associated facilities were contributing factors for the listing; however, invasive species and wildfire were the primary threats to species persistence. The proposed action would affect 221 acres of proposed critical habitat, less than 0.5% of the 49,633 acres (BLM-administered lands) of proposed critical habitat rangewide.

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

The proposed action would be in conformance with applicable statues, regulations, and other requirements (EA Section 1.5).

/s/ Terry A. Humphrey
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Date