

FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION
Empey-Johnson Conservation Easements Acquisition
DOI-BLM-ID-I010-2015-0005-DNA

FINDING OF NO SIGNIFICANT IMPACT (FONSI): I have reviewed the Environmental Assessment and FONSI/DR Land Use Plan Amendment for Henrys Lake ACEC Designation Environmental Assessment EA# ID-030-96-066, approved 1997, including the explanation and resolution of any potentially significant environmental impacts, and reviewed and thoroughly considered public comments regarding the EA. I have also reviewed the ten Intensity Factors for significance listed in 40 CFR 1508.27 and have determined that the proposed action to acquire a conservation easement does not constitute a major federal action affecting the quality of the human environment or causing unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement has not been prepared. Based on the analysis of potential environmental impacts contained in the attached Determination of NEPA Adequacy and as analyzed in Land Use Plan Amendment for Henrys Lake ACEC Designation Environmental Assessment EA# ID-030-96-066, I have determined that the action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION: It is my decision to acquire two conservation easements on approximately 515 acres of private property located on the western side of Henry's Lake in Fremont County, Idaho as described in the Determination of NEPA Adequacy (DNA) DOI-BLM-ID-I010-2015-0005-DNA.

SUMMARY OF THE PROJECT: The proposed action is to acquire two conservation easements on approximately 565 acres located on the western side of Henrys Lake in Fremont County, Idaho (Figures 1 and 2). The conservation easements would be acquired using Land and Water Conservation Funds (LWCF) appropriations for the Henrys Lake Area of Critical Environmental Concern (ACEC) project. The property is a private inholding within the Henrys Lake ACEC designation, an area containing one of the most unique and biologically diverse ecosystems in Idaho, and an active water-based recreation program. The property is bordered to the north and west by Forest Service lands and is adjacent to BLM land on the northern portion of its eastern boundary. The remainder of the eastern boundary is adjacent to private land which is conserved by the Wetland Reserves Program.

The two conservation easements are held by The Nature Conservancy (TNC). The first conservation easement, Empey-Johnson 1 (Duck Creek), was purchased by TNC in 2008 to protect 50 acres of the ranch. The second conservation easement, Empey-Johnson 2, was purchased in 2012 and protected the balance of the ranch, approximately 515 acres.

Henrys Lake ACEC's exceptional aesthetic and wildlife values have been an attraction to generations of Americans who have fished, hiked, hunted, skied and snowmobiled in the area. The area offers high quality open space, rangeland, streams, wetlands, and wildlife and fish

resources to the approximately 4,000,000 annual visitors who pass through the project area. Antelope, elk, moose, and mule deer utilize the region for summer/winter range and as a migratory corridor connecting summer range in Yellowstone National Park with winter range in Idaho and Montana. The world-renowned Henrys Lake fishery is the last stronghold in the Henrys Fork basin for the Yellowstone cutthroat trout. White spruce/aspen forested wetlands on the east and north shores of the lake are globally rare and found nowhere else in the continental United States.

The 1877 flight of the Nez Perce from their homelands while pursued by the U.S. Army passed through this area. Chief Joseph, Chief Looking Glass, Chief White Bird, Chief Ollokot, Chief Lean Elk and others led 750 Nez Perce men, women, children and double the amount of horses over 1,170 miles through the mountains on a trip that lasted from June to October 1877.

Conservation values intended to be preserved and protected for the public benefit under these two Conservation Easements include, without limitation, 1) unplowed grasslands, 2) unfragmented open space and rangeland, 3) corridors for the unimpaired passage of wildlife and 4) natural communities that provide habitat for native wildlife species.

The owner of the property, Empey-Johnson, desires the area to be managed to conserve open space, wildlife habitat, and continue the traditional ranching activities. Conserving the Empey-Johnson property contributes to the unique ecological and visual resources that the ACEC provides the public. Under this proposal the land would become public and managed as part of the Henrys ACEC.

Acquisition of these two conservation easements meets BLM's management goals of maintaining open space, protecting crucial wildlife habitat, and promoting outdoor recreation opportunities and access within the Henrys Lake ACEC.

RATIONALE: The proposed action to acquire the two conservation easements is in conformance with the Medicine Lodge Resource Management Plan and Environmental Impact Statement approved in 1985. Although not specifically provided for, the proposed action is in conformance with Decision Record and Finding of No Significant Impact for the Medicine Lodge Resource Management Plan Amendment to Designate the Henrys Lake Area of Critical Environmental for the purpose of protecting the unique natural resources of the area.

This project is not unique or unusual, and the Upper Snake Field Office has implemented similar actions in the past. The environmental effects to the human environment were analyzed in the Land Use Plan Amendment for Henrys Lake ACEC Designation Environmental Assessment EA# ID-030-96-066, approved in 1997. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks. The historic and cultural resources of the area have been inventoried and there are no potential impacts to the resources.

The DNA notice was posted on the BLM website in November 2014.

ADMINISTRATIVE REMEDIES: Refer to 43 Code of Federal Regulations (CFR), Part 4 for appeals information.

Authorized Officer: /s/ Jeremy Casterson

Date: 11/18/2014