

Finding of No Significant Impact
Renewal of a Special Recreation Permit on the
LFO National Historic Trails

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Chapter 1. Finding of No Significant Impact

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1.1. Environmental Assessment DOI-BLM-WYR050-2015-0004-EA

Environmental Assessment to Renew a Special Recreation Permit on the LFO National Historic Trails

Based on the analysis of potential environmental impacts in Environmental Assessment DOI-BLM-WYR050-2015-004-EA, I have determined that combining Alternatives B and C in the manner detailed in Section 1.2 (hereby referred to as the selected action) of this document will not have significant impacts on the environment and that an environmental impact statement is not required. This finding and conclusion are based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA and further summarized in Section 1.3 and 1.4 of this document.

1.2. Design Features of The Selected Action:

1. The selected action is to renew the permit by blending decisions contained in alternatives B and C as discussed in the Environmental Assessment.
2. From July 1-15, the CPB is authorized to conduct trek reenactments on Tuesday, Wednesday, and Thursday each week. During this time the CPB is authorized to have two groups per day on the trail (one on each side of Rocky Ridge). In the 2016 season three groups previously scheduled to trek on Friday July 1, Friday July 8, and Friday July 15th will be exempted from this decision.
3. From July 16-September 15 the CPB is authorized to conduct trek reenactments Monday-Friday with all trekking ending by 4:00 PM Friday. During this time the CPB is authorized to have four groups per day (two on each side of Rocky Ridge).
4. From July 1-August 31 the CPB is authorized to have a total of 2000 individuals (participants and support personal) per week involved in trek reenactments. From September 1-15 the CPB is authorized to have a total of 1000 participants per week involved in trek reenactments.
5. Group size cannot exceed 350 individuals per group. The average group size per year (yearly total number of individuals divided by yearly total number of groups) cannot exceed 200.
6. The CPB is allowed 4000-8000 individuals (participants and support personal) per year. The five year average annual visitation will not exceed 7000 individuals.
7. Appendix A of the Decision Record details additional terms and conditions that are conditions of the permit.
8. The selected action adopts the monitoring thresholds of Alternative B which allow for some minor change to the trail before a management action is taken.
9. There is a potential for buried cultural and paleontological resources to be present in the project area. Volunteers and BLM employees involved in surface disturbing activities will immediately report any cultural and/or paleontological resource (historic or prehistoric site or object or fossil) discovered by the BLM, or any person working on their behalf, on public

or Federal land to the authorized officer. Onsite monitoring by the BLM cultural specialist will be conducted during surface disturbing activities in areas with high potential for buried resources. Upon discovery, the BLM will suspend all operations in the immediate area of such discovery until the authorized officer evaluates the discovery and provides a written authorization to proceed taking appropriate actions to prevent the loss of significant cultural or scientific values.

10. Vehicle Support Associated with this permit is limited to the following:

- No motorized vehicles (such as support or toilet servicing vehicles) will be operated on the NHTs.
- Vehicle use is limited to routes designated below:
- Access to the trekkers' route and NHTs is limited to designated locations at the 1) Snow Fence Road, 2) the Hudson Atlantic City Road staging area, 3) the Lewiston Lakes Road, 4) Gilesie Place Road, 5) Lewiston County Road, and 6) Strawberry Creek Road.
- A maximum of two motor vehicles per 100 participants, not to exceed four per group.
- No vehicles are permitted to follow groups
- The use of dual-wheeled vehicles is not allowed off of the Hudson Atlantic City (H-AC) Road, except to access the Sage Creek Campground from the H-AC Road staging area.
- Motor vehicles are not authorized to use routes not identified as an access route on the individual SRP. Including but not limited to: Ellis Ranch , Rocky Ridge, Gilesie Place.

These restrictions do not apply to vehicles responding to medical situations or emergencies.

11. The Fremont County Weed and Pest will continue integrated pest management including mechanical/chemical treatments to control weeds. Reseed or replant as necessary to promote vegetative growth in consultation and cooperation with interested parties.
12. Surface-disturbing activities within 500 feet of surface water, riparian-wetland areas, and playas are prohibited unless the Authorized Officer determines that the activities are necessary and the impacts can be mitigated.
13. Surface-disturbing and disruptive activities within identified big game crucial winter range from November 15 to April 30 and within identified big game parturition areas are prohibited from May 1 to June 30 unless the Authorized Officer grants a prior written exception, waiver, or modification.
14. Cultural materials on public lands may not be removed, damaged, disturbed, excavated or transferred without a BLM permit. This authorization does not authorize such a permit. Therefore users of the public lands and BLM employees and volunteers are not authorized to disturb archeological and historical values, including, but not limited to, petroglyphs, ruins, historic buildings, and artifacts.
15. Surface disturbing and/or disruptive activities that have the potential to cause destruction of reproductive nests, eggs or young of migratory birds are prohibited during the period of May 1 to July 15. The Authorized Officer may grant a prior written exception if a survey

(following BLM protocol) reveals that no nesting migratory birds are present in the project area.

16. Avoid pygmy rabbit habitat.
17. As detailed in the Lander RMP, Competitive Event SRPs will not be issued within the National Trails Corridor.
18. Additional permit stipulations will be applied as necessary to ensure resource protection and human health and safety.
19. A SRP is required when the threshold of three or more vehicles or 26 or more people are met throughout the public land administered by the Lander Field Office, including activities within the NHTs. Organized use by groups below the identified thresholds may require a SRP if its determined the activity warrants additional management.
20. NHT related SRPs in the area, including the CPB permit, will be limited to the trek route, support locations, and restroom locations shown on Map 1 of Appendix A in the Environmental Assesment.
21. The terms and conditions applied to the CPB permit will also be applied to other SRPs in the area. Applying the terms and conditions to other permits will avoid having future SRPs cause cumulatively important impacts.

1.3. Best Management Practices (BMPs) For Permit Management on the National Historic Trail :

Some actions that involve education, information, interpretation and monitoring may not require site-specific NEPA analysis. The subsequent best management practices for implementation-level planning guidance are presented to illustrate opportunities for active stakeholder collaboration and to provide a suite of possible implementation-level actions that could be adaptively performed to ensure management effectiveness in meeting recreation and visitor services goals and objectives.

Monitoring BMP:

1. BLM will invite interested parties for ride-along opportunities to support or learn about monitoring efforts in association with the CPB permit and management of the National Historic Trail.
2. Trail impact monitoring will be conducted in an interdisciplinary approach.
3. The BLM will annually post monitoring results and adaptive decisions to address undesirable conditions on the public website.
4. Monitoring/data of recreation experiences and benefits will be collected from onsite users during the entire trail use season.
5. Photo points will be taken before and after the use season from the same locations each year.

Education, Information, and Interpretation BMP:

*Chapter 1 Finding of No Significant Impact
Best Management Practices (BMPs) For Permit
Management on the National Historic Trail :*

1. BLM will continue to conduct preseason training to CPB volunteers to encourage protection of trail resources.
2. BLM will continue to work with interested parties in pursuit of RMP Decision 7029 which provides further direction for interpretation of the trail resources.
3. BLM will post a group use schedule to the public website annually prior to the use season.
4. BLM will encourage interested groups to exchange information about the history of the area.
5. BLM will issue new permits to groups and individuals who propose a use and education component that adds diversity to the reenactment opportunities available on the trail. The BLM will not issue new SRPs to groups simply because visitation on the CPB permit is full for the proposed time-frame.
6. The CPB will have at least two CPB volunteers accompany each group, and one CPB volunteer per 50 individuals for groups larger than 200 individuals.

1.4. Context:

The project is to provide a SRP to the CPB to conduct group reenactment activities. The BLM estimates that less than five acres of BLM administered lands will demonstrate reduced vegetative vigor and increased bare ground. This impact will occur in the center strip of the use trail as well as on adjacent two-track roads. This impact does not have international, national, regional, or state-wide importance. The impacts of the project would be beneficial to users and have no long-term negative impacts to National Historic Trails or biological resources.

1.5. Intensity:

I make the following findings regarding intensity in accordance with the Ten Significance Criteria described in 40 CFR1508.27 and discussed in the NEPA Handbook (H-1790-1) Critical Elements of the Human Environment list, and supplemental Instruction Memorandum, Acts, regulations and Executive Orders:

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

The environmental assessment considered both beneficial and adverse impacts of the proposed action and alternatives. Overall, implementing the selected action will result in reduced human impacts and improved visitor enjoyment of the National Trail Resource.

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

Public health and safety is not affected by the proposed action because the standard practices for group trail use adequately provide a safe environment.

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.***

The environmental assessment has considered both beneficial and adverse impacts of the alternatives to historic resources associated with National Historic Trail as well as historic

and cultural resources not associated with the trail. Implementing the selected action provides further protective measures for the trail while also maximizing visitor opportunity to enjoy the trail. The selected action makes progress towards the objectives and decisions outlined in the Lander RMP for the National Trails Corridor particularly in meeting identified visitor experiences. In addition the selected action supports and is in compliance with the direction detailed in the National Trails Comprehensive Management Plan for the four National Historic Trails.

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

The manner in which the selected action alleviates effects is accepted and commonly employed to meet resource management objectives. The effects from the selected action are well known and documented and not considered to be highly controversial. The BMPs required in section 1.3 of this authorization will further reduce controversy associated with this approval.

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

There are no known effects of the selected action identified in the EA that are considered uncertain or involve unique or unknown risk. However, in order to provide for responsive management the selected alternatives establishes indicators and thresholds should impacts begin to approach unacceptable levels.

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 selected action would not establish a precedent for future actions.

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

No significant cumulative impacts were identified in the EA.

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 selected action will not result in direct impacts to NRHP eligible sites. The additional design features of the selected action will also provide for long-term protection of these sites.

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

The selected action does not affect endangered or threatened species or habitats determined critical under the ESA of 1973.

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

The selected action would not threaten or violate federal, state, or local laws or requirements imposed for the protection of the environment.

