

**United States Department of the Interior
Bureau of Land Management**

**Finding of No Significant Impact
And
Decision Record
Environmental Assessment
DOI-BLM-UT-C040-2016-001**

January 2016

Sink Valley Pipeline Extension

Location: Northwest of Kanab, Utah.
T 40 S R 5 W Sec 5

Kanab Field Office
669 South HWY 89A
Kanab, Utah 84741
435-644-1200
Fax: 435-644-1299



FINDING OF NO SIGNIFICANT IMPACT
And
DECISION RECORD
Environmental Assessment
DOI-BLM-UT-C040-2013-040
Red Butte Storage Tanks

FONSI: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, and in considering the significance criteria in 40 CFR 1508.27, the undersigned, representing Bureau of Land Management (BLM), has determined that the installation of the Sink Valley Pipeline Extension will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

DECISION: It is my proposed decision to authorize the installation of the Sink Valley Pipeline Extension. (For details see proposed action below under Alternatives Considered).

BACKGROUND: The Kanab Field Office completed a review of the Sink Valley Pipeline Extension through an intensive interdisciplinary team effort, with involvement of local governments, local affected interests, and interested parties. This approach was needed to ensure that all management actions on public land conform with the appropriate land use plans, are site specific, and balance uses between different resource values.

ALTERNATIVES CONSIDERED: Two alternatives were developed and considered. These alternatives are:

Alternative A – Proposed Action

Alternative A would be to install approximately .3 of a mile of 2 inch pipe approximately 24” deep in the ground from the existing diversion to the spring source. Pipeline would be installed using a dozer with a ripper and a backhoe where needed. Care would be taken to route the pipeline on the side hill and away from the existing stream channel to avoid impacts to the current water delivery system used by the private landowner adjacent to the proposed project.

Alternative B – No Action

Under this alternative the proposed pipeline would not be installed. Pipeline maintenance would continue to be a struggle and water would remain unreliable throughout the system.

Alternative A (Proposed Action) was selected over Alternative B (No Action) because it was determined that Alternative A will provide the best balance of physical, biological, and social benefits.

PLAN CONFORMANCE AND RATIONALE: This action is subject to the Kanab Field Office (KFO) Resource Management Plan (October 2008). It has been determined that this action is in conformance with the following criteria within the plan:

- GRA-9 – Design grazing systems and range improvements to achieve and maintain healthy rangelands.
- WL-19- Continue to work with UDWR and conservation organizations to establish additional water developments, subject to NEPA consideration, and maintain existing water developments to improve wildlife distribution and encourage habitat use by native wildlife species and introduced non-native species.
- WL-20- Authorize construction of wildlife habitat improvement projects (including water developments and vegetation treatments) to meet wildlife goals and objectives, provided that the project complies with NEPA, ESA, and other applicable laws and policies.
- WL-22- Develop present use area water needs for wildlife as capabilities exist; maintain water throughout the spring and fall in existing and new livestock range improvements (e.g., tanks and pipelines).

The decision to authorize the installation of the Sink Valley Pipeline Extension has been made in consideration of the environmental impacts of the proposed action. This decision has been made after considering impacts to resources, while continuing to provide management for livestock grazing that meets multiple use resource objectives.

AUTHORITY

The authority for this decision is contained within the pertinent sections of Title 43 of the Code of Federal Regulations (CFR), some of which are:

- 43 CFR 4100.0-8: “The authorized officer shall manage livestock grazing on public lands under the principle of multiple use and sustained yield, and in accordance with applicable land use plans...”
- 43 CFR 4120.3-3: “Any permittee or lessee may apply for a range improvement permit to install, use, maintain, and/or modify removable range improvements that are needed to achieve management objectives for the allotment in which the permit or lease is held.

Any applicant, permittee, lessee, or other person whose interest is adversely affected may protest this proposed decision (in accordance with 43 CFR 4160.2) in person or in writing within 15 days after receipt of this decision. The protest should specify the reason(s), clearly and concisely, why the decision is in error. Protests submitted in writing must be ***submitted in person or sent by U.S. Postal Service mail*** (not by facsimile or email) and be addressed to: Kanab Field Office Manager, Bureau of Land Management, Kanab Field Office, 669 South HWY 89A, Kanab, Utah 84741.

In the absence of a protest, the proposed decision shall constitute my final decision without further notice unless otherwise provided in the proposed decision, in accordance with 43 CFR 4160.3(a).

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal and petition for stay of the decision pending final determination on appeal for the purpose of a hearing before an Administrative Law Judge in accordance with 43 CFR 4160.3(c), 4160.4, 4.21, and 4.470. The appeal and petition for a stay must be filed in the office of the authorized officer within 30 days following receipt of this final decision, or within 30 days after the date the proposed decision becomes final. The appeal and petition for a stay must be submitted in writing (*in person or via U.S. Postal Service mail only – not via facsimile or email*) and be addressed to: Kanab Field Office Manager, Bureau of Land Management, Kanab Field Office, 669 South HWY 89A, Kanab, Utah 84741. The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error.

Should you wish to file a motion for stay, in accordance with 43 CFR Section 4.21(B)(1), the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on the merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted;
4. Whether the public interest favors granting the stay.

The appellant requesting the stay bears the burden of proof to demonstrate that a stay should be granted.



Authorized Officer
Bureau of Land Management

1-28-2016

Date

CC:

Great Old Broads for Wilderness
PO BOX 2924
1911 Main Avenue, Suite 272
Durango CO, 81302

Heaton Livestock
PO BOX 1110
Cedar City UT, 84721

Stout Canyon/Swains Creek LC.
PO BOX 48
Orderville UT, 84758

Richard Dame
1620 Georgia Ave
Boulder City NV, 89005