

**Finding of No Significant Impact
For the
Wooley Valley Mineral Material Free Use Permit Environmental
Assessment
DOI-BLM-ID-I020-2016-0005-EA
Introduction and Background**

Caribou County Road and Bridge (CCRB) submitted an application to the Bureau of Land Management (BLM) Pocatello Field Office for a Mineral Materials Free Use Permit serialized as IDI-32798-02. The material site consists of an unreclaimed limestone highwall of the Wooley Valley Unit One mine which is within Federal Phosphate Lease IDI-04775. Activities proposed under the application would involve quarrying the limestone from the highwall to be stockpiled and crushed. CCRB utilizes the material for local road projects. CCRB intends to continue operations within the area previously designated under Free Use Permit IDI-32798-01 and expand operations to the west. The area where pit expansion is proposed also involves an unreclaimed portion of the Wooley Valley Unit 1 Highwall. The Free Use Permit would be issued for a term of ten years and the permit amount would be 100,000 cubic yards.

Following submittal of the CCRB application, the BLM completed the Wooley Valley Mineral Material Free Use Permit EA (DOI-BLM-ID-I020-2016-0005-EA). The Environmental Assessment analyzed the impacts of implementing the proposed action which involves issuing free use permit IDI-32798-02. The free use permit area is located on BLM administered lands located approximately 10 miles northeast of Soda Springs, Idaho. The legal description of the application area is T. 7 S., R. 43 E., B.M., Idaho, sec. 24, SESW, SWSW. Additional information regarding the Environmental Assessment can be found on BLM's Eplanning NEPA register (https://eplanning.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do).

Finding of No Significant Impact (FONSI)

I have reviewed the Environmental Assessment including the explanation and resolution of any potentially significant environmental impacts. I have also reviewed the ten Intensity Factors for significance listed in 40 CFR 1508.27 and have determined that the proposed action, along with the conditions of approval described, 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.

Implementing regulations for the National Environmental Policy Act (NEPA) (40CFR 1508.27) provide criteria for determining the significance of effects. ‘Significant’, as used in NEPA, requires consideration of both context and intensity. The bold and italicized text are repeated from 40CFR 1508.27 for completeness and an explanation follows for relevance to the decision.

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27):

This project does not have international, national, region-wide, or statewide importance. The analysis has shown that the project significance is local in nature and that the continued operation of the material source and expansion of the pit area will have no significant impact on existing resource values.

(b) Intensity. This requirement refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

(1) Impacts that may be both beneficial and/or adverse.

The analysis documented in Environmental Assessment DOI-BLM-ID-I020-2016-0005-EA did not identify any individually significant short- or long-term impacts. Chapter 3 (Affected and Environmental Consequences) of the Environmental Assessment (pages 13 through 22) describes the affected resources and impacts of the applicant’s preferred and no action alternatives.

Alternative B (Applicant’s Preferred Alternative) would allow the CCRB to remove approximately 100,000 cubic yards of material for maintenance of local roadways. Free Use Permit operations would require an area of approximately 8.5 acres of which approximately 1 acre would be new disturbance. Operations would also continue to excavate material from and slope the unreclaimed Wooley Valley Unit One Highwall. When operations close the Free Use Permit area would be reclaimed. Implementation of Alternative B would cause short term adverse impacts including vehicle emissions and fugitive dust, loss of federally managed mineral materials, limited displacement of migratory birds and special status species, and 1 acre of

disturbance to soils and vegetation. Chapter 4 (Cumulative Impacts Of Alternatives) of the Environmental Assessment (pages 23 through 33) describes the impacts associated with past, present, and reasonably foreseeable future actions that have occurred, or are likely to occur, in the area.

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

The environmental analysis documented no major effects on public health and safety from the proposed action and no action alternatives. The Environmental Assessment described potential impacts to air quality from vehicles/equipment emission during project implementation. Dust would also contribute to air quality impacts when earth moving equipment and haul trucks are being operated. Impacts to air quality are only expected to be intermittent as they would occur only when operations are occurring within the permit area.

(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 analysis documented that the proposed action would have no effects on unique geographic features of the area.

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

Information regarding the Free Use Permit application was displayed on the BLM eplanning website. There were no comments received from the public regarding the project. Nothing in the analysis of the Environmental Assessment indicated that the effects on the human environment are likely to be highly controversial.

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

The environmental analysis did not identify any effects on the human environment which are highly uncertain or involve unique or unknown risks. Impacts to the human environment are known as the project area has been previously utilized as a mineral material site authorized under Free Use Permit IDI-32798-01 and disturbed by operations of the Wooley Valley Unit One Mine. Disturbance under Alternative B would be approximately 1 acre. The effects to the human environment are fully analyzed in the Environmental Assessment with a high degree of certainty.

(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 proposed action does not set precedent or represent a decision in principle about a future management consideration. No significant cumulative impacts were identified within the Environmental Assessment. Implementation of this decision would not trigger other actions, nor will it represent a decision in principle about future consideration. Any future Free Use Permit applications would be subject to a separate and independent environmental analysis as mandated under NEPA.

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

The cumulative effects of the past, present, and reasonably foreseeable actions are disclosed in Chapter 4 (Cumulative Impacts of Alternatives) of the Environmental Assessment (pages 23 through 33). No individual or cumulative significant impacts were identified in the EA in combination with all of these activities.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, 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 proposed action and alternatives would not adversely affect districts, sites, highways, structures, or objects in or eligible for listing in the National Register of Historic Places. An Archeological and Historical Inventory Record (BLM Report 2012-PFO-12) was completed for the application area. There are no documented, cultural resources or potentially eligible historic properties within the application area.

(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 Endangered Species Act of 1973.

Implementation of the proposed action would not affect any endangered or threatened species. The Environmental Assessment documents that that no endangered or threatened species or their habitat exist within the project area.

(10) Whether the action threatens a violation of Federal, state, or local law or requirements imposed for the protection of the environment.

The environmental analysis documents that the proposed action is consistent with Federal, State, and local laws or requirements imposed for the protection of the environment.

I find that implementing Alternative B (Applicant's Proposed Alternative) does not constitute a major federal action that would significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both positive and negative effects, as well as the direct, indirect and cumulative effects of this action and reasonably foreseeable future actions. I have found that the context of the environmental impacts of this decision is limited to the local area and I have also determined that the severity of these impacts is not significant. The Proposed Action and No Action alternatives have been reviewed for conformance with the Approved Pocatello Resource Management Plan (RMP), April, 2012.

/s/ David A. Pacioretty
David A. Pacioretty
Pocatello Field Manager

3/23/2016
Date