

Finding of No Significant Impact

for the

Environmental Assessment for the Grazing Permit Renewal for the Smith Allotment

I. AGENCY ROLE AND RESPONSIBILITY - United States Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS)

In accordance with the NRCS regulations (7 Code of Federal Regulations (CFR) 650) implementing the National Environmental Policy Act (NEPA), NRCS has adopted an Environmental Assessment prepared by the Bureau of Land Management (BLM) for the Grazing Permit Renewal for the Smith Allotment. NRCS has reviewed the EA and determined that the proposed actions analyzed in the EA are substantially the same as those proposed by NRCS. NRCS has also conducted an Environmental Evaluation (EE) in accordance with NRCS NEPA regulations.

The proposed action includes improving a livestock watering system within the Smith Allotment in cooperation with the grazing permittee. Construction of approximately 17.5 miles of underground pipeline to five existing and construction of four new troughs at existing water haul locations would occur. The pipeline would use polyethylene pipe between 1.25 and 2 inches in diameter. The pipeline would be buried and the disturbed area will be no wider than three feet. Less than ten acres would be disturbed by construction. The pipeline route would not be bladed. The pipeline would be constructed adjacent to existing roads, in the existing road right of ways. No construction or soil disturbance would take place within the boundary of Craters of the Moon National Monument and Preserve, though a portion of the pipeline will be adjacent to the boundary. Cultural resource inventories will be completed prior to pipeline and trough installation. Survey methods will include pedestrian transects and visual professional assessment of the affected area. If such inventories yield previously unknown eligible properties, avoidance and mitigation measures will be incorporated into the design. There will be no authorized construction during the periods March 15 thru June 15 in order to minimize potential disturbance to sage-grouse. All disturbed areas resulting from construction will be reseeded with a mix of native grasses and forbs to protect the site from erosion and establishment of invasive and noxious weeds. Wildlife escape ramps will be installed in all new and existing troughs serviced by the pipeline.

II. NRCS DECISION TO BE MADE

As the Responsible Federal Official for compliance with NEPA, I must make a decision about funding the installation of a livestock watering system within the Smith Allotment on a cost-share basis with the grazing permittee.

I must also determine if the Agency's preferred alternative (Alternative B) is or is not a major Federal action significantly affecting the quality of the human environment. The EA and EE have provided the analysis needed to assess the significance of the potential impacts from the selected alternative. The

decision on which alternative is to be implemented and the significance of that alternative's impacts are under Part VII of this finding.

III. PURPOSE AND NEED FOR ACTION

The purpose of the proposed action is to provide a reliable source of livestock water to facilitate grazing management and to eliminate the use of a water hauling truck making several trips per day, 7 days per week. Installation of livestock watering facilities is needed to maintain or improve range conditions and domestic livestock health, reduce disturbance associated with water hauling to sage-grouse and other wildlife, and reduce the use of non-renewable energy sources and emission of associated air pollutants (particulate matter, ozone precursors, and greenhouse gases.)

IV. ALTERNATIVES CONSIDERED IN THE EA

Five alternatives were considered in the EA and are characterized as follows:

Alternative A - Authorize construction of approximately 18.5 miles of underground pipeline to five existing troughs, three new troughs at existing water haul locations, and five new troughs at new sites.

Alternative B (Agency Preferred Alternative) – Authorize construction of approximately 17.5 miles of underground pipeline to five existing and construction of four new troughs at existing water haul locations. Alternative B was selected by BLM's Field Manager.

Alternative C – Alternative C also authorized construction of approximately 17.5 miles of underground pipeline to five existing and construction of four new troughs at existing water haul locations as described under Alternative B. Alternative C differed from Alternative B in BLM's EA in the amount and season of livestock use authorized. Alternative C was not chosen by BLM's Field Manager.

Alternatives A – C all include the following design criteria:

The pipeline would use polyethylene pipe between 1.25 and 2 inches in diameter. The pipeline would be buried and the disturbed area would be no wider than three feet. Less than ten acres would be disturbed by construction. The pipeline route would not be bladed. The pipeline would be constructed adjacent to existing roads and no construction or soil disturbance would take place within the boundary of Craters of the Moon National Monument and Preserve, though a portion of the pipeline and one new trough would be adjacent to the boundary. Cultural resource inventories will be completed prior to pipeline and trough installation. Survey methods will include pedestrian transects and visual professional assessment of the affected area. If such inventories yield previously unknown eligible properties, avoidance and mitigation measures will be incorporated into the design. There would be no authorized construction during the periods March 15 thru June 15 in order to minimize potential disturbance to sage-grouse. All disturbed areas resulting from construction would be reseeded with a mix of native grasses and forbs to protect the site from erosion and establishment of invasive and

noxious weeds. Wildlife escape ramps would be installed in all new and existing troughs serviced by the pipeline.

No Change (No Action) and No Livestock Grazing Alternatives were considered but not further analyzed in the EA. Under both of these alternatives, improvement of a livestock watering system would not be authorized. NRCS fully analyzed the impacts of Alternative B against a No Action alternative in the EE.

V. NRCS' DECISION AND FACTORS CONSIDERED IN THE DECISIONS

Based on the evaluation in the EA, I have chosen to select Alternative B as the Agency's Preferred Alternative. I have taken into consideration all of the potential impacts of the proposed action, incorporated herein by reference from the EA and balanced those impacts with considerations of the Agency's purpose and need for action.

In accordance with the Council on Environmental Quality's (CEQ) "40 Most Asked Questions" guidance on NEPA, Question 37(a), NRCS has considered "which factors were weighed most heavily in the determination" when choosing the Agency Preferred Alternative (Alternative B) to implement. Specifically, I acknowledge that based on the EA, potential impacts to soil, water, air, plants, fish and wildlife, and human resources were heavily considered in the decision. As a result, the Agency's Preferred Alternative (Alternative B) would result in long term beneficial impacts to the environmental resources potentially impacted by the preferred alternative.

VI. FINDING OF NO SIGNIFICANT IMPACT

To determine the significance of the action analyzed in this EA, the Agency is required by NEPA regulations at 40 CFR 1508.27 and NRCS regulations at 7 CFR Part 650 to consider the context and intensity of the proposed action. Based on the EA, review of the NEPA criteria for significant effects, and based on the analysis in the EE, I have determined that the action to be selected, Alternative B (Agency Preferred Alternative), would not have a significant effect upon the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) on the final action is not required under Section 102(2)(c) of the NEPA, CEQ implementing regulations (40 CFR Part 1500-1508, 1508.13), or NRCS environmental review procedures (7 CFR Part 650). This finding is based on the following factors from CEQ's implementing regulations at 40 CFR Part 1508.27 and from NRCS regulations at 7 CFR Part 650:

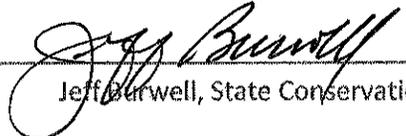
The EA evaluated both beneficial and adverse impacts of the proposed action. It is anticipated the proposed action will result in long-term beneficial impacts for environmental resources (i.e., soil, air, water, animals, plants, and human resources). As a result of the analysis (discussed in detail in Chapters 3 and 4 and incorporated by reference) and mitigation measures identified in Chapter 5, Alternative B does not result in significant impacts to the human environment, particularly when focusing on the significant adverse impacts which NEPA is intended to help decision makers avoid, minimize, or mitigate.

1. Alternative B does not significantly affect public health or safety. The indirect effects associated with development of the livestock watering systems are in fact anticipated to reduce the

potential for accidents associated with water hauling trucks and slightly improve air quality in the local area.

2. As analyzed in Chapter 4, there are no anticipated significant effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas from selection of Alternative B. NRCS regulations (7 CFR Part 650) and policy (GM 420 Part 401), require that NRCS identify, assess, and avoid effects to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. In accordance with these requirements, it is not anticipated that implementing Alternative B would have adverse effects on these resources.
3. The effects on the human environment are not considered controversial for Alternative B. Alternative B limits installation of watering system practices to areas currently used by water hauling trucks. Existing livestock grazing will continue as previously permitted. AUMs will not be increased.
4. Alternative B is not considered highly uncertain and does not involve unique or unknown risks.
5. Alternative B will not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about future considerations.
6. Particularly when focusing on the significant adverse impacts which NEPA is intended to help decision makers avoid, minimize, or mitigate, Alternative B does not result in significant adverse cumulative impacts to the human environment as discussed in Chapter 4. Alternative B is, however, anticipated to result in beneficial long-term impacts by facilitating grazing management, reducing disturbance to sage-grouse and other wildlife, and reducing the use of non-renewable energy sources and associated emission of air pollutants.
7. Alternative B will not cause the loss or destruction of significant scientific, cultural, or historical resources as addressed in Chapter 5 of the EA. Prior to the implementation any ground-disturbing activities, potentially affected areas would be surveyed for cultural resources as mandated by Section 106 of the NHPA. Permit renewal in the allotment would have no effect on known historic properties listed or eligible for listing on the National Register of Historic Places (NRHP). If eligible properties are discovered within the allotment boundaries in the future, mitigation measures to avoid adverse impacts would be developed in consultation with the ID-SHPO.
8. Alternative B will not adversely affect cultural or historical resources, endangered and threatened species, environmental justice, wetlands, floodplains, coastal zones, coral reefs, essential fish habitat, wild and scenic rivers, clean air, riparian areas, natural areas, or invasive species as discussed in the EE and Chapter 4 of the EA. NRCS has conferenced with the US Fish and Wildlife Service on potential adverse effects of livestock watering system practices on greater sage-grouse. All practices will be installed in accordance with the Conservation Measures for each practice identified in the concurrence letter provided by USFWS.
9. The proposed action does not violate Federal, State, or local law requirements imposed for protection of the environment, including the Clean Water Act, Clean Air Act, Magnuson-Stevens Fishery Conservation and Management Act, Endangered Species Act, National Historic Preservation Act, the Executive Order on Environmental Justice, and Migratory Bird Treaty Act. Alternative B is consistent with the requirements of these laws.

Based on the information presented in the attached EA, I find in accordance with 40 CFR Part 1508.13 that the selection of the Agency Preferred Alternative (Alternative B) is not a Major Federal Action significantly affecting the quality of the human environment requiring preparation of an EIS.



Jeff Burwell, State Conservationist