



U.S. Department of Energy Office of Legacy Management

DOE/EA 2113

Finding of No Significant Impact Grazing Activities at Office of Legacy Management Sites

AGENCY: U.S. Department of Energy Office of Legacy Management

ACTION: Finding of No Significant Impact

Summary

The U.S. Department of Energy (DOE) Office of Legacy Management (LM) completed a National Environmental Policy Act (NEPA) *Programmatic Environmental Assessment for Grazing Activities at Office of Legacy Management Sites* (PEA: DOE/EA 2113), which analyzed the potential environmental impacts of the Proposed Action. The Proposed Action addressed in this document is programmatic in nature.

LM is proposing to (1) allow grazing reuse at seven of its sites for purposes of traditional and nontraditional livestock grazing: Ambrosia Lake, New Mexico; Bluewater, New Mexico; Burrell, Pennsylvania; Canonsburg, Pennsylvania; Falls City, Texas; Monticello, Utah; and Parkersburg, West Virginia; (2) continue to allow traditional grazing at U.S. government-owned sites with current grazing agreements in place; and (3) establish grazing at other existing U.S. government-owned sites under a programmatic planning framework. The framework would provide a structure for LM to decide whether to graze a site, and it would be applied to (1) all sites under consideration for grazing, (2) transitioning sites with habitat for livestock, and (3) grazed sites as agreements are being considered for renewal. The purpose of the proposed grazing is to support the LM mission goal to sustainably manage and optimize public use of land and properties.

In addition to the Proposed Action, the PEA analyzed a No Action Alternative as required by the Title 10 *Code of Federal Regulations* Section 1021 (10 CFR 1021), "National Environmental Policy Act Implementing Procedures." On the basis of the analysis in the PEA, LM has determined that the Proposed Action would not constitute a major federal action significantly affecting human health and the human environment within the context of the NEPA. Therefore, the preparation of an environmental impact statement is not required and LM is issuing this Finding of No Significant Impact (FONSI).

Public Availability and Contact Information

- This FONSI and the associated Final PEA are available at: [www.energy.gov/lm/office-legacy-management or www.energy.gov/nepa]

For Further Information on the DOE NEPA Process, Contact

Joyce Chavez
NEPA Compliance Officer
11035 Dover Street, Suite 600
Westminster, CO 80021-5587
Joyce.Chavez@lm.doe.gov

Background

LM currently manages 100 sites, 20 of which have suitable habitat and land use for grazing: 5 LM-owned sites are currently being grazed under an agreement; 7 candidate sites are being evaluated for grazing in this PEA; and 8 LM sites with surfaces managed by other agencies (4 of these are being grazed by either the U.S. Bureau of Land Management or U.S. Forest Service under their authorities; and 4 could potentially be grazed in the future). Grazing at sites where the surface is managed by other agencies is not addressed further in this PEA.

Twelve reasonably foreseeable (between now and 2025) transitioning sites have also been identified with habitat that has the potential to support livestock. The table below contains the status of LM sites and transitioning sites with grazing potential.

Many of LM's current and future sites are in regions where traditional grazing is a common and beneficial land use. Livestock grazing at such sites could increase the public use of federal lands while ensuring, through the framework, that the rangeland is maintained in a healthy condition. Implementing traditional grazing agreements could also enhance LM's long-term surveillance and maintenance capabilities at remote sites, as local ranchers could maintain site structures such as fences and alert LM to changing conditions (e.g., vandalism or wildfire). Other benefits of traditional grazing could include partnering opportunities that combine grazing with compatible reuses such as cultural resource protection or community outreach.

As a vegetation management tool, nontraditional grazing could optimize land management strategies, reduce costs, and lessen environmental impacts. For example, grazing animals may reduce the use of chemical herbicides to control noxious weeds, or they may efficiently remove unwanted vegetation in hard to reach places such as fence lines. Grazing animals, when used appropriately, could also support beneficial changes in vegetation that could lessen the long-term need to control noxious weeds and other early successional plants in an area.

Sites on Which Grazing Is Currently Authorized and Managed by LM			
Site Name	Authorizing Document	Notes	License Expiration
Bear Creek, Wyoming, Disposal Site ^a	License for Non-Federal Use of Real Property	No-cost license; grazing is for sheep	1/31/2022
Edgemont, South Dakota, Disposal Site	License for Non-Federal Use of Real Property	No-cost license; grazing is for livestock	5/1/2022
L-Bar, New Mexico, Disposal Site	Grazing License	For grazing activities only; no improvements that disturb soils or the surface are allowed	Perpetual
Shirley Basin South, Wyoming, Disposal Site	License for Non-Federal Use of Real Property	No-cost license; grazing is for livestock	12/31/2021
Spook, Wyoming, Disposal Site	License for Non-Federal Use of Real Property	No-cost license; grazing is for livestock	3/29/2022
LM-Owned Sites That Are Candidates for Grazing^b			
Site Name	Site Regulatory Authority	Site Acreage	Notes
Ambrosia Lake, New Mexico, Disposal Site	UMTRCA Title I	288	Fenced with four-strand barbed wire only on south side of site. Considered for traditional grazing. Two adjacent ranchers requested to graze the site; LM previously denied grazing due to site conditions.
Bluewater, New Mexico, Disposal Site	UMTRCA Title II	3305	Site enclosed by four-strand barbed-wire fence. Fencing also along utility rights-of-way. LM retains local subcontractor to maintain fence. A 640-acre area in the eastern portion of the site may be candidate for grazing; traditional use.
Burrell, Pennsylvania, Disposal Site	UMTRCA Title I	72	A chainlink fence encloses most of the site. LM subcontracts a licensed pesticide applicator to keep fence clear of vegetation and control invasive weeds. Considered for grazing; nontraditional use.
Canonsburg, Pennsylvania, Disposal Site	UMTRCA Title I	37	A chainlink fence encloses most of the site. LM contracts personnel to mow and spray herbicides. Considered for grazing; nontraditional use.
Falls City, Texas, Disposal Site	UMTRCA Title I	231	A five-strand barbed-wire fence encircles the site. Haying operations are conducted onsite, but grazing is being considered to manage vegetation on the perimeter. Considered for grazing; nontraditional use.
Monticello, Utah, Disposal Site	CERCLA	506	A four-strand barbed-wire fence encloses the site. A mesh wildlife fence with openings for wildlife access surrounds the disposal cell. Considered for grazing; traditional use.
Parkersburg, West Virginia, Disposal Site	Nuclear Waste Policy Act	15	A chainlink fence encloses most of the site. LM contracts personnel to mow and spray herbicides. Considered for grazing; nontraditional use.

LM Sites with Surfaces Managed by Other Agencies, Currently Grazed, or Considered for Grazing			
Site Name	Site Regulatory Authority	Land Agency	Notes
Central Nevada Test Area, Nevada	Nevada Offsites	BLM	Currently grazed by livestock; 2560 acres withdrawn from BLM, which retains authority to administer existing rights on the land.
Gasbuggy, New Mexico, Site	Nevada Offsites	USFS	Currently grazed by livestock; 640 acres withdrawn. USFS administers the grazing agreement.
Gnome-Coach, New Mexico, Site	Nevada Offsites	BLM	Currently grazed by livestock; 680 acres withdrawn. BLM administers grazing agreement.
Maybell, Colorado, Disposal Site	UMTRCA Title I	BLM	Not grazed; 110 acres withdrawn. BLM retains authority to administer existing rights, claims, and interests in the land.
Maybell West, Colorado, Disposal Site	UMTRCA Title II	BLM	Not grazed; 180 acres withdrawn. BLM retains authority to administer existing rights, claims, and interests in the land.
Rifle, Colorado, Disposal Site	UMTRCA Title I	BLM	Not grazed; 205 acres withdrawn. BLM retains authority to administer existing rights, claims, and interests in the land.
Rio Blanco, Colorado, Site	Nevada Offsites	BLM	Not grazed; 200 acres withdrawn. BLM maintains jurisdiction over surface management.
Shoal, Nevada, Site	Nevada Offsites	BLM	Currently grazed by livestock; 2560 acres withdrawn from BLM, which manages the grazing permits. The site is managed by the U.S. Navy.
Transitioning LM Sites with Potential for Grazing^c			
Site Name	Site Regulatory Authority	Projected Acreage	Notes
Ambrosia Lake West, New Mexico, Disposal Site	UMTRCA Title II	2500–3000	Contains barbed-wire fence, but exact locations unknown. Planned transition in FY 2025. Currently grazed for livestock under licensee oversight.
Conquista, Texas, Disposal Site	UMTRCA Title II	614	Planned transition in FY 2025.
Durita, Colorado, Disposal Site	UMTRCA Title II	160	Planned transition in FY 2022.
Gas Hills East, Wyoming, Disposal Site	UMTRCA Title II	1750–2000	Barbed-wire fence encloses most of the site but does not align with the proposed site boundary. Several interior fences present. Planned transition in FY 2022.
Gas Hills North, Wyoming, Disposal Site	UMTRCA Title II	1200–1500	Barbed-wire fence encloses most of the site but does not exactly align with the proposed site boundary. Planned transition in FY 2022.

Transitioning LM Sites with Potential for Grazing ^c			
Site Name	Site Regulatory Authority	Projected Acreage	Notes
Gas Hills West, Wyoming, Disposal Site	UMTRCA Title II	550	Planned transition in FY 2025.
Lisbon Valley, Utah, Disposal Site	UMTRCA Title II	2000–2250	Contains barbed-wire fence, but exact locations unknown. Planned transition in FY 2024.
Panna Maria, Texas, Disposal Site	UMTRCA Title II	360	A chainlink fence surrounds the site. Anticipated reuse (haying) and site features would not align with grazing activities. Planned transition in FY 2022.
Ray Point, Texas, Disposal Site	UMTRCA Title II	75–100	Chainlink and barbed-wire fences surround most of the site but do not align with the proposed site boundary. Planned transition in FY 2022. Currently proposed reuse (conservation reuse for sensitive species) would not align with grazing.
Sequoyah County, Oklahoma, Disposal Site	UMTRCA Title II	600	Planned transition in FY 2025.
Split Rock, Wyoming, Disposal Site	UMTRCA Title II	5250–5750	Barbed-wire fence surrounds disposal areas. Other fencing is present within the proposed boundary. Portions of the site containing cultural resources would be excluded from grazing activities. Planned transition in FY 2022.
Uravan, Colorado, Disposal Site	UMTRCA Title II	750–900	Contains some barbed-wire fence, but exact locations unknown. Planned transition in FY 2025.

Notes:

^a The Bear Creek site is not fully transitioned to LM, but LM currently manages the surface.

^b The traditional concept of grazing is where livestock graze vegetation for the purposes of weight gain and meat production; nontraditional use is where livestock are used to control unwanted vegetation.

^c Transitioning sites are those that will transfer to LM. The planned dates of transition are as published in the May 2019 U.S. Department of Energy Office of Legacy Management *Site Management Guide* (DOE 2019b). The list of transitioning sites and dates of transition will change over time; so will the above projected acreages as the boundaries change once groundwater remedies have been approved.

Proposed Action

LM is proposing to (1) allow grazing reuse at seven of its sites for purposes of traditional and nontraditional livestock grazing: Ambrosia Lake, New Mexico; Bluewater, New Mexico; Burrell, Pennsylvania; Canonsburg, Pennsylvania; Falls City, Texas; Monticello, Utah; and Parkersburg, West Virginia. (2) continue to allow traditional grazing at U.S. government-owned sites with current grazing agreements in place; and (3) establish grazing at other existing U.S. government-owned sites under a programmatic planning framework. The framework would provide a structure for LM to decide whether to graze a site, and it would be applied to (1) all sites under consideration for grazing, (2) transitioning sites with habitat for livestock, and (3) grazed sites as agreements are being considered for renewal.

The framework would apply primarily to traditionally grazed sites but would be adapted to sites where nontraditional grazing is being considered to manage vegetation. Although this alternative could apply to any site being considered under the programmatic planning framework, impacts can only be assessed at this time for the seven sites identified as candidates for grazing already managed by LM. For sites that are yet to transition to LM, final site conditions and boundaries have not been established, preventing a full analysis of potential impacts. After transition occurs,

the framework, including an environmental review, would be applied to sites with grazing habitat not evaluated in this PEA. The scope of the framework is greater than the scope of this PEA. The PEA evaluates the potential environmental effects of implementing a programmatic planning approach to grazing at LM sites. The framework includes environmental considerations but may also recommend that a site not be grazed for other reasons (e.g., when no ranchers in the area are interested in a grazing license).

The framework addresses other factors beyond NEPA. It is designed to evaluate applicable land restrictions, land use considerations, rangeland health (the ability of a site to support sustainable livestock grazing), and environmental compliance. LM would monitor site vegetation through periodic site-specific rangeland health assessments, make land management decisions, and apply the framework to decisions about whether to graze a site. As needed, LM would continue to perform baseline ecological characterizations or rangeland health assessments, especially during the formal transition process for Uranium Mill Tailings Radiation Control Act Title II sites and for sites under consideration for grazing.

Alternatives Considered

In addition to the Proposed Action, the PEA analyzed a No Action Alternative. Under the No Action Alternative, LM would continue to manage traditional grazing as it currently does on sites where it already occurs. Grazing would not be established on other sites even for vegetation management purposes, although site activities such as haying, mowing, or weed control would continue. LM would continue to allow grazing at its five sites with licenses in place and would authorize grazing only on those transitioning sites that have active grazing agreements in place. LM would continue to manage grazing under agreements with private entities and, as needed, continue to conduct rangeland health assessments to monitor site conditions and perform baseline ecological characterizations for incoming sites. Grazing agreements would be revised and renewed as needed.

Environmental Consequences

In compliance with NEPA regulations (40 CFR 1502.15), the description of the affected environmental resources focuses only on those resources potentially subject to impacts for those seven LM sites that were determined to be candidates for grazing.

For the following resource areas, the environmental consequences were determined to be minimal or not within the scope of existing NEPA analysis and were not evaluated in detail: geology; coastal barriers and coastal zone management; energy supplies/resources, and sustainable design; prime and unique farmland; noise; wild and scenic rivers; socioeconomics; environmental justice; Indian trust resources; human health risk; hazardous materials; and traffic/transportation. Therefore, the evaluation of resource areas (and associated environmental consequences) in the PEA focused on biological resources (including vegetation, wildlife, and special-status species); soils; water resources (surface water and groundwater); wetlands and floodplains; air quality; cultural resources; and land use and recreation. Information from the analyses on these resource areas is summarized below. Potential environmental impacts are not distinguished between traditional versus non-traditional grazing activities.

Vegetation

Proposed grazing activities at the Ambrosia Lake, Bluewater, Falls City, and Monticello sites would result in moderate short- and long-term adverse impacts to vegetation from negative changes in vegetation, livestock trails, trampling, erosion, and weed spread. Impacts at the Ambrosia Lake and Bluewater sites would be mitigated by using the framework, which would not allow grazing until ecosystems were allowed to mature. Impacts to vegetation at the Monticello site would be avoided by using the framework, which would not allow grazing because the site is within designated critical habitat for the Gunnison sage-grouse. Proposed activities at the Ambrosia Lake, Bluewater, Falls City, and Monticello sites would result in minor beneficial impacts to vegetation from increased productivity, positive changes in vegetation, and onsite presence to help monitor and manage rangeland health. Grazing at Burrell, Canonsburg, Falls City, and Parkersburg sites would result in moderate beneficial impacts from enhanced control of invasive weeds and reduced herbicide use.

Wildlife

There would be no short-term adverse impacts to wildlife at any of the seven candidate sites. Long term, proposed activities at the Ambrosia Lake, Bluewater, and Monticello sites would result in minor impacts that are neither beneficial nor adverse, resulting from changes in vegetation and soil components of wildlife habitat. Grazing at Burrell and Canonsburg sites would result in moderate beneficial impacts to wildlife habitat from controlling Japanese knotweed, an invasive species, in forested areas. There would be no long-term adverse impacts at Falls City or Parkersburg sites.

Special-Status Species

Grazing at the Monticello site would result in short-term moderate adverse impacts to the Gunnison sage-grouse, its designated critical habitat, as well as to other special-status species, including bald eagles, Brewer's sparrows, burrowing owls, ferruginous hawks, Gunnison's prairie dog, loggerhead shrike, monarch butterfly, sage sparrow, silky pocket mouse, Swainson's hawk, and white-tailed prairie dog. These impacts would be avoided by using the framework, which would not allow grazing at the Monticello site. Special-status species at the Ambrosia Lake and Bluewater sites would be subject to short-term negligible impacts, and there would be no impacts at Burrell, Canonsburg, Falls City, or Parkersburg sites.

At the Monticello site, long-term moderate adverse impacts to designated critical habitat for the Gunnison sage-grouse and minor beneficial or adverse impacts to other special-status species would be expected; impacts would be avoided by using the framework, which would prohibit grazing at the site. Grazing at the Burrell and Canonsburg sites would result in minor beneficial impacts on habitat. There would be negligible beneficial or adverse impacts on species and habitat at Ambrosia Lake and Bluewater sites, and no impacts at Falls City or Parkersburg sites.

Soils

Proposed activities at the Burrell, Canonsburg, Falls City, and Parkersburg sites would result in minor short-term adverse impacts from soil compaction and vegetation removal. Potential adverse impacts to soils at the Ambrosia Lake, Bluewater, Falls City, and Monticello sites would be moderate, short- and long-term from increases in amount of bare soil, soil compaction, and destruction of soil crusts. There would be minor beneficial impacts from increased soil organic matter. No long-term impacts are anticipated for Burrell, Canonsburg, or Parkersburg sites.

Surface Water

For all seven candidate sites, there would be negligible to minor, short-term adverse impacts to surface water through nitrogen, phosphorus, and sediment inputs onsite or in downstream areas. Proposed grazing activities at the Burrell, Canonsburg, Falls City, and Parkersburg sites would result in negligible beneficial impacts by reducing inputs from mowing, herbicides, or prescribed burns and by increased quality of riparian areas.

Over the long-term, proposed activities at the Ambrosia Lake and Monticello sites would result in negligible impacts, and surface water at the Bluewater and Falls City sites would experience negligible to minor adverse impacts through nitrogen, phosphorus, and sediment inputs onsite, especially in wetlands, or in downstream areas. Grazing activities at the Burrell, Canonsburg, and Parkersburg sites would result in negligible beneficial impacts by reducing inputs from mowing, herbicides, or prescribed burns and by increased quality of riparian areas.

Groundwater

Proposed activities at the Ambrosia Lake, Bluewater, and Falls City sites would result in negligible short- or long-term adverse impacts to groundwater, and there would be no impacts to groundwater at the Burrell, Canonsburg, Monticello, or Parkersburg sites.

Wetlands and Floodplains

Proposed grazing activities at the Ambrosia Lake, Canonsburg, Falls City, Monticello, and Parkersburg sites would result in no short- or long-term impact to wetlands and floodplains. Proposed activities at the Bluewater site would result in moderate short- and long-term adverse impacts to wetlands from trampling and grazing, and proposed activities at the Burrell site would result in short- and long-term minor adverse wetlands impacts from trampling and grazing, along with minor beneficial impacts to wetlands from weed control and positive ecological changes.

Air Quality

Proposed activities at all seven candidate sites would result in negligible impact on air pollutants, with minor adverse impacts at regional and local scale from greenhouse gas emissions related to livestock enteric fermentation and manure.

Cultural Resources

Proposed activities at all identified candidate sites would result in no impact on identified historic or archaeological resources.

Land Use and Recreation

There would be no short-term impacts offsite at any of the identified candidate sites because no changes to land use would occur outside LM sites; and there would be negligible onsite impacts because of grazing activities. There would be no long-term adverse impacts. Grazing may be permissible following established procedures; however, some modifications to restrictions may be needed to allow this use. There would be no short- or long-term recreation impacts at any of the identified candidate sites.

Cumulative Effects

The potential environmental impacts from the Proposed Action, when combined with past, present, or reasonably foreseeable future activities within the local surrounding communities of the seven sites, would not result in significant cumulative effects to any of the resources analyzed in the PEA.

Determination

From the information and analysis in the PEA, LM determines that the Proposed Action would not constitute a major federal action significantly affecting the quality of human health or the human environment in accordance with DOE's NEPA implementing procedures, at 10 CFR 1021, and the regulations promulgated by the Council on Environmental Quality for implementing NEPA, at 40 CFR 1508.27. Therefore, the preparation of an environmental impact statement is not required. LM approves DOE/EA 2113 and is issuing this FONSI.

Issued this ____ day of ____ 2020.

Approved:

David S. Shafer, PhD.
Director of Site Operations, LM-20
U.S. Department of Energy

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