

U.S. Department of the Interior
Bureau of Land Management
Wyoming State Office

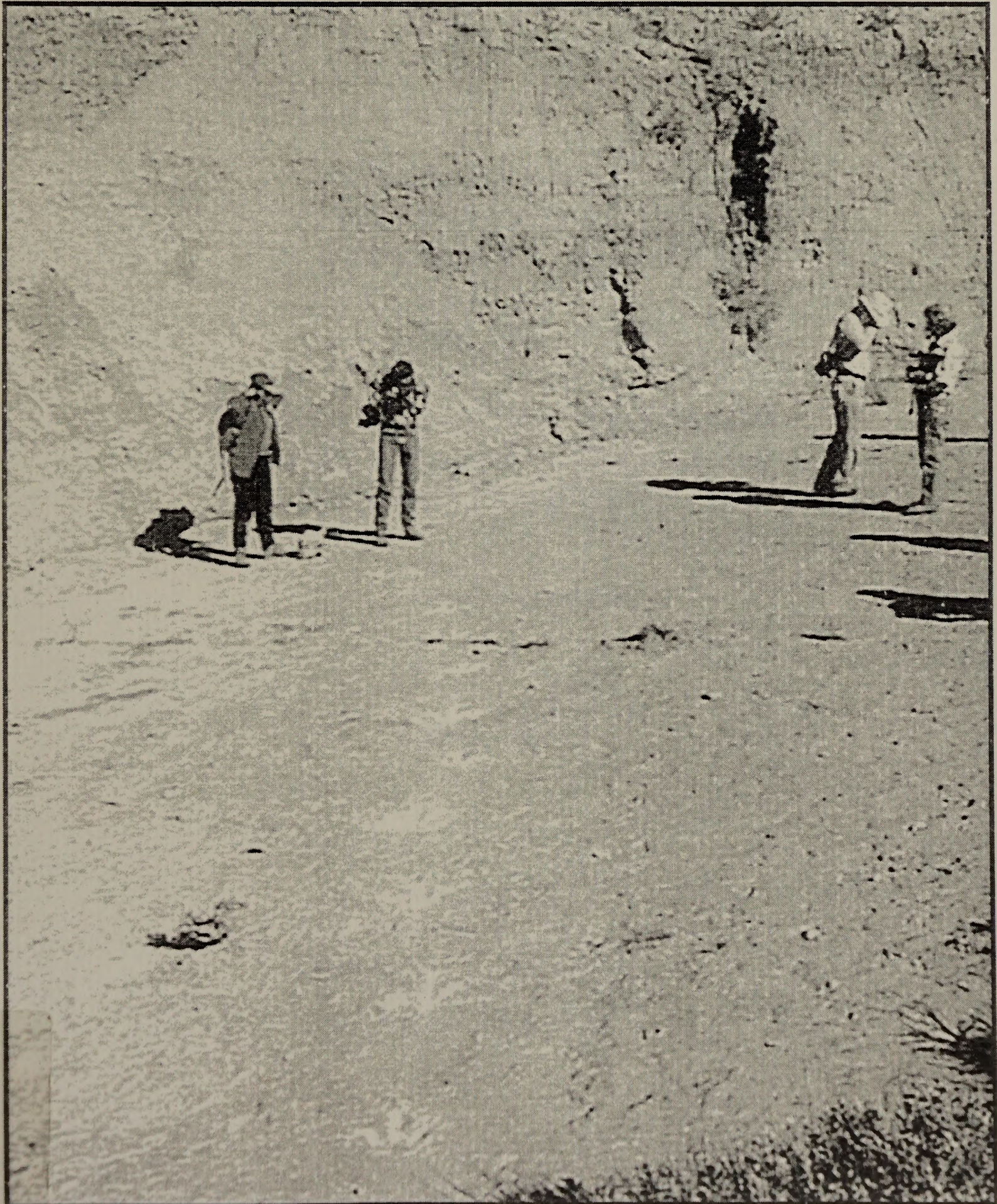


Worland Field Office

May 1999



DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT Management of the Red Gulch Dinosaur Tracksite Big Horn County, Wyoming Environmental Assessment WY-010-EA9-21



HD
243
.W8
R434
1999a
c.2

BLM LIBRARY
BLDG 50, ST-150A
DENVER FEDERAL CENTER
P.O. BOX 25047
DENVER, COLORADO 80225

MISSION STATEMENT

It is the mission of the Bureau of Land Management to sustain the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

BLM/WY/PL-99/016+1050

**U.S. DEPARTMENT OF THE INTERIOR
Bureau of Land Management**

**Decision Record
and
Finding of
No Significant Impact
(FONSI)**

**Management for the
Red Gulch Dinosaur Tracksite
Big Horn County, Wyoming**

in the

**Bureau of Land Management's
Washakie Planning Area of the
Worland Field Office**

May 1999

Prepared by the
U.S. Department of the Interior
Bureau of Land Management
Worland Field Office
Worland, Wyoming

ABBREVIATIONS

| | |
|-------|--|
| ACEC | area of critical environmental concern |
| ATV | all-terrain vehicle |
| BLM | Bureau of Land Management, U.S. Department of the Interior |
| CFR | code of federal regulations |
| EA | environmental assessment |
| EIS | environmental impact statement |
| ERMA | extensive recreation management area |
| FONSI | finding of no significant impact |
| NSO | no surface occupancy |
| ORV | off-road vehicle |
| RMP | resource management plan |
| SHPO | State Historic Preservation Office, State of Wyoming |
| SRMA | special recreation management area |

TABLE OF CONTENTS

DECISION RECORD

| | |
|---|---|
| DECISION | 1 |
| RATIONALE | 2 |
| SUMMARY OF PUBLIC COMMENTS ON THE ENVIRONMENTAL ASSESSMENT | 2 |
| RESPONSES TO PUBLIC COMMENTS | 4 |
| FINDING OF NO SIGNIFICANT IMPACT (FONSI) | 5 |

GENERAL MANAGEMENT PLAN

MANAGEMENT DECISIONS

| | |
|---|----|
| Special Management Designations | 7 |
| Limitations on Surface-disturbing Activities | 7 |
| Cultural and Paleontological Resources Management | 8 |
| Fire Management | 8 |
| Lands and Realty Management | 8 |
| Livestock Grazing Management | 8 |
| Minerals Management | 8 |
| Leasable Minerals | 8 |
| Locatable Minerals | 9 |
| Off-Road Vehicle Management | 9 |
| Recreation Management | 9 |
| Vegetation Management | 10 |

| | |
|----------------|----|
| GLOSSARY | 11 |
|----------------|----|

APPENDIX

| | |
|---|----|
| APPLICABLE WASHAKIE RMP DECISIONS | 16 |
|---|----|

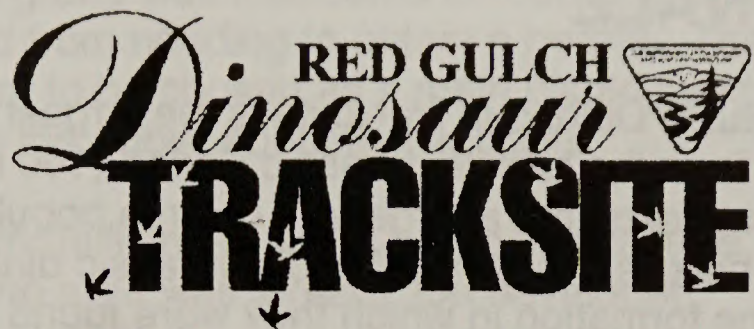
ABBREVIATIONS

TABLE OF CONTENTS

This page left blank intentionally

| | |
|----|---|
| 1 | DECISION RECORD |
| 1 | DECISION |
| 1 | RATIONALE |
| 1 | SUMMARY OF PUBLIC COMMENTS |
| 1 | ON THE ENVIRONMENTAL ASSESSMENT |
| 1 | RESPONSES TO PUBLIC COMMENTS |
| 1 | WORKS OF NO SIGNIFICANT IMPACT (WONSI) |
| 1 | GENERAL MANAGEMENT PLAN |
| 1 | MANAGEMENT DECISIONS |
| 1 | Special Management Decisions |
| 1 | Limitations on Out-lying Activities |
| 1 | Cultural and Paleontological Resources Management |
| 1 | Fire Management |
| 1 | Land and Rangeland Management |
| 1 | Livestock Grazing Management |
| 1 | Mineral Management |
| 1 | Resource Management |
| 1 | Localities |
| 1 | Localities |
| 1 | Off Road Vehicle Management |
| 1 | Recreation Management |
| 1 | Vegetation Management |
| 17 | GLOSSARY |
| 18 | APPENDIX |
| 18 | APPLICATION WASHAKE BMP DECISIONS |

DECISION RECORD AND FINDING OF NO SIGNIFICANT IMPACT



MANAGEMENT FOR THE RED GULCH DINOSAUR TRACKSITE Environmental Assessment WY-010-EA9-21

DECISION

The decision is to implement the attached general management plan for the Red Gulch Dinosaur Tracksite. The general management plan is the Bureau of Land Management's (BLM) preferred alternative (Alternative 3) of Environmental Assessment (EA) WY-010-EA9-21 with minor editorial modifications and clarifications. The general management plan represents an amendment to the Washakie Resource Management Plan (RMP). With this decision:

- ▶ The attached management plan for the Red Gulch Dinosaur Tracksite is adopted as the general management prescription for the area.
- ▶ The general management emphasis will be for scientific research, public education, and recreation.
- ▶ A recreation project plan will be developed for the area.
- ▶ The tracksite is designated an area of critical environmental concern (ACEC).
- ▶ The tracksite is included in the West Slope of the Bighorn Mountains Special Recreation Management Area (SRMA)
- ▶ The BLM will pursue a locatable mineral withdrawal to close the tracksite to the staking and development of mining claims. Most other surface-disturbing activities will be prohibited as well.

As a result of administrative review, it was decided to also identify the area as "limited to designated roads and trails" for motorized vehicle use. That decision is consistent with the management of motorized vehicles in the West Slope of the Bighorn Mountains SRMA as described in the Washakie RMP. The designation allows the BLM to identify, when necessary, which roads and trails would be available for motorized vehicle use. However, before any roads or trails would be closed to motorized vehicles, additional opportunities for public involvement would be offered.

RATIONALE

The Red Gulch Dinosaur Tracksite is the largest tracksite in Wyoming, and one of only a few worldwide from the Middle Jurassic Period (160 million to 180 million years old). The tracksite suggests that a large and diverse population of dinosaurs once existed in the area. Scientists believe these rare Middle Jurassic dinosaur tracks shed new light on the past because the formation in which they were found (the Sundance Formation) was previously thought to be at the bottom of a sea.

The Red Gulch Dinosaur Tracksite meets both the relevance and importance criteria for designation as an area of critical environmental concern. The tracksite is a relevant paleontological resource because (1) it is so extensive, (2) it provides unique opportunities for the study of dinosaur behavior and interaction, and (3) its geographic occurrence and Middle Jurassic age are changing scientists' ideas about ancient environments in the Sundance Formation.

The tracksite meets the importance criteria for ACEC designation because (1) it has qualities of more than local significance which give it special worth, consequence, meaning, and distinctiveness, (2) there are qualities and circumstances making the tracksite fragile, sensitive, rare, irreplaceable, unique, exemplary, and vulnerable to adverse change, and (3) the tracksite warrants protection to comply with BLM policy for the management of paleontological resources and to carry out the mandates of the Federal Land Policy and Management Act of 1976.

By incorporating the tracksite within the West Slope of the Bighorn Mountains SRMA, the area will gain priority for recreation management. This extra priority is warranted to provide for an estimated 30,000 visitors per year. In managing this recreational use, the BLM's goals are to prevent damage to public resources, provide for the health and safety of tracksite visitors, and offer enjoyable learning experiences.

SUMMARY OF PUBLIC COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

Environmental Assessment WY-010-EA9-21 was available for a formal, 30-day review and protest period during February and March 1999. For 60 days ending on April 19, the public also had an opportunity to comment on the proposed ACEC designation. The State of Wyoming participated in a 60-day "governor's consistency review," as well. The purpose of that review was to evaluate the EA and preferred alternative for consistency with state plans, programs, and policies. All comments received were carefully considered and evaluated in developing this decision record. There were no protests. Each comment letter is summarized below.

The Friends of the Greybull Museum, a nonprofit corporation, expressed interest in being able to take groups of individuals to the tracksite as part of various educational programs the museum is conducting. The group expressed concern that the BLM would issue a limited number of special permits for leading tours. If all permits went to groups charging fees, it would be more difficult for people of limited financial means to experience and enjoy the

tracksite. The Friends of the Greybull Museum group was interested in receiving one of the permits granted by the BLM, or being exempted from needing to obtain a permit. The Friends group also wanted the Greybull Museum to be chosen as a main display and information dissemination point to help educate the public about the tracksite.

One respondent said the tracks had survived for millions of years and didn't require protection from the BLM. The respondent felt the area was already too developed.

One respondent expressed general support for the BLM's preferred alternative but opposed commercial outfitting "which will encourage abuse of the tracksite with higher-volume traffic." Fencing off the best dinosaur tracks was also recommended as something to be evaluated.

The Big Horn Mountain Country Coalition expressed support for the BLM's preferred alternative.

Two respondents wrote to express favor for the BLM's preferred alternative and to thank BLM for recommending the tracksite as an area of critical environmental concern.

One respondent said that to make money for developing and protecting the tracksite, the BLM should sell professionally-made casts of the tracks.

The Wyoming State Mineral and Gem Society, Inc. expressed agreement with the BLM's preferred alternative. The Society offered a number of ideas for protecting the tracks while managing visitors, such as erecting a building over some of the best tracks to preserve them from the elements. It was stated that, "As most of our fossils have gone out of state, it is well that we are doing something to preserve these for educational and scientific purposes." It was recommended that some of the fees collected for commercial outfitting be donated to Wyoming schools and that, if tracks are sufficiently abundant, a few out-of-the-way specimens be cut out and donated to our state museums.

Two respondents wrote to express favor for the BLM's preferred alternative, stating their belief that this alternative would provide the best utilization of the resource.

One respondent supported the use of a fence around the immediate dinosaur track discovery area. It was also recommended that BLM consider providing security to the area on a contract basis, possibly using a local entity during critical periods, to enhance security, cost-effectiveness, and efficiency. The BLM should neither impair nor threaten historically present livestock grazing operations in the area, but rather point to these activities to explain to the public the value of multiple use of public lands. If the tracks continue to grow as a tourist attraction, innovative fencing, water developments, and other projects should be considered to protect the scientific resources, as well as the other multiple uses in the area. Finally, the BLM should continue to be a "good neighbor" because the support of the local community is essential to the development and protection of the tracksite.

The State of Wyoming's Office of Federal Land Policy reviewed the EA on behalf of the state and provided copies to all affected state agencies for their review. Comments were received from two agencies: the State Historic Preservation Office and the Wyoming State Geological Survey. See the next two paragraphs.

The State Historic Preservation Office (SHPO) provides comments to the BLM on possible affects to cultural resources when the BLM reviews proposals for surface-disturbing activities or initiates projects. The SHPO reported that it intends to provide specific comments on the BLM's cultural resource inventory of 40 acres surrounding the initial dinosaur track discovery. (The BLM's inventory report was forwarded to the SHPO on March 15, 1999 and, on March 24, they concurred with the BLM's findings that no historic properties are on the 40 acres.)

The Wyoming State Geological Survey supported protection of the tracksite and development of an interpretive site with emphasis on scientific research and public education. However, because "only 40 acres have been identified as containing tracks," the Survey considered 1,800 acres too large an area for prohibiting mineral development. The Survey also pointed out that the EA failed to mention gypsum and decorative stone in the vicinity of the tracksite.

RESPONSES TO PUBLIC COMMENTS

The BLM appreciates the public's comments and the many ideas and recommendations for developing site protection and educational facilities, including ways to show off the fossils. Ideas and recommendations concerning the specific types and locations of facilities, along with possible "marketing" efforts, will be considered in a recreation project plan. The development of a recreation project plan will provide opportunities for public comment. The plan will involve greater detail than this EA.

The recreation project plan will evaluate things like (1) the location of trails, signs, parking areas, fences, and restroom facilities; (2) the types of building materials to be used; (3) the level of interest by local citizens to serve as volunteers at the tracksite; and (4) the degree of public acceptance for establishing a recreation fee area. Ideas will also be solicited about the best ways to monitor activities at the tracksite, including how to measure the amount of change to the area caused by visitation.

In response to the comment from the Friends of the Greybull Museum, a statement has been added to the general management plan, that opportunities to conduct tours will be granted to nonprofit organizations, museums, and schools. The Worland Field Office will pursue formal partnerships with these groups for the dissemination of educational materials, including local display of paleontological resources.

Commercial outfitters will be allowed to conduct tours by obtaining special recreation use permits. Outfitting, by both commercial and noncommercial entities, along with the efforts of local volunteers, will help the BLM monitor visitor activities and spread important conservation messages. In fact, the protection of these fossils is due largely to the sense of stewardship over the tracksite by the local community. (The communities of the Bighorn Basin are well known for being proud of their rich natural history, especially as it relates to geology and paleontology.)

In response to the SHPO, the BLM will continue to conduct site-specific surveys for cultural resources before surface-disturbing activities are approved. (As indicted previously, 40 acres have already been surveyed.) Surface-disturbing activities will be avoided in the immediate

vicinity of historic properties. The BLM will coordinate with the SHPO in accordance with the Wyoming Protocol developed under the National Cultural Programmatic Agreement.

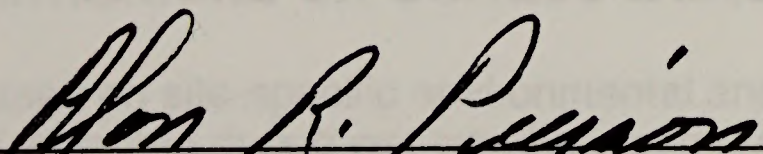
In response to the Wyoming State Geological Survey, the Red Gulch Dinosaur Tracksite is described in the EA as "about 1,800 acres of BLM-administered public land surface within the Sundance Formation where dinosaur tracks are known or anticipated to exist." The EA does not otherwise go into detail about the location of the tracks, although the tracks have been documented on a much larger area than the 40 acres where they were first discovered. In fact, 1,800 acres still appears to be a good estimate for the area containing tracks.

The pursuit of a mineral withdrawal will require the BLM to prepare a detailed mineral report which may involve additional geologic mapping. As much as possible, the BLM's final withdrawal proposal will not encompass geologic formations, such as the Gypsum Springs Formation, where tracks do not exist. Following that same logic, oil and gas exploration and development will be subject to a "no surface occupancy" requirement only where the Sundance Formation is the surface geology and dinosaur tracks are at risk from the activity. Although the ACEC boundary will encompass the 1,800 acres shown in the EA, the number of acres affected by the mineral withdrawal and the "no surface occupancy" requirement could be either more or less, depending on the location of the dinosaur tracks.

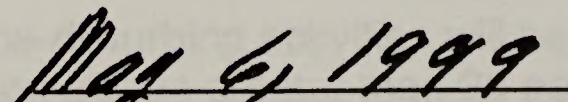
The Sundance Formation is not known to have any potential for the occurrence of locatable minerals, or commercial deposits of building stone, in the area covered by the EA. Locatable minerals near the tracksite include gypsum (as pointed out by the Wyoming State Geological Survey) and bentonite.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Based on the attached general management plan and referenced environmental assessment, I find that the selection of Alternative 3, as modified, would have no significant impact on the human environment and that the preparation of an environmental impact statement (EIS) is not necessary.



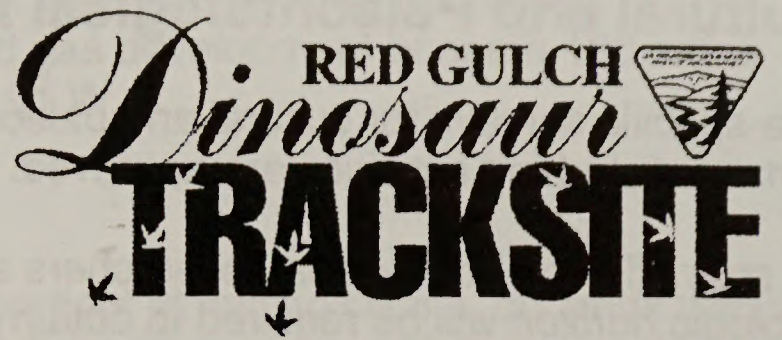
Alan R. Pierson, State Director



Date

This page left blank intentionally

GENERAL MANAGEMENT PLAN



MANAGEMENT DECISIONS

Special Management Designations

The Red Gulch Dinosaur Tracksite Area of Critical Environmental Concern (ACEC) is designated on about 1,800 acres of BLM-administered public land surface. That area is described as:

Sixth Principal Meridian, Wyoming
T. 52 N., R. 91 W.
Sec. 17, all;
Sec. 20, N $\frac{1}{2}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 21, all.

The ACEC designation will highlight the dinosaur tracks for special management and protection, with emphasis on scientific research, public education, and recreation.

The Red Gulch Dinosaur Tracksite and adjacent public lands lying north of the Red Gulch/Alkali National Back Country Byway, starting at the byway's junction with U.S. Highway 14, are incorporated into the West Slope of the Bighorn Mountains SRMA. (The total acreage of public lands added to the SRMA is 13,000.)

Limitations on Surface-Disturbing Activities

Based on site-specific environmental analyses, surface-disturbing activities will be prohibited or restricted during wet weather, on frozen soils, and on slopes greater than 25 percent. Surface-disturbing activities will be avoided in the immediate vicinity of significant cultural and paleontological resources.

Surface-disturbing activities will be prohibited on the tracksite. This requirement would not apply to the construction of roads, trails, interpretive signs, and other facilities to enhance public education and recreation, or to surface disturbance specifically allowed under a paleontological resources use permit.

Cultural and Paleontological Resources Management

Site-specific surveys for cultural and paleontological resources will be conducted before surface-disturbing activities are approved.

All scientific and educational researchers studying the dinosaur tracks or working in that geologic horizon will be required to obtain a paleontological resources use permit.

The BLM will encourage paleontological research and will facilitate cooperation and information-sharing among the scientists. The BLM will conduct some research through its National Applied Resource Sciences Center. Results of all research will be made available through publications, the Internet, and other educational materials.

To the extent possible, BLM staff and(or) volunteers will respond to questions from visitors while researchers are working. Goals will be to provide a positive educational experience and to maintain the researchers' efficiency.

Fire Management

The use of heavy equipment to construct fire lines and the use of chemical and dye retardants will be prohibited.

Lands and Realty Management

The development of rights-of-way will be prohibited on the tracksite. (This would not apply to maintenance of the Red Gulch/Alkali National Back Country Byway or to relocation of some road segments if determined to be appropriate through detailed activity planning.)

Livestock Grazing Management

Livestock grazing will be excluded on a few acres of the tracksite to avoid inadvertent damage to interpretive signs and facilities. Authorized livestock grazing levels in the Potato Allotment will not be modified as a result of this action.

Minerals Management

Leasable Minerals

The tracksite will be open to the consideration of mineral leasing, exploration, and development.

Mitigation requirements to protect paleontological and other resources will be applied as stipulations on mineral leases or as conditions of approval on exploration and development activities.

Surface-disturbing activities associated with federal mineral leasing exploration and development will be prohibited on lands in the Sundance Formation within the tracksite.

Leases will have a "no surface occupancy" stipulation. Additionally, the "no surface occupancy" stipulation will apply to any federal oil and gas development beneath 120 acres of privately-owned surface in section 20, T. 52 N., R. 91 W.

Locatable Minerals

The tracksite will be closed to the location and development of mining claims, on lands within the Sundance Formation. The BLM will pursue a withdrawal from mineral location under the 1872 Mining Law on these lands.

Off-Road Vehicle Management

Motorized vehicle use, including ATVs and over-the-snow vehicles, will be limited to **designated** roads and trails. This will allow the BLM to identify which roads and trails would be available for motorized vehicle use. Motorized vehicles will be allowed on **existing** roads and trails until such time that specific routes are identified.

Motorized vehicle use is prohibited on wet roads and trails when and where unnecessary damage to soils, vegetation, or water quality would result.

Recreation Management

Existing recreational opportunities for hiking, sightseeing, hunting, and noncommercial collection of invertebrate fossils will continue and visits to the tracksite by individuals and organized groups will be allowed. The BLM will provide on-site facilities and services, such as vehicle barriers and signs for direction, safety, and resource protection, to make visits to the tracksite as safe as reasonably possible.

When requested, the BLM and volunteers will lead field trips to the tracksite.

Management of the tracksite will emphasize scientific research, public education, and recreation.

A recreation project plan will be developed. Preparation of this plan will include opportunities for public participation. The design and location of roads, trails, signs, and other facilities as identified in the plan will emphasize the protection of paleontological resources and have a goal of increasing the public's awareness, understanding, and appreciation of the tracks.

If warranted, the tracksite could be identified as a recreation fee collection area. This option will be considered during activity planning and the public will have opportunities to participate in the decisionmaking.

Some interpretive facilities will be established away from the tracksite near the junction of the Red Gulch/Alkali National Back Country Byway and U.S. Highway 14. These facilities will highlight the tracksite as well as other paleontological resources on public land. If warranted,

the BLM could grant itself a right-of-way to protect the immediate area of the facilities from conflicting land uses.

The Worland BLM Ranger, other BLM personnel, and volunteers will conduct patrols of the area to guard against vandalism and unauthorized removal of public resources. The BLM will pursue agreements with Big Horn County for supplemental patrols by the Sheriff's Department and other law enforcement assistance.

Portions of the Red Gulch/Alkali National Back Country Byway will be graveled to provide safer access to the tracksite.

Visitors to the tracksite will be allowed to collect invertebrate fossils in reasonable quantities for their personal use. The specimens may not be sold, bartered, or traded.

If monitoring shows that invertebrate fossil collecting is significantly impairing visual resources, the activity will be limited or prohibited.

On a case-by-case basis, the BLM will allow commercial outfitters to take visitors on tours of the tracksite. Opportunities to conduct tours will be granted, as well, to nonprofit organizations, museums, and schools. Analyses conducted for recreation project plans and monitoring will establish how much commercial use can be allowed.

The BLM will monitor recreational activity using traffic counters and by talking to visitors on site. Other information gathering could include using photography to record vegetation changes and collecting statistics on the amount of litter removed.

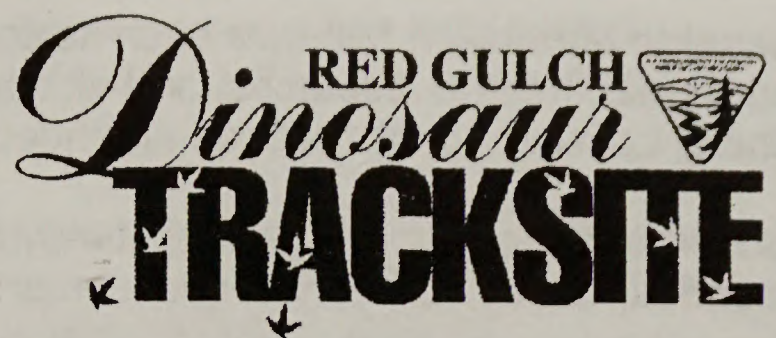
Vegetation Management

Noxious weeds and other undesirable vegetation will be controlled in conjunction with local counties; the USDA, Animal and Plant Health Inspection Service; other agencies; and affected interests, consistent with the *Wyoming Record of Decision for the Final EIS Addressing Vegetation Treatment on BLM Lands in the 13 Western States* (BLM 1991).

Control of noxious weeds may include manual, mechanical, biological, or chemical methods. If herbicides are proposed for use, those that are effective on the target weed species and that have minimum toxicity to wildlife and fish will be selected.

Consistent with the Decision Record for *Implementation of Noxious Weed-Free Forage on Public Lands in the Worland District* (BLM 1997) the use of certified noxious weed-seed free vegetative products will be required.

GLOSSARY



Activity Plan (Site-Specific Plan): A plan for managing resource uses or values to achieve specific objectives. For example, an allotment management plan is an activity plan for managing livestock grazing use to improve or maintain rangeland conditions. Activity plans (also known as implementation plans) consider the management of specific geographical areas in more detail than resource management plans, taking into consideration all the resources and land uses that occur in the area.

Area of Critical Environmental Concern (ACEC): An area within the public lands designated for special management attention to protect and prevent irreparable damage to important historic, cultural, or scenic values, fish and wildlife resources, or other natural systems or processes, or to protect life and safety from natural hazards. According to 43 CFR 1601.05a, "The identification of...[an] ACEC shall not, of itself, change or prevent change of the management or use of public lands."

Commercial Recreational Use: Any nonexclusive recreational use of the public lands or related waters for business or financial gain. The collection by a permittee holding a special recreation permit, of any fee, charge, or other compensation which is not strictly a sharing of, or is in excess of, actual expenses incurred for the purposes of the activity or use shall make the activity or use commercial. Use by educational and therapeutic institutions is considered commercial when the above criteria are met. Commercial operations requiring a permit include activities whose base of operations are off the public lands, but who rent equipment or livestock for use on public lands if they, their employees, or agents occupy or use public lands or related waters in connection with their rental program. Profit-making organizations are automatically classified as commercial, even if that part of their activity covered by the permit is not profit-making.

Limited to Designated Roads and Trails: Public lands where ORV use would be allowed on some roads and trails but not on others, as identified with signs or markers.

Limited to Existing Roads and Trails: Public lands where motorized vehicle use would be allowed on all existing roads and trails. It is not intended for "existing roads and trails" to include any roads or trails created by the off-road use of motorized vehicles, including ATVs, after the 1988 completion of the Washakie RMP. For this planning review, "existing roads and trails" in the planning review area include only those roads and trails shown on the 1989 edition of BLM's Worland 1:100,000 scale topographic and surface management status map.

Leasable Minerals: Minerals such as coal, oil shale, oil and gas, phosphate, potash, sodum, geothermal resources, and all other minerals that may be developed under the Mineral Leasing Act of 1920, as amended.

Locatable Minerals: Minerals that may be acquired under the Mining Law of 1872, as amended, such as bentonite, gypsum, and uranium.

Mitigation: Methods used to prevent or reduce effects to resources that might be caused by surface-disturbing activities.

No Surface Occupancy (NSO): The term “no surface occupancy” is used in two ways. It is used in one way to define a no surface occupancy area where no surface-disturbing activities, of any nature or for any purpose, would be allowed. For example, construction, or the permanent or long-term placement of structures or other facilities, for any purpose, would be prohibited in an NSO area.

The other way the “no surface occupancy” term is used is as a stipulation or mitigation requirement for controlling or prohibiting selected land uses or activities that would conflict with other activities, uses, or values in a given area. (This is the way NSO is used in the present dinosaur tracksite planning review.) When used in this way, the NSO stipulation or mitigation requirement is applied to prohibit one or more specific types of land and resource development activities or surface uses in an area, while other—perhaps even similar—types of activities or uses (for other purposes) would be allowed. For example, protecting important rock art relics from destruction may require closing the area to the staking of mining claims and surface mining, off-road vehicle travel, construction or long-term placement of structures or pipelines, power lines, general purpose roads, and livestock grazing. Conversely, the construction of fences to protect the rock art from vandalism or from trampling or breakage by livestock, an access road or trail, and other visitor facilities to provide interpretation and opportunity for public enjoyment of the rock art would be allowed. Further, if there were interest in development of leasable minerals in the area, leases for oil and gas, coal, and so forth could be issued with a “no surface occupancy” stipulation or mitigation requirement for the rock art site, which would still allow access to the leasable minerals from adjacent lands and underground.

The term “no surface occupancy” has no relationship or relevance to the presence of people in the area.

Off-Road Vehicle (ORV): Any motorized vehicle capable of or designed for travel on or immediately over land, water, or other natural terrain, excluding: (1) any nonamphibious registered motorboat; (2) any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes; (3) any vehicle whose use is expressly authorized by the authorized officer, or otherwise officially approved; (4) vehicle in official use; and (5) any combat or combat support vehicle when used in time of national defense emergencies. (43 CFR 8340.0-5.)

Resource Management Plan (RMP): A plan providing broad guidance and direction for the management of federally-owned lands and resources administered by the Secretary of the Interior through the Bureau of Land Management. The Washakie RMP, approved in 1988,

describes BLM's existing management for about 1.2 million acres of public land surface (including public lands at the Red Gulch Dinosaur Tracksite) and 1.6 million acres of federal mineral estate in Big Horn and Washakie counties.

Special Recreation Management Area (SRMA): Public lands administered by the Bureau of Land Management where special or more intensive types of recreation management are needed and greater investments for recreation management can be anticipated.

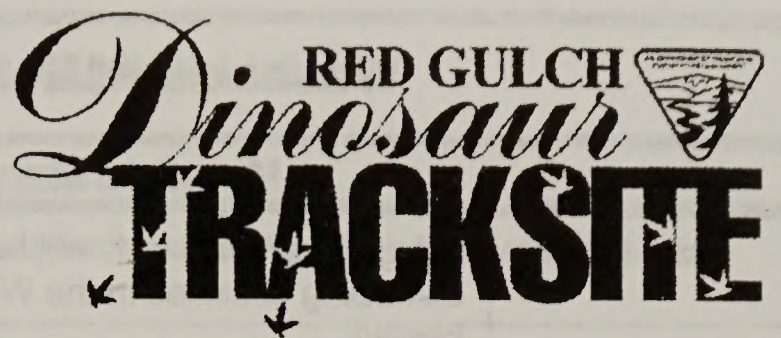
Surface-Disturbing Activities (or Surface Disturbance): The physical disturbance and movement or removal of the land surface and vegetation. It ranges from the very minimal to maximum types of surface disturbance associated with such things as off-road vehicle travel or use of mechanized, rubber-tired, or tracked equipment and vehicles; some timber cutting and forest silvicultural practices; excavation and development activities associated with the use of heavy equipment for road, pipeline, power line, and other types of construction; blasting; strip, pit, and underground mining and related activities, including ancillary facility construction; oil and gas well drilling and field construction or development and related activities; range improvement project construction; and recreation site construction.

Mitigation of surface-disturbing activities centers around surface reclamation and the control and prohibition of surface uses. Mitigation is associated with concerns for such things as movement of disturbed or denuded soil (by water, air, or gravity); erosion; water quality (sedimentation, salinity, pollution); wildlife habitat (vegetative and spatial, aquatic or terrestrial); vegetative composition, cover or productive capacity (quality, quantity) for consumptive and nonconsumptive uses (grazing, scenic values, watershed stability); surface and subsurface cultural and paleontological values; and other subsurface values (cave or karst systems, aquifers).

Visual Resource Management: The planning and implementation of management objectives for maintaining visual quality and scenic values on public lands. Visual resource management classes determine the amount of change that would be allowed to basic elements of the landscape.

This page left blank intentionally

APPENDIX



APPLICABLE WASHAKIE RMP MANAGEMENT DECISIONS

Washakie RMP Management Decisions

Cultural and Paleontological Resources Management

Page 21

[Objective] To protect and preserve representative samples of cultural resources present in the planning area, to manage cultural resources to maintain and enhance scientific and socio-cultural values, and to ensure that the BLM's actions avoid inadvertent damage to cultural resources.

Important paleontological sites will be protected through the use of surface and subsurface protection stipulations and discretionary management authority.

Fire Management

Page 28

[Objective] To protect resource values, property and human life from loss due to wildfire, and to use prescribed fire to meet other resource objectives consistent with the Standards for Healthy Rangelands....

Naturally-caused wildland fires would be managed to achieve resource management objectives, keep suppression costs at a minimum and protect private property and improvements. [RMP maintenance action 9/30/97]

Lands and Realty Management

Page 9

[Objective] To provide opportunities for the long-term use of public lands and to provide for the disposal of public lands, consistent with current laws, regulations, and policies, including those related to environmental protection, and the Wyoming Standards for Healthy Rangelands....

Prior to any disposal action, lands will be evaluated for compliance with the disposal criteria listed in appendix B of the proposed Washakie RMP/EIS.

...Right-of-way avoidance areas include:....—Cultural resource sites.

Minerals Management

Page 9

[Objective] To continue to provide opportunities for the location, leasing, sale, exploration, development, and use of mineral resources consistent with current laws, regulations and polices, including those related to environmental protection and the Wyoming Standards for Healthy Rangelands....

All public lands not formally closed to leasing are open for consideration for exploration and development of oil and gas.

Washakie RMP Management Decisions

Minerals Management (continued)

| | |
|----------------|--|
| Page 9 | Oil, gas and tar sands will be leased under the guidance for mitigating surface-disturbing activities in the Wyoming BLM Standard Mitigation Guidelines (see details below). |
| | After the issuance of a lease, reasonable and necessary conditions of approval will be applied to applications for permit to drill, Sundry Notices and any other use authorizations, to protect resource uses and values, consistent with the original intent of the lease. |
| Page 12 | In the event exploration activities result in producing oil and gas wells, specific mitigation requirements for impacts to surface resource values will be developed, based on environmental analyses of plans of operation or development. |
| | All proposals for geophysical exploration will be evaluated on a case-by-case basis. Suitable surface protection measures based on the guidance for mitigating surface-disturbing activities in the Wyoming BLM Standard Oil and Gas lease stipulations, and access restrictions (ORV designations) will be applied. Generally, geophysical exploration will not be allowed on BLM-administered surface that is closed to oil and gas leasing. |
| | All public lands not formally withdrawn or segregated from mineral entry will be open for exploration and development of locatable minerals. If necessary, areas of special interest or high sensitivity will be formally withdrawn from mineral entry. In other situations, the regulations listed in 43 CFR 3809 and agreements made with the State of Wyoming pursuant to those regulations will be applied to reduce unnecessary and undue degradation of resources as a result of mining. |
| | If necessary, additional areas with special values may be proposed for withdrawal from mineral location on a case-by-case basis. |
| | Sale and free use of salable minerals, such as sand and gravel, will occur in existing pits along the Bighorn and Nowood rivers and near Manderson and Ten Sleep. Any proposal for new material extraction sites will be subject to site specific analysis prior to approval. |

Livestock Grazing Management [Range projects]

| | |
|----------------|---|
| Page 19 | Any new range projects proposed will be subjected to economic and environmental analyses. Adequate information to determine the economic benefits and costs and the environmental consequences will be collected before projects are approved for construction. All projects will be designed to meet allotment management objectives and to be multiple-use projects or at least to minimize any impacts to other resource values. |
|----------------|---|

Off-Road Vehicle Management

| | |
|----------------|---|
| Page 21 | [Objective] To control the use of off-road vehicles as a means of reducing damage to fragile soils, wetlands, cultural values, and wildlife habitat. |
| | Approximately 1,227,300 acres will have vehicle use limitations imposed (be designated as "limited"), to protect crucial habitat, fragile soils, wetlands, etc. |
| | No areas will be designated as open without limitation to vehicular travel, (i.e., unrestricted use of vehicles will not be allowed). |

Washakie RMP Management Decisions

Recreation Management

| | |
|----------------|--|
| Page 21 | [Objective] To enhance and expand opportunities for recreation while intensively managing areas with high recreation values. Special recreation permits will be issued to authorize organized recreational use. |
| Page 23 | The planning review area is located in a designated Extensive Recreational Management Area (ERMA), but is near the West Slope of the Bighorn Mountains SRMA (Special Recreation Management Area), through which most of the Red Gulch/Alkali National Back Country Byway runs. |

Visual Resource Management

| | |
|--------------------------|---|
| Page 23 | [Objective] To minimize adverse visual impacts to the land while maintaining the effectiveness of land use allocations. |
| Pages 23 & 24 | Visual resource management objectives will be considered in the evaluation of all proposals for activities on public lands in the planning area. Impacts to visual resources will be mitigated through applying the guidance for mitigating surface-disturbing activities in the Wyoming BLM Standard Oil and Gas Lease Stipulations or mitigations developed through the environmental analyses process. |

Wildlife Habitat Management

| | |
|----------------|---|
| Page 25 | ...chemical control of [insect] pests will be allowed... This will be subject to restrictions to protect food chains and important wildlife habitat and wetlands identified in Records of Decision on...the Rangeland Grasshopper Cooperative Management Program, findings of the Department of the Interior's Pesticide Program Review, and subsequent EISs and EAs. |
|----------------|---|

Wyoming Bureau of Land Management Mitigation Guidelines for Surface-Disturbing and Disruptive Activities

| |
|--|
| Areas in the immediate vicinity of significant cultural, historical, and paleontological resource sites...are avoidance areas for surface-disturbing activities. |
| Surface-disturbing activities will be prohibited within 500 feet of surface water and(or) riparian areas. |
| Surface-disturbing activities will not be allowed on slopes of more than 25 percent. |
| To protect crucial winter range for pronghorn antelope, activities or surface use will not be allowed from November 15 to April 30 within certain areas. |
| To protect important raptor and/or sage grouse nesting habitat, activities or surface use will not be allowed from February 1 to July 31 within certain areas. |
| No activities or surface use will be allowed in certain identified areas for the purpose of protecting sage grouse breeding grounds. |
| In any year, exception, waiver, or modification of these wildlife-related limitations may be approved in writing, including documented supporting analysis, by the Authorized Officer. |

BLM LIBRARY
BLDG 50, ST-150A
DENVER FEDERAL CENTER
P.O. BOX 25047
DENVER, COLORADO 80225

