

CHAPTER 4 OTHER REQUIRED SECTIONS

This section discusses the requirements of NEPA and CEQA to address certain effects that are not necessarily specific to a particular environmental resource.

4.2 NEPA Required Sections

4.2.1 Short-term Uses and Long-term Productivity

NEPA requires consideration of “the relationship between short-term uses of man’s environment and the maintenance and enhancement of long-term productivity” (40 CFR 1502.16). As declared by the Congress, this includes using all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans (NEPA Section 101). The analysis in Chapter 3 describes the short-term and long-term effects of the Proposed Action and alternatives on individual environmental resources. In general, as provided for by the LMP, minimum management requirements guide implementation of the action alternatives. Adherence to these requirements, as well as the Project-specific Design Features, ensures that long-term productivity of the land is not impaired by short-term uses. For both action alternatives, there would be short term effects from construction of the haul road and initial quarry activities. Mining in the quarry (removal of limestone) would be a long-term effect. Post-mining reclamation would enable the site to be used for other purposes in the future. The addition of 540 acres to the carbonate habitat reserve would help ensure that the long-term goals of the CHMS are met.

4.2.2 Unavoidable Adverse Effects

As described in Section 3.3, potential effects to the Cushenbury sheep herd include loss of habitat, habitat fragmentation, disturbance, displacement, death or injury from mining operations. Alternative 1 – Proposed Action would affect 153.6 acres of habitat and Alternative 2 – Partial Implementation would affect 133.6 acres of habitat that is suitable for foraging, resting, moving between use areas, and escape terrain for bighorn sheep. Neither action alternative is expected to affect the viability of Nelson’s bighorn sheep, as a species, on the SBNF. However, both action alternatives may contribute to viability concerns for the Cushenbury herd of Nelson’s bighorn sheep. If either action alternative is implemented, concern for the long-term viability for the North Slope occurrence of this species would be addressed through an adaptive management approach in the North Slope Bighorn Sheep Management Plan (see Design Features BHS-6 and BHS-7 in Section 2.3.2.13). The Design Features also include a number of other measures intended to reduce the likelihood of death or injury of bighorn sheep. The Design Features BHS-1 through 7 includes some measures to help reduce the likelihood of collision by mine vehicles or injury/death from blasting. The Design Features also include installation of signs on State Highway 18 to increase driver awareness and reduce the risk of collisions with wildlife. However, risk of death or injury of individual bighorn sheep over the life of the Project (120 years) cannot be completely avoided or mitigated. Therefore, impacts to the Cushenbury herd of bighorn sheep are expected to remain significant, even after implementation of Design Features.

Additionally, both build alternatives would have adverse effects to Scenery Resources. During mining, scenic integrity would decrease from an existing level of High to Very Low. As reclamation is implemented, scenic integrity would gradually increase to a level of Low. Even with the implementation of Design Features and Mitigation Measures, Project-level adverse effects would be significant and unavoidable for both build alternatives.

4.2.3 Irreversible and Irrecoverable Commitments of Resources

Irreversible commitments of resources are those that cannot be regained, such as the extinction of a species or the removal of mined ore. Irrecoverable commitments are those that are lost for a period of time such as the temporary loss of timber productivity in forested areas that are kept clear for use as a power line rights-of-way or road. Analysis of the effects on specific environmental resources is provided in Section 3.

The geologic and mineral composition of the Project area (153.6 acres for Alternative 1 – Proposed Action, and 133.6 acres for Alternative 2 – Partial Implementation) would be modified permanently with both action alternatives. Approximately 174 million tons of limestone materials would be extracted with Alternative 1 – Proposed Action and approximately 58.2 million tons would be extracted with Alternative 2 – Partial Implementation. This would be an irreversible commitment of resources. There would be a temporary (but long-term) loss of resources from removal of habitat. Although the site would be reclaimed after mining, this gap would result in an irrecoverable commitment of resources.

4.2.4 Cumulative Effects

Cumulative effects are discussed with the analysis of each environmental resource in Chapter 3. No significant cumulative effects are expected from either action alternative. The exception is cumulative effects to the Cushenbury herd of Nelson's bighorn sheep. Impacts to this species would be significant, even after implementation of Design Features, on a Project level and would also be significant on a cumulative level.

4.2.5 Other Required Disclosures

NEPA at 40 CFR 1502.25(a) directs "to the fullest extent possible, agencies shall prepare draft environmental impact statements concurrently with and integrated with ... other environmental review laws and executive orders."

NEPA at 40 CFR 1502.25(a) directs "to the fullest extent possible, agencies shall prepare draft environmental impact statements concurrently with and integrated with ... other environmental review laws and executive orders." Consultation with the U.S. Fish & Wildlife Service under Section 7 of the Endangered Species Act is required. Formal consultation will occur concurrently with the review phase of the Draft EIR/EIS. Consultation with the State Historic Preservation Officer (SHPO) is required by the National Historic Preservation Act because the Project would cause ground-disturbing actions in historical places. The Forest Service consulted with the SHPO and received a letter of concurrence with their findings of No Effect, dated March 8, 2010.

4.3 CEQA Required Sections

4.3.1 Growth Inducing Impacts

CEQA requires a consideration of a project's capacity to induce growth. CEQA Section 15126.2(d), *Growth Inducing Impacts of the Proposed Project*, discusses the ways in which a project could foster economic or population growth, or induce additional housing, either directly or indirectly in the surrounding environment.

Growth inducement would occur if the amount of population or employment growth projected to occur as a result of the project would exceed planned levels. Increased development and growth in an area depend on a variety of factors, including employment and other opportunities, availability of developable land, and availability of infrastructure, water, and power resources.

Alternative 1 – Proposed Action or Alternative 2 – Partial Implementation are not likely to generate long-term population growth in the community or change area demographics. Both alternatives involve the construction and operation of a use that is consistent with existing land use designations. With both alternatives, approximately eleven employees would be assigned to the South Quarry. Eight of those employees would be transferred from existing operations and three new employees would be required. Neither Alternative 1 – Proposed Action nor Alternative 2 – Partial Implementation would increase MCC's overall ore production nor would either alternative increase the production of cement. None of the Project's activities would induce or assist future development and/or mining operations in the area. The only roadway proposed as part of the Project would service only the South Quarry, and the public would not have access to this road. The new haul road would not connect to public roadways, nor would it be available for use by other individuals or entities. No aspect of the Project might be considered as public infrastructure. Therefore, neither alternative would involve major employment opportunities that could result in direct population growth or demand for additional housing.

4.3.2 Significant Irreversible Effects

The CEQA Guidelines require that an EIR identify and focus on significant environmental effects, including significant irreversible environmental changes that would be caused by the project should the project be implemented.

The CEQA Guidelines Section 15126.2 (c) state that "uses of nonrenewable resources during the initial and continued phases of the Proposed Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts, and particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area), generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitment of resources should be evaluated to assure that such current consumption is justified."

The only significant irreversible effects that cannot be mitigated are Project-level and cumulative effects to the Cushenbury herd of Nelson's bighorn sheep and Project-level effects to Scenery Resources, which are summarized above in Section 4.1.2.

4.3.3 Unavoidable Significant Adverse Effects

The CEQA Guidelines section 151262(b) require that the EIR “describe any significant impacts, including those which can be mitigated but reduced to a level of insignificance. Where there are impacts that cannot be alleviated without proposing an alternative design, their implications and the reason why the project is being proposed, notwithstanding their effect, should be described.”

Based on the analysis in Section 3.0 of this EIR/EIS, implementation of both action alternatives would have significant, unmitigable adverse effects to the Cushenbury herd of Nelson’s bighorn sheep. These effects are summarized in Section 4.1.2 and detailed in Section 3.3.