

APPENDIX B**ACTIONS EXEMPT FROM CASE-BY-CASE REVIEW**

Pursuant to Section VI.C.1 of the State Protocol, the BLM cultural resource specialist will, after determining information needed to identify and evaluate cultural properties, determine if specific projects or activities should be exempted from case-by-case review. In certain circumstances, even though an action may be listed as exempt from case-by-case review, the Field Office Manager, at the recommendation of the cultural specialist, may have justification to require an inventory and evaluation of cultural resources. The following actions are, in most circumstances, exempt from case-by-case review:

1. Activities which involve no more than two square meters of cumulative surface disturbance and no more than one square meter of contiguous disturbance in any given location, unless within the boundaries of a known historic property or an unevaluated cultural resource.
2. Issuing leases, easements, rights-of-way and permits that do not authorize or promote surface disturbance.
3. Acquiring lands and easements
4. Transferring lands or interest in lands to other Federal agencies where future management will be subject to the Section 106 process.
5. Issuing rights-of-way for existing developments or renewal of existing rights-of-way except where operation, maintenance, or abandonment activities might result in new surface disturbance.
6. Issuing rights-of-way for overhead lines with no pole, tower, or other surface disturbance on BLM-administered lands where there are no historic properties present for which setting contributes to integrity.
7. Authorizing new lines on existing overhead structures when there is no change in pole or tower configuration and no new surface disturbance.
8. Issuing special land use designations which do not authorize surface-disturbing projects such as Research Natural Areas and Wilderness Areas.
9. Minor, routine, or preventive operations and maintenance activities on BLM facilities, lands, and resource developments requiring no new surface disturbance and where facilities being maintained are not historic properties (does not include wildfire rehabilitation).
10. Installing signs and markers adjacent to existing roads, or placing recreational, special designation or information signs, or visitor registers, unless within known historic properties. Disturbance cannot exceed the exemption allowed in Item 1 above.
11. Temporary road closures.
12. Designating areas closed to vehicles or areas limited to travel only on existing roads and trails.
13. Maintenance of crowned or ditched roads that does not widen or otherwise extend surface disturbance, unless archaeological features which have not been evaluated are exposed.
14. Dispersed non-commercial recreational activities such as Christmas tree cutting.

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15. Issuing special recreation permits along rivers, trails, and other specified areas where use is similar to previous permits and which would not increase the level of use and where there will be no new surface disturbance.
16. Activities limited within stream channels, not including terraces and cut banks.
17. Personal use firewood permits which are not specific in size and do not concentrate use.
18. Alteration of structures or other current cultural manifestations less than 40 years old.
19. Removing modern materials and trash scatters less than 50 years old and not associated with a larger eligible entity. Abandoned vehicles and modern trash dumps are included in this class.
20. Cadastral survey
21. Animal traps and corrals in use for three days or less. Case-by-case review by the field office cultural resource specialist may be needed to assess potential effects prior to the undertaking.
22. Authorizing or installing devices to protect human or animal life (such as raptor electrocution prevention devices) that do not involve new surface disturbance.
23. Continued development of borrow sources which have previously removed all Holocene and Pleistocene sediments and will not extend into any area which contains Holocene and Pleistocene sediments.
24. Herbicide application where it would be unlikely to affect rock art or traditional Native American plant gathering areas.
25. Water lines laid on the surface that do not require excavation or other surface disturbance and do not cross known historic properties or previously recorded unevaluated cultural resources.
26. New fence construction and modifications of existing fence lines that do not require disturbance beyond placement of posts and will not result in concentrations of animals or creation of two track trails from vehicles.
27. Renewal of grazing leases/permits where type of animals and seasons of use do not change