



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Burns District Office
28910 Hwy 20 West
Hines, OR 97738

IN REPLY REFER TO:

FEB 22 2013

**USDI, Bureau of Land Management
Andrews Resource Area, Burns District**

**Withdrawal of Categorical Exclusion Environmental Review and Approval
for
CMPA Road Maintenance
DOI-BLM-OR-BO70-2011-0033-CX**

Dear Interested Public:

The Bureau of Land Management (BLM), Burns District is notifying you that it has withdrawn a document entitled Categorical Exclusion Environmental Review and Approval for CMPA Road Maintenance, DOI-BLM-OR-BO70-2011-0033-CX, dated June 13, 2011.

This document (the CX) was unnecessary and is causing public confusion. The BLM never intended that the CX serve as an authorization or as a route maintenance decision. Nor have any BLM ground-disturbing activities relied on the CX for authorization. Several BLM decisions already authorize route maintenance in the Steens Cooperative Management and Protection Area (CMPA). These authorization decisions include the BLM's Steens Mountain Travel Management Plan Decision Record (TMP Decision), and the BLM's CMPA Record of Decision (ROD) adopting the Resource Management Plan (RMP), which includes the CMPA Transportation Plan.

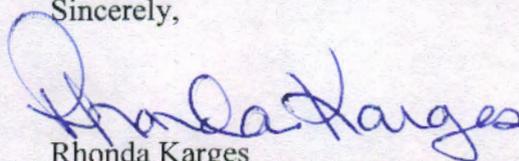
When it issued the CX, the BLM did not intend to authorize any road maintenance or other activities different from or in excess of those already authorized in the CMPA. Moreover, since the CX was issued, the BLM has not maintained any routes in the CMPA, except as authorized by the operative maintenance decisions – the TMP Decision and CMPA RMP/ROD. The BLM issued the CX to verify that adequate National Environmental Policy Act (NEPA) analysis already existed. Adequate NEPA analysis already accompanies the TMP Decision and RMP ROD, so the CX is unnecessary. The CX appears to have caused public confusion by implying that the BLM is relying on an exclusion from NEPA for route maintenance activities, rather than the existing detailed NEPA analysis accompanying the TMP Decision and CMPA RMP/ROD. Due to this confusion and the lack of need for the CX, the BLM has withdrawn the CX.

The BLM continues to implement the TMP Decision consistent with the February 2009 order of the Interior Board of Land Appeals, and consistent with the orders of U.S. Magistrate Judge Paul Papak in the U.S. District Court litigation *Oregon Natural Desert Association v. McDaniel*, No. 09-cv-369 (D. Or.).

Based upon the foregoing considerations, the referenced CX is withdrawn, effective February 22, 2012. The agency considers this withdrawal to be ministerial, because the CX was not necessary, was not intended as an authorization, and has not been relied upon by BLM as an authorization. Moreover, the BLM Burns District has no intention of using a future CX document to authorize any route maintenance in the CMPA, because these activities will proceed under the TMP Decision and CMPA RMP/ROD. The TMP Decision and CMPA RMP/ROD are the operative documents.

If you have any questions or concerns, please contact me at (541) 573-4433.

Sincerely,



Rhonda Karges

Andrews/Steens Resource Area Field Manager