

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BURNS DISTRICT OFFICE

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B050-2013-0026-CX

Date: 2-28-2013

File Code (Project/Serial Number): 43 CFR 4100 Rangeland Management

Allotment # 05528 #05518 #05521 #05523

Preparer: Rachel Beaubien

Applicant: Permittee/BLM

Title of Proposed Action: Cooler, Newell Field, Rocky Basin, and Tub Springs-Hart waterhole cleanout/maintenance.

Description of Proposed Action and Project Design Elements (if applicable): The proposed action is to reconstruct (clean out and/or repair) existing waterholes/reservoirs located within the Cooler Allotment #5528, Newell Field Allotment #5518, Rocky Basin Allotment #5521, and Tub Springs-Hart Allotment #5523 Three Rivers Resource Area, Burns District. There are seven, one, eight, and six existing waterholes/reservoirs documented in the Burns District Geographical Information System (GIS) database coverage as existing range improvements in these allotments. These waterholes/reservoirs have filled with silt over the years reducing the water storage capacities for these facilities. Silt would be removed from and be placed adjacent to waterholes and on the fill area for reservoirs or used to repair other reservoirs. Waterholes are often dry for most of the year in their current state. Bentonite may also be added to leaking waterholes. Burns District BLM or the grazing permittee would maintain these water sources. A cost share may be used for waterholes needing bentonite; BLM would purchase the bentonite and the permittee would apply it if a cost share was applied. All activity will be of limited size (each waterhole is less than 2 acres in area) and magnitude as it will occur within the original area of disturbance as when the project was established. The Proposed Action includes maintaining these water sources by cleaning or reconstructing them using heavy equipment; this will take less than 2 days per waterhole. All equipment used for working on these waterholes/reservoirs would be cleaned prior to being transported to the site to reduce the likelihood of noxious weed introduction. These disturbed sites would be monitored closely for 2 years post-cleanout. Any noxious weeds found would be treated using the most appropriate methods available.

Legal Description (attach Location Map):

Cooler Allotment

Little Pasture

Littlefield Reservoir #715229 T20S R36E Sec 6

Plateau Pasture

Drewsey Table #1 Reservoir #711524 T20S R35E Sec 2

Drewsey Table #2 Reservoir #711525 T20S R35E Sec 2

Drewsey Table #3 Reservoir #711530 T20 R35E Sec 3

Drewsey Table #4 Reservoir #711532 T20S R35E Sec 10

Drewsey Table #5 Reservoir #711534 T20S R35E Sec 10

Road Pasture

Boulder Reservoir #714043 T20S R36E Sec 18

Newell Field

Newell Field

Tongue Reservoir #711520 T19S R35E Sec 21

Rocky Basin

Beede Desert

Black Cow Reservoir #714942 T19S R36E Sec 21

Longer Hollow Reservoir #711528 T19S R36E Sec 23

Rocky Toe Reservoir #714946 T19S R36E Sec 22

Rocky Basin Reservoir #710295 T19S R36E Sec 24

Burnt Tree

Burnt Tree Reservoir #715287 T19S R36E Sec 26

Orange Peel Reservoir #714944 T19S R36E Sec 27

Quarter Corner Reservoir #714943 T19S R36E Sec 27

Rocky Basin Reservoir #715288 T19S R36E Sec 26

Tub Springs-Hart

Hart

Rye Grass Reservoir #711533 T19S R36E Sec 13

Upper

Corner Reservoir #714631 T19S R36E Sec 20

Middle

Hidden Reservoir #714633 T19S R36E Sec 31

Mud Springs Reservoir #714632 T19S R36E Sec 28

Lower

Dickies Reservoir
Scab Reservoir

#714677
#714667

T19S R36E Sec32
T20S R37E Sec 5

B. Conformance with Land Use Plan (LUP) (name):

Date Approved/Amended: September, 1992

The proposed action is in conformance with the Three Rivers Resource Management Plan (RMP), September 1992, even though it is not specifically provided for, because it is clearly consistent with the goals and objectives on page 2-36 of the RMP; Appendix 12 – Standard Procedures and Design Elements for Range Improvements (Appendices -179); and as outlined above under the proposed action.

DOI Categorical Exclusion Reference (516 DM 2, Appendix 1):

1.7- "Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g., limited size and magnitude or short-term effects.)"

Screening for Exceptions: The following extraordinary circumstances (516 DM 2, Appendix 2) may apply to individual actions within the categorical exceptions. The indicated specialist recommends the proposed action does *not*:

CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	
2.1	Have significant impacts on public health or safety.
Specialist (Print Name and Title):	John Petty, District Safety Officer
Signature and Date:	<i>[Signature]</i> 2/28/13
Rationale:	No significant impacts on public health or safety.
2.2	Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); flood plains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
<u>Migratory Birds</u>	
Specialist (Print Name and Title):	Thomas Kamienski, Wildlife Biologist
Signature and Date:	<i>[Signature]</i> 3/6/13
Rationale:	Migratory birds drink and bath at these reservoirs when water is available, and may forage adjacent to reservoirs throughout the year. No new habitat would be disturbed because maintenance work would be limited to previously disturbed areas (existing reservoirs). Work would also be temporary, occurring over a relatively short period (less than a couple of days per site). Reservoirs would be dry during maintenance work, so few birds would be in the area. Birds in the immediate vicinity of the reservoirs may flush during project work, but birds would likely return as soon as maintenance is complete. Few birds are likely to nest in the immediate area adjacent to reservoirs due to the limited vegetative cover relative to the surrounding area. Temporary maintenance activities would not affect populations.
<u>Historic and Cultural Resources</u>	
Specialist (Print Name and Title):	Scott Thomas, District Archeologist
Signature and Date:	<i>[Signature]</i> 2/28/13
Rationale:	No Historic or cultural resources will be affected by this project.
<u>Areas of Critical Environmental Concern/Research Natural Areas</u>	
Specialist (Print Name and Title):	Caryn Meinicke, Botany
Signature and Date:	<i>[Signature]</i> 3.4.13
Rationale:	There are no ACEC/RNAs within the proposed project area.
<u>Water Resources/Flood Plains</u>	
Specialist (Print Name and Title):	Lindsay Davies, Fish Biologist
Signature and Date:	3/4/2013 <i>[Signature]</i>
Rationale:	There will be no additional impacts to water resources in as a result of the proposed action.
<u>Soils, Biological Soil Crust, Prime Farmlands</u>	
Specialist (Print Name and Title):	Caryn Meinicke, Botany
Signature and Date:	<i>[Signature]</i> 3.4.13
Rationale:	All disturbance will occur in currently disturbed areas and will therefore have no impact on soils or Biological Soil Crusts. There are no Prime Farmlands.

Recreation/ Visual Resources

Specialist (Print Name and Title): John Belthea, Recreation Planner

Signature and Date: *John Belthea* 2-28-13

Rationale: No significant impacts to Recreation or Visual Resources.

Wilderness/Wild and Scenic River Resources

Specialist (Print Name and Title): Thomas Wilcox, Wilderness Specialist

Signature and Date: *Thomas Wilcox* 2/28/2013

Rationale: There is no wilderness, WSA, or WSR.

2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 3/5/13

Rationale: There are no known highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources.

2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 3/5/13

Rationale: There are no known highly uncertain and potentially significant environmental effects of unique or unknown environmental risks. Waterhole cleanout/maintenance is a common practice.

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 3/5/13

Rationale: No precedent for future actions or decision in principle about future actions with potentially significant environmental effects would occur as waterhole cleanout/maintenance is a common practice.

2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 3/5/13

Rationale: There are no known direct relationships to other actions with individually insignificant but cumulatively significant environmental effects.

2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.

Specialist (Print Name and Title): Scott Thomas, District Archeologist

Signature and Date: *Scott Thomas* 2/28/13

Rationale: No eligible or listed properties are located in the project area.

2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.

Endangered or Threatened Species-Fauna

Specialist (Print Name and Title): Thomas Kamienski, Wildlife Biologist

Signature and Date: *T. Kamienski* 3/6/13

Rationale: There are no known Threatened or Endangered species or Designated Critical Habitat in the area around these reservoirs, and none would be affected off-site by the reservoir maintenance activity.

Endangered or Threatened Species-Aquatic

Specialist (Print Name and Title): Lindsay Davies, Fish Biologist

Signature and Date: *Lindsay Davies* 3/4/2013

Rationale: See Attachment

There are no Threatened or Endangered Species or Critical habitat within the project area or its watershed for Newell Field or Rocky Basin Allotments. The proposed action would have no effect on aquatic T&E species in either of these allotments.

Cooler Allotment: All the reservoirs, with the exception of Drewsey Table #2 and Littlefield, are located in ephemeral drainages that eventually flow into unoccupied Bull Trout Critical Habitat in the Malheur River. The nearest waterhole proposed for clean out is 3 stream miles upstream of critical habitat. All drainages flow through private hay fields before reaching the Malheur River. Because of the distance from critical habitat and the hay-fields between the drainages and the Malheur River, potential sediment from proposed activities would not be delivered to the river. There would be no effect from the proposed activities on Bull Trout

Critical Habitat.

Tub Springs-Hart: Corner Reservoir is located in an ephemeral drainage, 1.8 stream miles from Beulah Reservoir. This reservoir provides habitat for Bull Trout. Because of the distance from critical habitat, potential sediment delivery from proposed activities would not be delivered to the river. There would be no effect from the proposed activities on Bull Trout Habitat.

Endangered or Threatened Species-Flora

Specialist (Print Name and Title): Caryn Meinicke, Botany
Signature and Date: *Caryn Meinicke* 3-4-13

Rationale: There are no P&E or Special Status Flora species or critical habitat within the proposed project area.

2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator
Signature and Date: *Holly Orr* 3/3/13

Rationale: No known law or requirement imposed for the protection of the environment would be violated.

2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator
Signature and Date: *Holly Orr* 3/5/13

Rationale: Implementation would not result in a disproportionately adverse effect on minority or economically disadvantaged populations as such populations do not occur in or near the project area.

2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).

Specialist (Print Name and Title): Scott Thomas, District Archeologist
Signature and Date: *Scott Thomas* 2-28-13

Rationale: No Indian sacred sites or access to sacred sites will be affected by the proposed project.

2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Specialist (Print Name and Title): Lesley Richman, District Weed Coordinator
Signature and Date: *Lesley Richman* 3/4/2013

Rationale: Noxious weeds are known to be present in and in close proximity to this area. Treatments are on-going. The weeds are not present in sufficient quantity to be considered a significant impact at this time.

Additional review (As determined by the Authorized Officer): *NONE*

RMP conformance and CX review confirmation:

Specialist (Print Name and Title): *Holly Orr, P&EC*

Signature: *Holly Orr* Date: *3/6/2013*

Management Determination: Based upon review of this proposal, I have determined the Proposed Action is in conformance with the LUP, qualifies as a categorical exclusion and does not require further NEPA analysis.

acting
Authorized Officer (Print Name and Title): *William Dwyer Supt. NRS*

Signature: *William Dwyer* Date: *3/6/2013*

**Livestock Reservoir Clean-Out: Cooler and Tub-Springs Hart Allotments
Effects Determination to Bull Trout Critical Habitat**

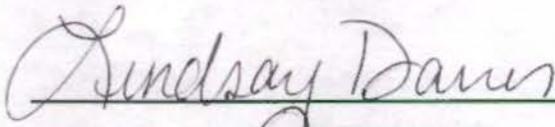
Background and Project Description:

In 2010, Bull Trout Critical Habitat was determined for the Upper Malheur Sub-basin from the Headwaters of the Malheur River to just upstream of Hwy. 20. The BLM plans to perform waterhole/reservoir clean-out in the Cooler and Tub-Springs Hart Allotments. These allotments are in watersheds that eventually drain into Bull Trout Critical Habitat. The reservoirs to be cleaned are small livestock watering reservoirs. Heavy equipment will be used to remove silt that has filled in the reservoirs over the years. Silt would be removed from and be placed adjacent to waterholes on the fill area. Currently, the waterholes are dry for most of the year in their current state. Bentonite may also be added to leaking waterholes. The reservoirs proposed for clean-out in Cooler Allotment are located in ephemeral drainage's that eventually flow into unoccupied Bull Trout Critical Habitat. They flow into the lower portion of critical habitat (just above HWY 20). The nearest waterhole is about 3 stream miles away from Critical Habitat. These drainages appear to flow through private hay fields and may even enter the Drewsey Reclamation Ditch before water/sediment would reach the Malheur.

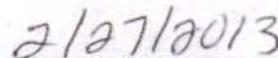
In the Tub-Springs Hart Allotment, there is one reservoir proposed for clean out in an ephemeral drainage that eventually flows into Beulah Reservoir. The proposed waterhole clean-out is approximately 1.8 stream miles from Beulah.

Effects Determination:

Due to the distance from Critical Habitat in both allotments and ephemeral nature of the drainages no additional sediment would reach Critical Habitat from the proposed actions. There would be No Effect to Critical Habitat.



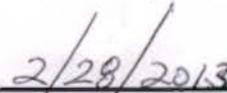
Lindsay Davies, Three Rivers Fish Biologist



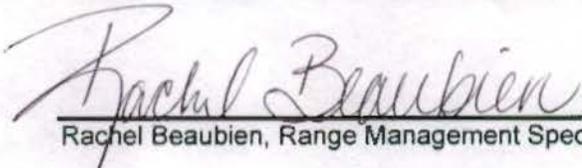
Date



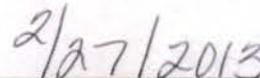
Matt Obradovich, Burns District Biologist



Date

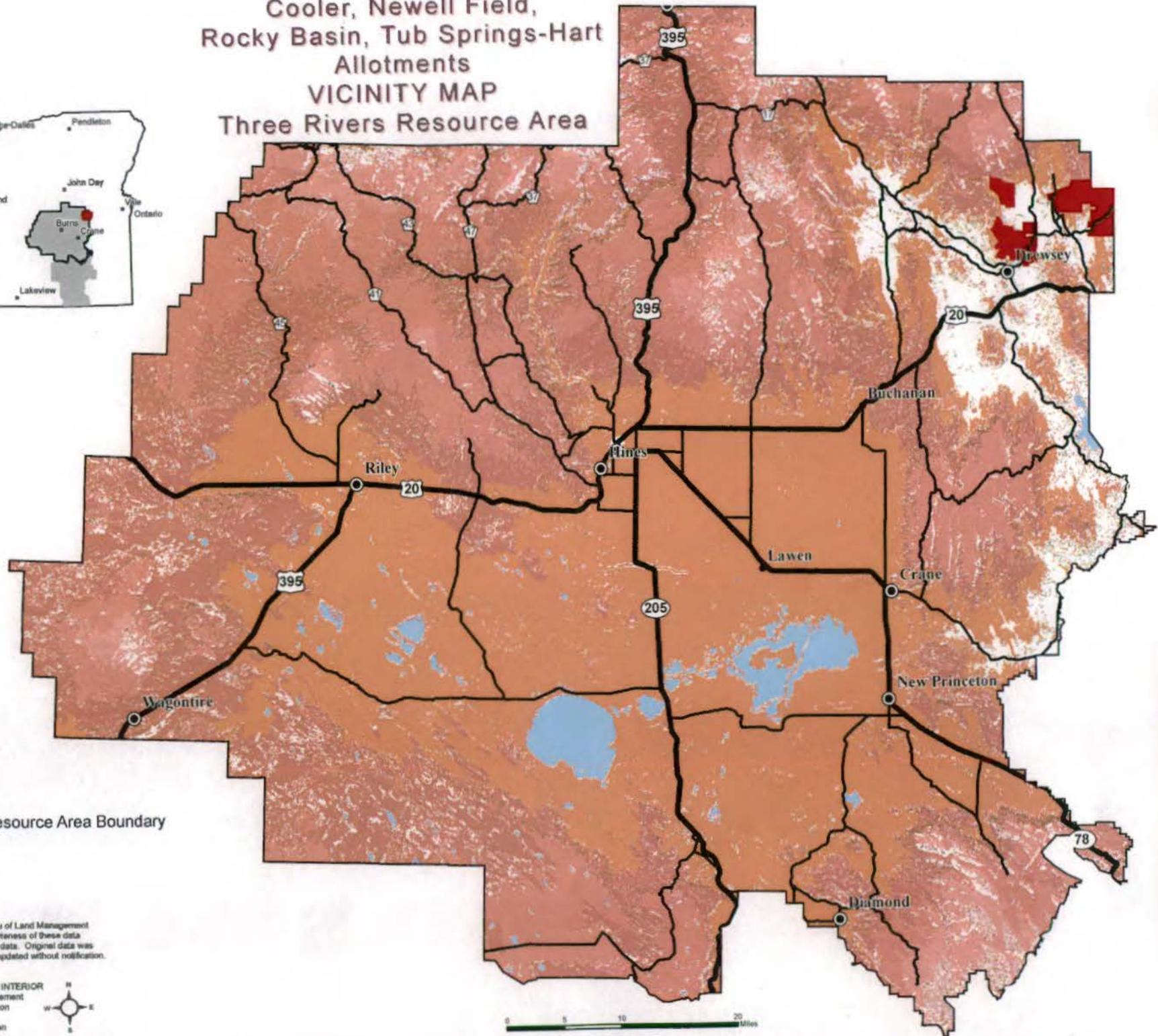
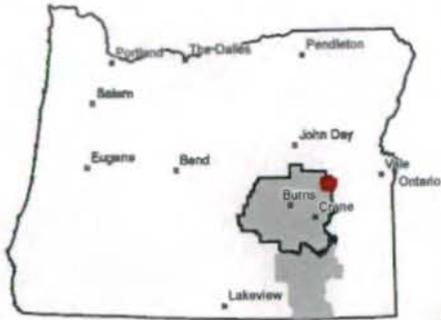


Rachel Beaubien, Range Management Specialist



Date

Cooler, Newell Fied, Rocky Basin, Tub Springs-Hart Allotments VICINITY MAP Three Rivers Resource Area



Legend

- Allotment
- Three Rivers Resource Area Boundary

Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.



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Burns District, Oregon



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Cooler Allotment Waterholes-Reservoirs

Proposed Projects Highlighted in Yellow

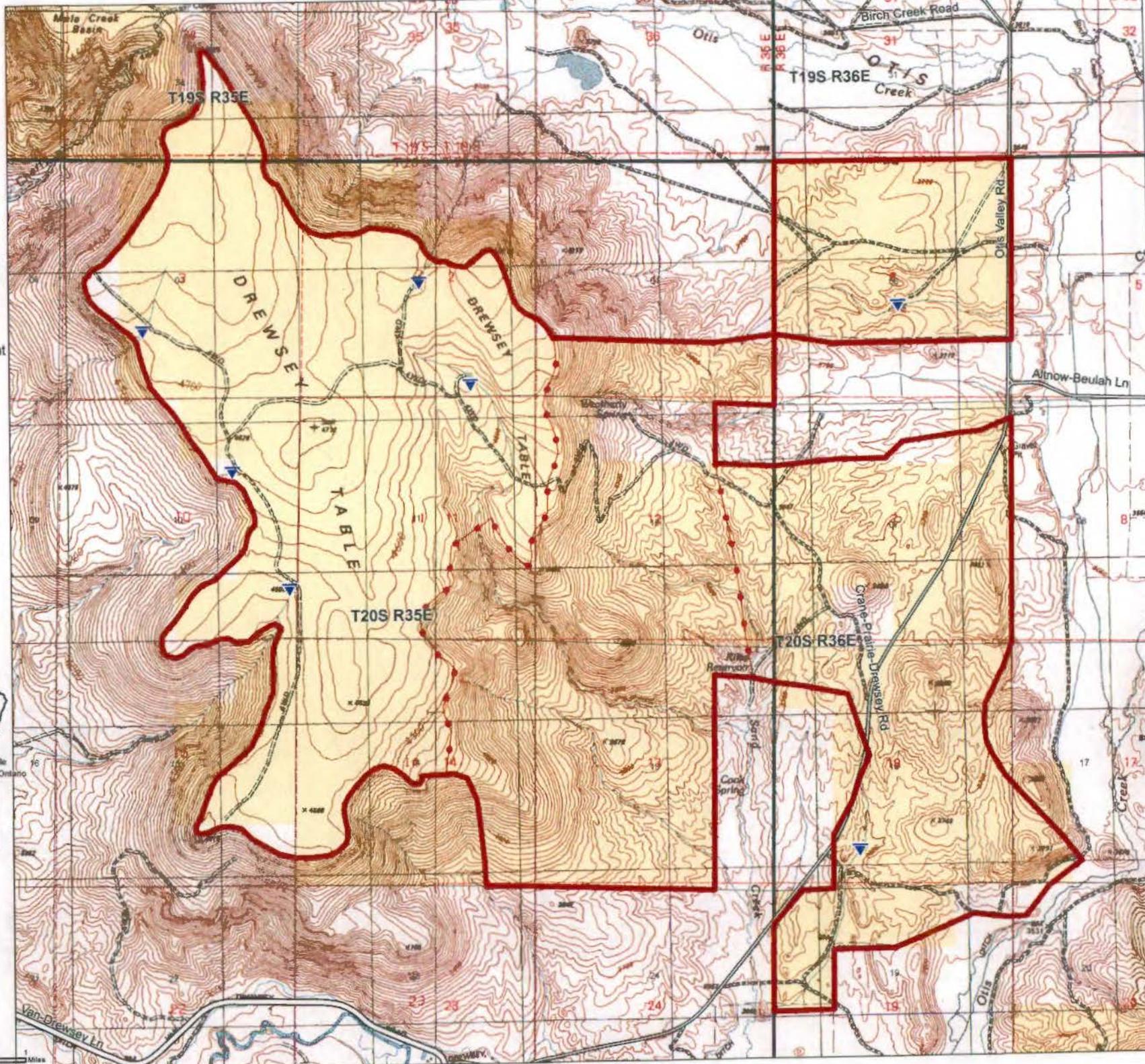
-  Pastures
-  Allotments
-  Bureau of Land Management
-  U.S. Forest Service
-  Private/Unknown



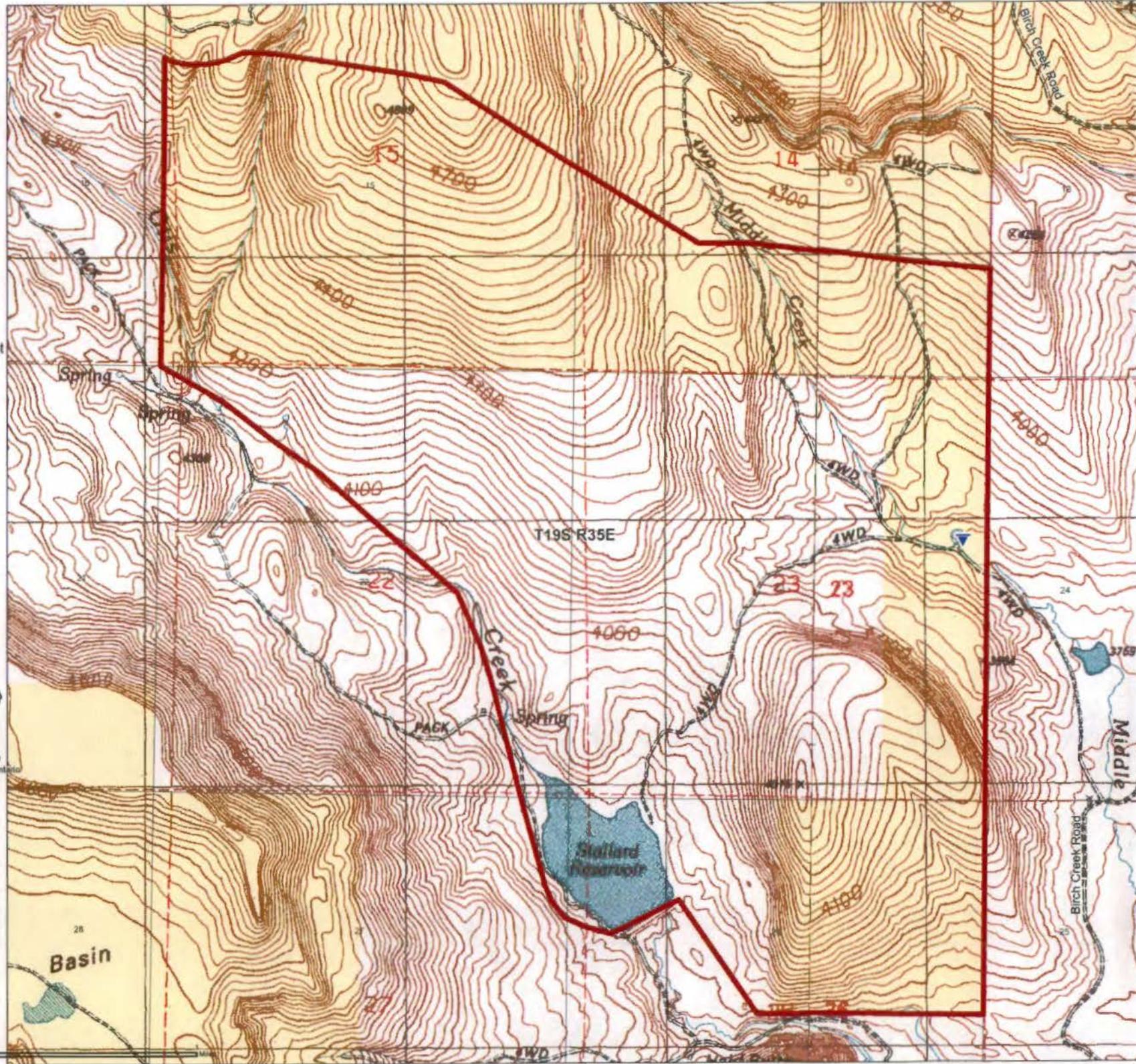
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Burns District, Oregon

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Newell Field Allotment Waterholes-Reservoirs

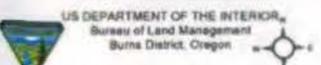


Proposed Projects Highlighted in Yellow

- Bureau of Land Management
- U.S. Forest Service
- Private/Unknown



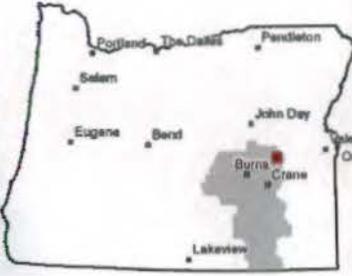
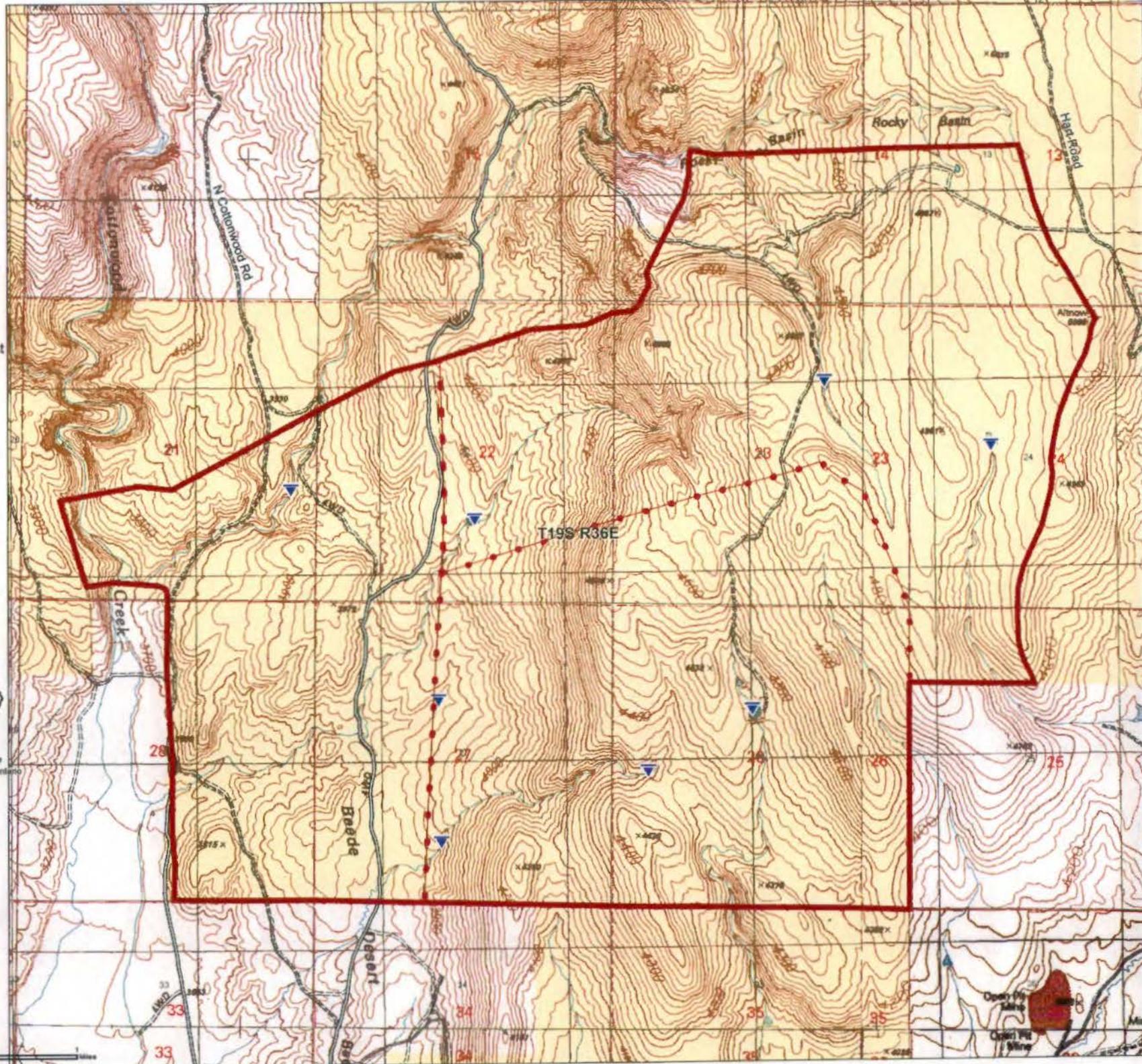
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Rocky Basin Allotment Waterholes- Reservoirs

Proposed Projects
Highlighted in Yellow

- Bureau of Land Management
- U.S. Forest Service
- Private/Unknown



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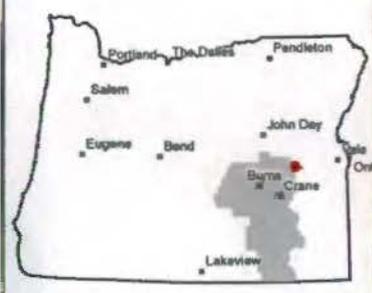
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Burns District, Oregon

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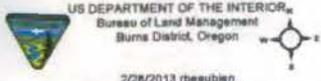


Tub Springs-Hart Allotment Waterholes-Reservoirs

- Proposed Projects Highlighted in Yellow**
- Bureau of Land Management
 - U.S. Forest Service
 - Private/Unknown



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