

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

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B050-2013-0033-CX

Date: 04/26/2013

File Code : 4100

Project Code: (Project/Serial Numbers) 711564, 711503, 711299, 710021, 710396, 710398, 710891, 711301, 710889, 711312, 710394, 711297, 714695, 711510, 710392, 711690, 711395, 711396, 711185, 711044, 711394

Preparer: Ronda Purdy

Applicant: BLM or Permittee

Title of Proposed Action: Lone Pine Allotment Reservoir Maintenance

Description of Proposed Action and Project Design Elements (if applicable):

The proposed action would be to clean out and/or repair existing reservoirs located within Lone Pine Allotment #7043, Three Rivers Resource Area, Burns District, Bureau of Land Management (BLM). These reservoirs are no longer in functioning condition due to deposit of silt, dysfunction of spillway and/or dam, resulting in reduction of water storage capacities of these facilities. The permittee and/or BLM would be responsible for cleaning or repairing and/or reconstruction of these reservoirs.

All reservoir maintenance activity would be done by the use of an excavator, dozer or backhoe. This activity would be limited to the existing footprint of the original disturbed area. Silt would be removed and strategically placed in accordance to design of each reservoir for optimum function. Bentonite may be used to seal bottoms of reservoirs where applicable. Dam and/or reservoir enclosure(s) would be cleared of trees and shrubs by use of chainsaw and/or heavy equipment. Residual materials may be used as riprap and/or to repair other reservoirs within the close vicinity, if applicable.

To minimize opportunities for spread of noxious weeds by seeds or other plant parts, all equipment would be cleaned prior to beginning work on site of these reservoirs. Each reservoir will be monitored closely for two years post-clean for noxious weeds. Any weeds found will be treated by the most appropriate method. All activities described having limited context and intensity (e.g. limited size and magnitude or short term effects).

Legal Description (attach Location Map):

Lone Pine Allotment	Project #	
Gravel Ridge Pasture		
Wilson Bar Reservoir	711564	T.21S., R.30E., Sec. 24NENE
Whiting Seep Reservoir	711503	T.21S., R.31E., Sec. 29 Lot 7
Lone Pine Reservoir	711299	T.21S., R.31E., Sec. 30 Lot 16
Lone Pine Reservoir	710021	T.21S., R.31E., Sec. 9 NESW
Fenwick Canyon Reservoir	710396	T.22S., R.31E., Sec. 6 Lot 6
Brown Field Reservoir	710398	T.22S., R.31E., Sec. 8 SWSW
Drinkwater Reservoir	710891	T.22S., R.31E., Sec. 17 NESE
S. Drinkwater Reservoir	711301	T.22S., R.31E., Sec. 17 SWSE
Deadman Reservoir	710889	T.22S., R.31E., Sec. 9 SWSE
N. Association Reservoir	711312	T.21S., R.30E., Sec. 25 NESE
Grazing Association Reservoir	711297	T.21S., R.30E., Sec. 36 NENW
Mud Springs Pasture		
Taylor Turnoff Reservoir	710394	T.21S., R.30 E., Sec. 24 SESW
Grazing Association Reservoir	711297	T.21S., R.30 E., Sec. 36 NENW
Thomas Spring Reservoir	714695	T.22S., R.30 E., Sec. 11 NWNE
Highway Spring Reservoir	711510	T.21S., R.30 E., Sec. 35 NWNW
Mahogany Ridge Pasture		
Mahogany Ridge Reservoir	710392	T.21S., R.30 E., Sec. 11 SESW
East Mosquito Pasture		
Mosquito Flat Reservoir	711690	T.20S., R.30 E., Sec. 34 SWNW
Landing Creek Reservoir	711395	T.21S., R.30 E., Sec. 10 SENW
West Mosquito Pasture		
Mosquito Flat Reservoir	711396	T.20 S., R.30 E., Sec. 33 SWNE
Basin Reservoir	711185	T.20 S., R.30 E., Sec.4 SWNE
Triska Allot. Reservoir	711044	T.21S., R.30E., Sec. 9 NENE

B. Conformance with Land Use Plan (LUP):

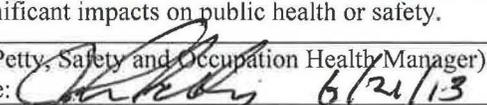
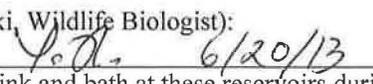
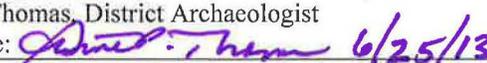
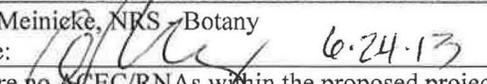
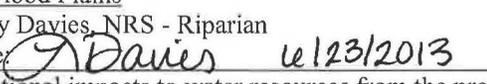
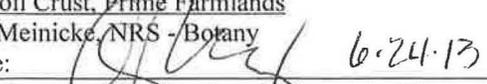
The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (*objectives, terms, and conditions*):

Three Rivers ROD/RMP September 1992, Grazing Management Program Objective and Rationale, GM 1.3, page 2-36. Utilize rangeland improvements, as needed, to support achievement of multiple-use management objectives for each allotment as shown in Appendix 9 and Map RM-3. Range improvements will be constrained by Standard and Procedures and design elements shown in Appendix 12.

BLM Categorical Exclusion Reference (516 DM, Chapter 11): None

DOI Categorical Exclusion Reference (516 DM 2, Appendix 1): 1.7 "Routine and continuing government business, including such things as maintenance 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:	(John Petty, Safety and Occupation Health Manager):
Signature and Date:	 6/24/13
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:	(Tomas Kamienski, Wildlife Biologist):
Signature and Date:	 6/20/13
Rationale:	Migratory birds drink and bath at these reservoirs during the spring and early summer 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 week per site) and typically out of the critical nesting period. 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:	Scott Thomas, District Archaeologist
Signature and Date:	 6/25/13
Rationale:	No historic or cultural resources would be affected by the proposed projects.
<u>Areas of Critical Environmental Concern/Research Natural Areas</u>	
Specialist:	Caryn Meinicke, NRS - Botany
Signature and Date:	 6.24.13
Rationale:	There are no ACEC/RNAs within the proposed project area.
<u>Water Resources/Flood Plains</u>	
Specialist:	Lindsay Davies, NRS - Riparian
Signature and Date:	 6/23/2013
Rationale:	No additional impacts to water resources from the proposed actions are expected.
<u>Soils, Biological Soil Crust, Prime Farmlands</u>	
Specialist:	Caryn Meinicke, NRS - Botany
Signature and Date:	 6.24.13
Rationale:	All maintenance will take place in the original footprint of the reservoirs and within currently disturbed areas. Impacts to soils and biological soil crusts will be negligible. There are no Prime Farmlands within the proposed project area.
<u>Recreation/ Visual Resources</u>	
Specialist:	John Bethea, Outdoor Recreation Planner

Signature and Date: <i>Jol P. Beebe</i> 6-24-13
Rationale: Effects to visual resource management and recreation would be minimal and short term under the proposed action.
<u>Wilderness/Wild and Scenic River Resources</u> Specialist: Tom Wilcox, Wilderness Specialist Signature and Date: 5/8/2013 <i>Tom Wilcox</i>
Rationale: There is no Wilderness, WSA, WSR or LWC in the project area.
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].
Specialist: Holly Orr, District Planning and Environmental Coordinator Signature and Date: <i>Holly Orr</i> 05/07/2013
Rationale: There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. The reservoirs are existing features on the landscape. The action is to perform routine and continuing maintenance on existing facilities.
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
Specialist: Holly Orr, District Planning and Environmental Coordinator Signature and Date: <i>Holly Orr</i> 05/07/2013
Rationale: There are no known highly uncertain or potentially significant environment effects or unique or unknown environmental risks. The reservoirs are existing features on the landscape. The action is to perform routine and continuing maintenance on existing facilities.
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
Specialist: Holly Orr, District Planning and Environmental Coordinator Signature and Date: <i>Holly Orr</i> 05/07/2013
Rationale: Implementation would not set precedence for future actions or represent a decision in principle about future actions with potentially significant environmental effects. The BLM routinely performs reservoir maintenance and these reservoirs currently exist on the landscape.
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
Specialist: Holly Orr, District Planning and Environmental Coordinator Signature and Date: <i>Holly Orr</i> 05/07/2013
Rationale: Implementation does not have any known direct relationship to other actions with individually insignificant but cumulative significant environmental effects. The reservoirs are existing features on the landscape. The action is to perform routine and continuing maintenance on existing facilities.
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: Scott Thomas, District Archaeologist Signature and Date: <i>Scott Thomas</i> 6-25-13
Rationale: No National Register listed or eligible properties would be affected by the proposed project.
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.
<u>Endangered or Threatened/Special Status Species-Fauna</u> Specialist: Tomas Kamienski, Wildlife Biologist Signature and Date: <i>Tomas Kamienski</i> 6/20/13
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 activities. The project(s) are located in greater sage grouse Preliminary Primary Habitat (PPH) and Preliminary Primary Habitat (PGH) as adopted by the BLM from the core and low density habitat, respectively, delineated and classified by the Oregon Department of Fish and Wildlife. The greater sage grouse has been placed, by the U.S. Fish and Wildlife Service, on the list of species that are candidates for protection under the Threatened and Endangered Species Act. There is an active lek approximately 1 mile to the northwest of one project area (Lone Pine Reservoir) located in PGH. The project(s) would take place in a previously disturbed area that provides little structural or vegetative diversity for greater sage grouse. The timing of work would be out of breeding and nesting season, typically in the fall. No vegetation capable of providing nest structures will be removed or destroyed. The project may displace some roosting sage grouse immediately next to the road and adjacent to the reservoirs; however, this disturbance would be short in duration and low in intensity. Access roads are currently used for recreation, permittee use, and BLM

administrative use. No nest abandonment is expected resulting from the work related to the project(s).

Endangered or Threatened Species-Aquatic

Specialist: Lindsay Davies, NRS - Riparian

Signature and Date: *L. Davies* 6/24/2013

Rationale:

There are no aquatic T&E species or critical habitat within the watersheds of the Proposed Action

Endangered or Threatened Species-Flora

Specialist: Caryn Meinicke, NRS - Botany

Signature and Date: *C. Meinicke* 6-24-13

Rationale: There are no documented T & E or Special Status plant species or designated 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: Holly Orr, District Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 05/07/2013

Rationale: Implementation would not violate any known law or regulation imposed for the protection of the environment. The reservoirs are existing features on the landscape. The action is to perform routine and continuing maintenance on existing facilities.

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

Specialist: Holly Orr, District Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 05/07/2013

Rationale: Implementation would not have a disproportionately high or adverse effect on low income or minority populations as such populations do not exist within 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: Scott Thomas, District Archaeologist

Signature and Date: *Scott Thomas* 6/25/13

Rationale: Access to or integrity of Indian sacred sites would not be affected by these projects.

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: Lesley Richman, District Weed Coordinator

Signature and Date: *Lesley Richman* 6/25/2013

Rationale: Noxious weeds are known to be present in or 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, District Planning and Environmental Coordinator

Signature: *Holly Orr* Date: *6/25/13*

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.

Authorized Officer (Print Name and Title): Richard Roy, Three Rivers Resource Area Manager

Signature: *Richard Roy* Date: *6/25/13*

Decision: It is my decision to implement the Proposed Action with Project Design Elements (if applicable) as described above.

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be mailed to the Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days of receipt of the decision. The appellant has the burden of showing the decision appealed is in error.

A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did

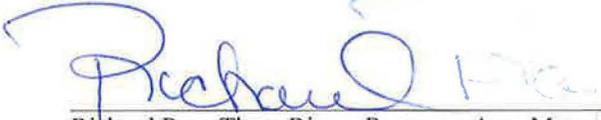
not include a statement of reasons for the appeal, it must be sent to the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the parties if the stay is granted or denied.
- The likelihood of the appellant's success on the merits.
- The likelihood of immediate and irreparable harm if the stay is not granted.
- Whether or not the public interest favors granting the stay.

As noted above, the motion for stay must be filed in the office of the authorized officer.


Richard Roy, Three Rivers Resource Area Manager


Date

Lone Pine Allotment Reservoir Maintenance

DOI-BLM-OR-B020-2013-0033-CX

-  Reservoirs
-  Pastures
-  Allotments
-  Bureau of Land Management
-  U.S. Forest Service
-  State
-  Private/Unknown
-  Highways
-  Paved Road
-  Non-Paved Improved Road
-  Natural/Unknown Road Surface
-  Closed Roads



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Bureau of Land Management
Burns District, Oregon
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5/2/2013 version
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