

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B050-2013-0007-CX

Date: 12/11/2012

File Code (Project/Serial Number):

Preparer: Richard Knox

Applicant:

Title of Proposed Action: Palomino Butte Allotment Reservoirs Clean Out/Maintenance

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

The proposed action is to clean out and/or repair existing reservoirs located within Palomino Butte Allotment, Three Rivers Resource Area, Burns District. These reservoirs have filled with silt over the years reducing the water storage capacities for these facilities. Silt would be removed from and placed on the sides or dams of the reservoirs or the material will be used to repair other reservoirs. All activity will occur within the original area of disturbance where the project was established. The permittee and/or BLM would be responsible for cleaning out reservoirs that are dry for most of the year due to being silted in.

All equipment would be cleaned prior to beginning work on these reservoirs to minimize opportunities for spread of weeds by seeds or other plant parts.

Legal Description (attach Location Map):

Palomino Butte Allotment

Native Pasture

Snow Storm Reservoir	#710772	T24S R28E Sec 06
Deception Reservoir	#710649	T24S R28E Sec 04
W. Butte Reservoir	#710528	T24S R28E Sec 03
Obiaque Water Hole (WH) #1	#710147	T24S R28E Sec 02
Upper Fay Canyon Reservoir	#710725	T24S R28E Sec 01
Between Reservoir	#710666	T24S R28E Sec 08
Rock Lake Reservoir	#710746	T24S R28E Sec 17
W. Palomino Butte Reservoir	#710952	T24S R28E Sec 11
County Road WH	#714005	T24S R28E Sec 12
Rock Bottom Reservoir	#710668	T24S R28E Sec 15
Obiaque WH #2	#710142	T24S R28E Sec 15
Bunch Grass Reservoir	#710925	T24S R29E Sec 18
Peterson Lake Reservoir	#710750	T24S R28E Sec 23
Rnlys WH	#714736	T24S R29E Sec 30
N. Grassy Butte Reservoir	#710736	T24S R28E Sec 27
Middle Fay Canyon Reservoir	#710946	T24S R28E Sec 35
W. Chain lake Reservoir	#710559	T24S R29E Sec 28
Chain Lake WH	#710944	T24S R29E Sec 33
Grassy Butte Reservoir	#710562	T25S R28E Sec 03
Palomino Rim Reservoir	#710924	T25S R28E Sec 01
Cody Grade Reservoir	#710896	T25S R28E Sec 14
Lone Rabbit Seeding Pasture		
One Rabbit Reservoir	# 710900	T25S R28E Sec 09
Lone Rabbit Reservoir	# 714006	T25S R28E Sec 10
Fay Canyon Pasture		
Lost Lake WH	# 710765	T25S R29E Sec 16

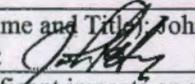
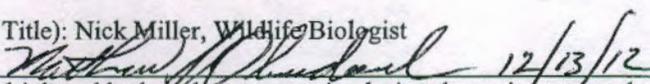
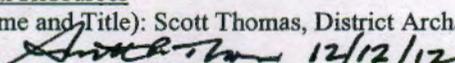
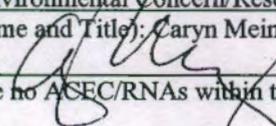
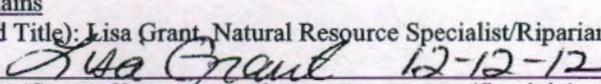
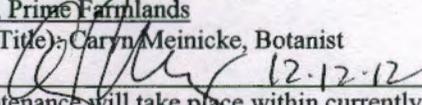
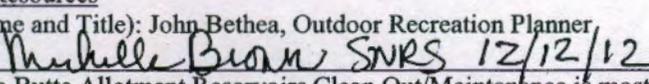
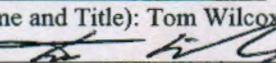
B. Conformance with Land Use Plan (LUP):

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, Appendix 3.
- Three Rivers ROD/RMP September 1992, Implementation page iii – Administrative Actions, Grazing Management (GM 1.3) page 2-36, Appendix 1.
- Standard Procedures and Design Elements for Range Improvements (Appendices-179).

DOI Categorical Exclusion Reference (516 DM 2, Appendix 1): 1.7 "Routine and continuing government business, including ...maintenance...and replacement activities..."

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, Safety Officer
Signature and Date:	 12/12/12
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):	Nick Miller, Wildlife Biologist
Signature and Date:	 12/13/12
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). Reservoirs would be dry during the 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 Archaeologist
Signature and Date:	 12/12/12
Rationale:	As long as the clean-out equipment stays within the original footprint of reservoir construction, no historic or cultural resources would be affected by this project.
<u>Areas of Critical Environmental Concern/Research Natural Areas</u>	
Specialist (Print Name and Title):	Caryn Meinicke, Botanist
Signature and Date:	 12-12-12
Rationale:	There are no ACEC/RNAs within the proposed project areas.
<u>Water Resources/Flood Plains</u>	
Specialist (Print Name and Title):	Lisa Grant, Natural Resource Specialist/Riparian
Signature and Date:	 12-12-12
Rationale:	There are no significant effects expected to water resources/floodplains with the implementation of the proposed action as there are no perennial water ways within the Palomino Buttes Allotment.
<u>Soils, Biological Soil Crust, Prime Farmlands</u>	
Specialist (Print Name and Title):	Caryn Meinicke, Botanist
Signature and Date:	 12-12-12
Rationale:	Because all maintenance will take place within currently disturbed areas, impacts to soils and biological soil crusts will be negligible. Any travel off road will minimally impact soils and biological soil crusts with evidence of off road travel dissipating within two growing seasons. There are no prime farmlands within the proposed project areas.
<u>Recreation/ Visual Resources</u>	
Specialist (Print Name and Title):	John Bethea, Outdoor Recreation Planner
Signature and Date:	 SNRS 12/12/12
Rationale:	Palomino Butte Allotment Reservoirs Clean Out/Maintenance is mostly located in VRM Class IV which allows for modification to the landscape character and some in VRM Class III which requires any changes to the landscape character to be moderate. Cleaning out and repairing the existing reservoirs will be short term and have no significant impacts on recreation or visual resources.
<u>Wilderness/Wild and Scenic River Resources</u>	
Specialist (Print Name and Title):	Tom Wilcox, Wilderness Specialist
Signature and Date:	 12/12/2012
Rationale:	In September 2007, the BLM Burns District received a citizens proposed wilderness study area for the proposed project

area. In 2011 a BLM Interdisciplinary (ID) Team found the area did not have any wilderness, WSA, WSR or Lands with Wilderness Characteristics 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 (Print Name and Title): Holly Orr, District Planning/Environmental Coordinator <i>for</i>
Signature and Date: <i>Shonda Large</i>
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 (Print Name and Title): Holly Orr, District Planning/Environmental Coordinator <i>for</i>
Signature and Date: <i>Shonda Large</i>
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 (Print Name and Title): Holly Orr, District Planning/Environmental Coordinator <i>for</i>
Signature and Date: <i>Shonda Large</i>
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 (Print Name and Title): Holly Orr, District Planning/Environmental Coordinator <i>for</i>
Signature and Date: <i>Shonda Large</i>
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 (Print Name and Title): Scott Thomas, District Archaeologist
Signature and Date: <i>Scott Thom</i> 12-12-12
Rationale: See Historic and Cultural Resources
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 Species-Fauna</u>
Specialist (Print Name and Title): Nick Miller, Wildlife Biologist
Signature and Date: <i>Nick Miller</i> 12/13/12
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.
<u>Endangered or Threatened Species-Aquatic</u>
Specialist (Print Name and Title): Lisa Grant, Natural Resource Specialist - Riparian
Signature and Date: <i>Lisa Grant</i> 12-12-12
Rationale: There are no known Endangered or Threatened Species or their Critical Habitat in the vicinity of the project area that would be affected by the implementation of the proposed action.
<u>Endangered or Threatened Species-Flora</u>
Specialist (Print Name and Title): Caryn Meinicke, Botanist
Signature and Date: <i>Caryn Meinicke</i> 12-12-12
Rationale: There are no T & E or designated critical habitat within the proposed project area. There is, however, a known Bureau Special Status Species, <i>Eriogonum cusickii</i> (<i>Cusick's buckwheat</i>) within the allotment boundary. None of the reservoirs designated for clean out are near any populations thereof cleanouts will not impact the species.
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, District Planning/Environmental Coordinator <i>for</i>
Signature and Date: <i>Shonda Large</i>
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 (Print Name and Title): Holly Orr, District Planning/Environmental Coordinator <i>for</i>
Signature and Date: <i>Shonda Large</i>

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 (Print Name and Title): Scott Thomas, District Archaeologist

Signature and Date: *Scott Thomas* 12-12-12

Rationale: Access to or integrity of Indian sacred sites would not be affected by this 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* 12/12/12

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):

RMP conformance and CX review confirmation:

Specialist (Print Name and Title): Holly Orr, District Planning/Environmental Coordinator *for*

Signature: *Holly Orr*

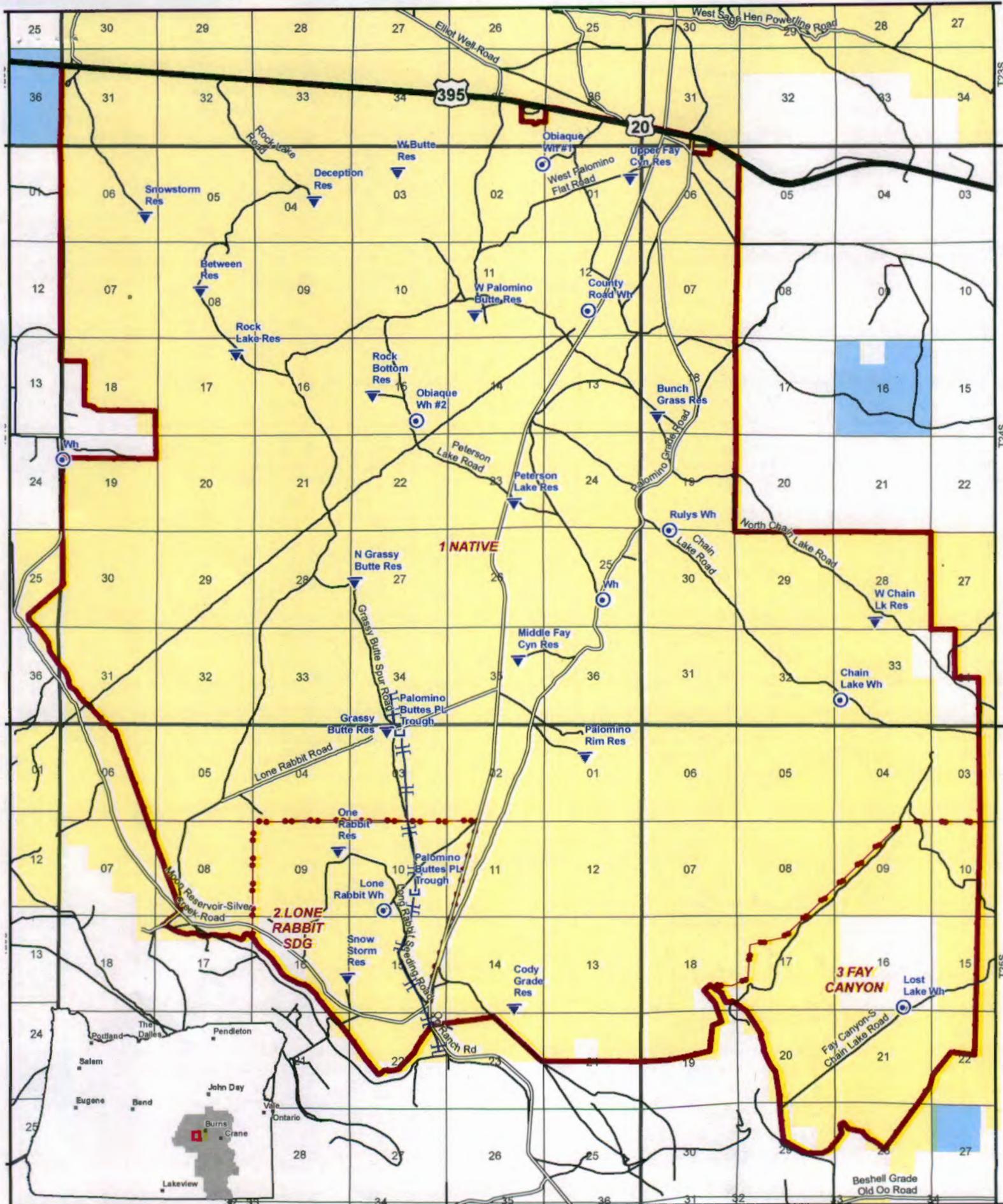
Date: 12/11/12

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: 12/13/12



**Palomino Buttes Allotment
Proposed Reservoir Clean Out/Maintenance**

- Reservoir
- Pipeline
- Highways
- Bureau of Land Management
- Waterhole
- Pastures
- Non-Paved Improved Road
- State
- Allotments
- Natural/Unknown Road Surface

US DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 Burns District, Oregon
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.
 11/26/2012 sfenton