

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B050-2013-0040-CX

Date: 05/01/2013

File Code : 4100

Project Code: Plateau Cattleguard #001282

Preparer: Ronda Purdy

Applicant: BLM/Permittee

Title of Proposed Action: Plateau Reconstruction Fence - Cattleguard Maintenance

Description of Proposed Action and Project Design Elements:

The proposed action would be to clean out and/or repair a cattleguard located along the existing Plateau Reconstruction Fence line that crosses the Forest Service 3746 Road, entering into Plateau Pasture of the Silvies River Allotment #7033, Three Rivers Resource Area, BLM Burns District.

Vehicular travel has caused soil particles to move and fill the pit of the cattleguard. The packed soil between the cattleguard bars has decreased the effectiveness of the original barrier structural design. Livestock are able to walk over the cattleguard onto bordering Forest Service Lands.

A backhoe would be used to clean the pit, and use the soil materials to raise the cattleguard above the existing road. The goal of the proposed range improvement project maintenance would be to create an effective barrier, so that livestock would not be able to enter unauthorized areas. Work on this cattleguard would be completed in one (1) day by two (2) persons of the BLM Force Account Crew within years 2013-14-15. The maintenance would be limited to the existing footprint of the original disturbed area.

To minimize opportunities for spread of noxious weeds by seeds and other plant parts, all equipment would be cleaned prior to beginning the work on the project site. This project would be monitored for two years post-clean for noxious weeds. Any weeds found would be treated by the most appropriate method.

Legal Description (attach Location Map): W.M., T. 19 S., R. 30 E., sec. 31, SESE.

Silvies River Allotment, Plateau Pasture, Plateau Cattleguard #001282 (map attached).

B. Conformance with Land Use Plan:

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.

GM 1.3: Utilize rangeland improvements, as needed, to support achievement of multiple-use management objectives for each allotment as shown in Appendix 12.

Appendix 12. Standard Procedures and Design Elements for Range Improvements, Appendices pp.180.

Fences and Cattleguards

Fences would be designed to prevent the passage of livestock without stopping the movement of wildlife. All fences would be constructed in accordance with Bureau Manual 1741. The proposed fence lines would not be bladed or scraped. All fences would comply with VRM procedures.

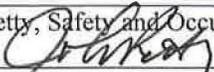
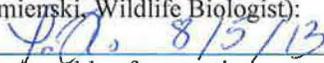
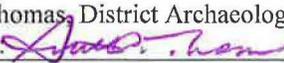
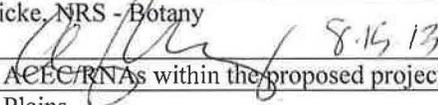
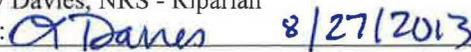
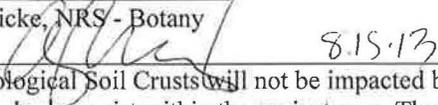
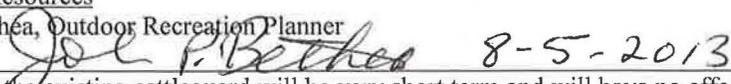
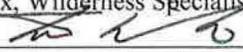
Where fences cross existing roads either gates or cattle guards would be installed.

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:	 8/21/13
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:	 8/15/13
Rationale:	No vegetation capable of supporting nests will be destroyed or removed as part of this project. Work would be temporary, occurring over a relatively short period. Birds in the immediate vicinity of the cattleguard may flush during project work, but would likely return as soon as maintenance is complete. Temporary maintenance activities would not affect bird populations.
<u>Historic and Cultural Resources</u>	
Specialist:	Scott Thomas, District Archaeologist
Signature and Date:	 8/20/13
Rationale:	No cultural or historic resources would be affected by this proposed project.
<u>Areas of Critical Environmental Concern/Research Natural Areas</u>	
Specialist:	Caryn Meinicke, NRS - Botany
Signature and Date:	 8.15.13
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:	 8/27/2013
Rationale:	No additional impacts to water resources would occur as a result of the proposed action.
<u>Soils, Biological Soil Crust, Prime Farmlands</u>	
Specialist:	Caryn Meinicke, NRS - Botany
Signature and Date:	 8.15.13
Rationale:	Soils and Biological Soil Crusts will not be impacted by the proposed project. The area is already disturbed; soils are compacted and BSCs no longer exist within the project area. There are no prime farmlands within the proposed project area.
<u>Recreation/ Visual Resources</u>	
Specialist:	John Bethea, Outdoor Recreation Planner
Signature and Date:	 8-5-2013
Rationale:	Cleaning the existing cattleguard will be very short term and will have no effects on Visual Resource Management (VRM) or on Recreational activities.
<u>Wilderness/Wild and Scenic River Resources</u>	
Specialist:	Tom Wilcox, Wilderness Specialist
Signature and Date:	 07/03/2013
Rationale:	The project is located on forest service route 3746, the primary vehicle route through the allotment. The cattleguard is an existing feature on the route. The project is within a Citizen Proposed WSA, but has yet to be analyzed by BLM; however, the route meets the wilderness boundary road definition and requires maintenance for continued use. There would be no affects to wilderness characteristics through this maintenance action. There is no designated wilderness, WSAs or WSR 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:	 07/22/2013
Rationale:	There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. The cattleguard is an existing feature 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

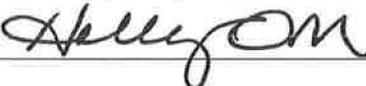
Signature and Date:	<i>Holly Orr</i>	07/22/2013
Rationale: There are no known highly uncertain or potentially significant environment effects or unique or unknown environmental risks. The cattleguard is an existing feature on the landscape. The action is to perform routine and continuing maintenance 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>	07/22/2013
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 cattleguard maintenance and the cattleguard currently exists 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>	07/22/2013
Rationale: Implementation does not have any known direct relationship to other actions with individually insignificant but cumulative significant environmental effects. The cattleguard is an existing feature 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>	8/20/13
Rationale: No National Register eligible or listed 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 Species-Fauna</u>		
Specialist: Tomas Kamienski, Wildlife Biologist		
Signature and Date:	<i>Tomas Kamienski</i>	8/15/13
Rationale: There are no known Threatened or Endangered species or Designated Critical Habitat in the area around cattle guard, and none would be affected off-site by cattle guard maintenance activities.		
<u>Endangered or Threatened Species-Aquatic</u>		
Specialist: Lindsay Davies, NRS - Riparian		
Signature and Date:	<i>Lindsay Davies</i>	8/27/2013
Rationale: There are no Threatened or Endangered aquatic species or Critical Habitat within the watershed of the Proposed Action.		
<u>Endangered or Threatened Species-Flora</u>		
Specialist: Caryn Meinicke, NRS - Botany		
Signature and Date:	<i>Caryn Meinicke</i>	8.15.13
Rationale: There are no T & E or Special Status plant species or designated critical habitat within the propose 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:	<i>Holly Orr</i>	07/22/2013
Rationale: Implementation would not violate any known law or regulation imposed for the protection of the environment. The cattleguard is an existing feature 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:	<i>Holly Orr</i>	07/22/2013
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:	<i>Scott Thomas</i>	8/20/13
Rationale: Access to or integrity of Indian sacred sites would not 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: Lesley Richman, District Weed Coordinator		
Signature and Date:	<i>Lesley Richman</i>	8/5/2013
Rationale: Noxious weeds are known to be present 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

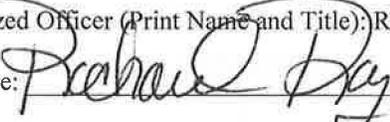
RMP Conformance and CX Review Confirmation:

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

Signature:  Date: 8/27/13

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:  Date: 8/27/13

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.

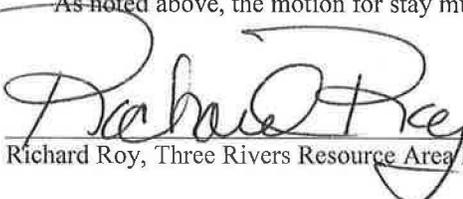
A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for 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

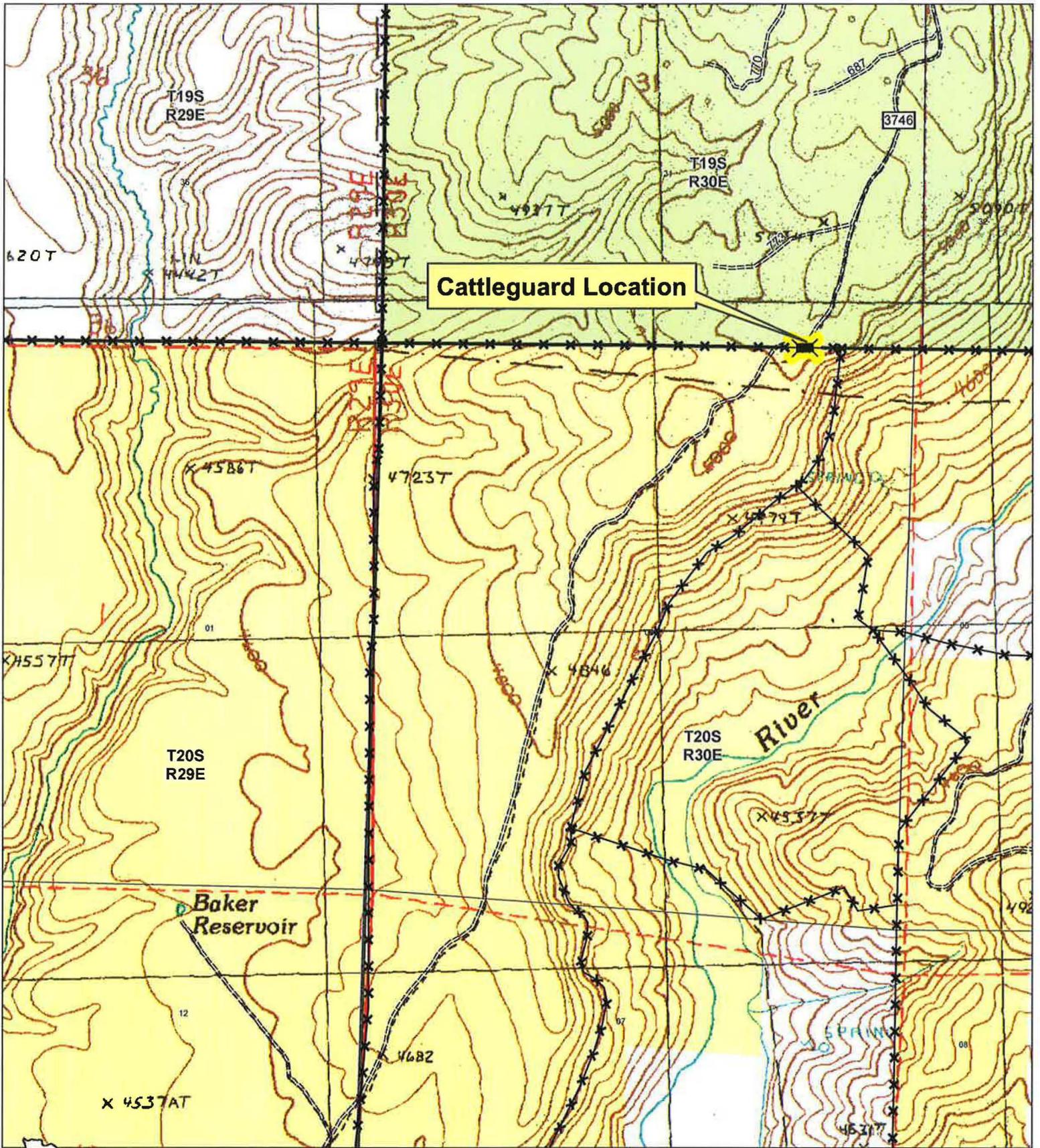
Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- 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.

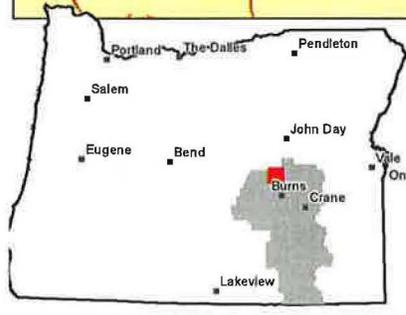
As noted above, the motion for stay must be filed in the office of the authorized officer.


Richard Roy, Three Rivers Resource Area Manager

8/27/13
Date



Cattleguard Location



-  Cattleguard
-  Bureau of Land Management
-  U.S. Forest Service
-  Private/Unknown
-  Natural/Unknown Road Surface

Silvies River Allotment Plateau Reconstruction Fence Cattleguard Maintenance

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US DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District, Oregon
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