

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

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B060-2012-0012-CX

Date: 01/23/12

File Code (Project/Serial Number):

Preparer: Louis E Clayburn

Applicant:

Title of Proposed Action: Rincon Flat Road Maintenance

Description of Proposed Action and Project Design Elements (if applicable): This CX is for maintaining those road sections known as Fields Basin Rincon Road, Rincon Flat Road and Rincon Spring Road which are in Fields Basin Allotment and part of Pueblo Lone Mountain Allotment where it ties into Domingo Pass Road (see highlighted area on the attached map). For the purpose of this CX these three sections would be known as Rincon Flat Road. This work is required in order to facilitate safe travel by the public, administration, and firefighting personnel. This road would be maintained within the existing area of disturbance, according to BLM guidelines for maintenance level 2 roads. There would be no blading inside the WSA that borders the road in the northwest section of the allotment. The BLM would perform all maintenance work to include continuous surface blading, spot blading, ditch cleaning, and fixing and/or replacing culverts when such work is deemed necessary, using whatever equipment may be needed such as a road grader, backhoe or caterpillar in order to maintain the road.

Rincon Flat Road needs to be maintained for access to range improvements. There are several reservoirs, two spring developments and a well on private land that this road provides access directly to or close enough to walk machinery into for needed maintenance. In addition, this is the main road into Fields Basin Allotment and is crucial for fire suppression in the event a fire does occur in the area.

There are a number of cultural resources sites near the Rincon Seeding Road. One in particular is located very near the road at Box Canyon Reservoir. This site would be avoided by the road maintenance activities. Prior to the maintenance work, the proponent will contact the District Archaeologist so that he will have an opportunity to flag the site before work commences. They flags would be removed after the work has been completed.

Due to the number of sage-grouse leks close to the road in the Fields Basin Allotment, no maintenance activities would be conducted during March 15 to May 15 unless conducted after 10:00 am to avoid disturbance to strutting sage-grouse. This would not apply to the section of road that is planned to have material removed from it. All other sections would be restricted to these dates and times.

All vehicles and equipment would be clean of weed seeds and mud prior to arriving at the project site. Following all maintenance work, vehicles and equipment would be cleaned off as necessary using compressed air prior to leaving the site. Should they become covered in mud, vehicles and equipment would be washed off upon returning to Burns/Hines, either at the Truck Stop or at the car wash.

Legal Description (attach Location Map): See attached maps cardboard

B. Conformance with Land Use Plan (LUP) (name): Andrews Management Unit (AMU) Record of Decision (ROD) and Resource Management Plan (RMP)

Date Approved/Amended: August 2005

Operations and Maintenance Actions RMP -15: Maintenance of existing and newly-constructed facilities. Normally, routine operation and maintenance actions are categorically excluded from NEPA analysis (with the exception of actions conducted within WSAs). Such activities could include, but are not limited to, routine maintenance of existing roads, ditches and culverts. These types of actions are part of implementation of the RMP and should not require further analysis to implement.

BLM Categorical Exclusion Reference (516 DM, Chapter 11):

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*:

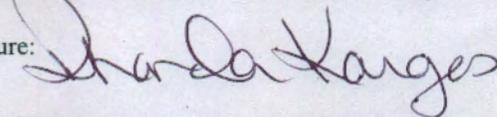
CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	
2.1	Have significant impacts on public health or safety.
Specialist – John Petty, Safety Officer	
Signature and Date:	<i>John Petty</i> 4/23/12
Rationale:	Control the public from entering the operation of the rock sifter.
2.2	Have significant 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 – Matt Obradovich, Wildlife Biologist	
Signature and Date:	<i>Matt Obradovich</i> 04/23/2012
Rationale:	Depending on the timing of the maintenance, there could be minimal effects to migratory birds. This would include disturbance to birds close to the road when maintenance is occurring. The disturbance would be temporary in nature and would cause birds to fly off until the disturbance has moved on. If this work occurred October to December, there would be no effects to migratory birds.
<u>Historic and Cultural Resources</u>	
Specialist – Scott Thomas, District Archeologist	
Signature and Date:	<i>Scott Thomas</i> 4/24/12
Rationale:	No historic or cultural resources would be affected by the proposed project if care is taken to avoid the site near Box Canyon Reservoir.
<u>Areas of Critical Environmental Concern/Research Natural Areas</u>	
Specialist – Caryn Meinicke, Natural Resource Specialist (Botany)	
Signature and Date:	<i>Caryn Meinicke</i> 4/24/2012
Rationale:	There are no ACEC/RNAs within the proposed project area.
<u>Water Resources/Flood Plains</u>	
Specialist – Daryl Bingham, Natural Resource Specialists (Riparian and Fisheries)	
Signature and Date:	<i>Daryl Bingham</i> 30 Jan 2012
Rationale:	The proposed project will not affect water resources and floodplains are not present.
<u>Soils, Biological Soil Crust, Prime Farmlands</u>	
Specialist – Caryn Meinicke, Natural Resource Specialist (Botany)	
Signature and Date:	<i>Caryn Meinicke</i> 4/24/2012
Rationale:	Soils and Biological Soil Crusts will be disturbed along the roadside where materials from the roadbed are bermed.
<u>Recreation/ Visual Resources</u>	
Specialist – Michael Kelly, Outdoor Recreation Specialist	
Signature and Date:	<i>Eric Haakenson</i> 4-23-12
Rationale:	Recreation: The maintenance of this existing road would be beneficial to the recreating public by improving the road condition. Visual Resources: This existing road is located in VRM Class 4 which states; "Modification of the character of the landscape is allowed". This maintenance project is not anticipated to have an effect on the character of the landscape.
<u>Wilderness/Wild and Scenic River Resources</u>	
Specialist – Eric Haakenson, Outdoor Recreation Specialist	
Signature and Date:	<i>Eric Haakenson</i> 4-23-12
Rationale:	The proposed project would not affect wilderness, WSR, WSA or Lands with Wilderness Characteristics.
2.3	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].
Specialist – Rhonda Karges, District Planning and Environmental Coordinator	
Signature and Date:	<i>Rhonda Karges</i> 4-23-12
Rationale:	There are no known highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. The roads exist on the landscape. Cultural sites will be avoided and timing restrictions will occur to avoid disturbances to sage-grouse leks.
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
Specialist - Rhonda Karges, District Planning and Environmental Coordinator	
Signature and Date:	<i>Rhonda Karges</i> 4-23-12

Rationale: There are no known highly uncertain or potentially significant environmental effects or unique or unknown environmental risks. The roads exist on the landscape. Cultural sites will be avoided and timing restrictions will occur to avoid disturbances to sage-grouse leks.
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
Specialist – Rhonda Karges, District Planning and Environmental Coordinator Signature and Date: <i>Rhonda Karges</i> 4-23-12
Rationale: Implementation would not set a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects. The BLM routinely maintains roads and these roads exist on the landscape. Cultural sites will be avoided and timing restrictions will occur to avoid disturbances to sage-grouse leks.
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
Specialist – Rhonda Karges, District Planning and Environmental Coordinator Signature and Date: <i>Rhonda Karges</i> 4-23-12
Rationale: Implementation would not have any known direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. The roads exist on the landscape. Cultural sites will be avoided and timing restrictions will occur to avoid disturbances to sage-grouse leks.
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 Archeologist Signature and Date: <i>Scott Thomas</i> 4/24/12
Rationale: See historic - cultural resources section.
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 – Matt Obradovich, Wildlife Biologist Signature and Date: <i>Matt Obradovich</i> 04/23/2012
Rationale: There are no known federally listed Endangered, Threatened, or proposed to be listed species, or designated Critical Habitat that occurs in this project area. Therefore there would be no effect from this project on federally listed Endangered, Threatened, or proposed to be listed species, or designated Critical Habitat.
Endangered or Threatened Species-Aquatic
Specialist – Daryl Bingham, Natural Resource Specialists (Riparian and Fisheries) Signature and Date: <i>Daryl Bingham</i> 30 Jan 2012
Rationale: There are no known T&E aquatic species in the proposed project area.
Endangered or Threatened Species-Flora
Specialist – Caryn Meinicke, Natural Resource Specialist (Botany) Signature and Date: <i>Caryn Meinicke</i> 4/24/2012
Rationale: There are no documented T & E or special status plant 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 – Rhonda Karges, District Planning and Environmental Coordinator Signature and Date: <i>Rhonda Karges</i> 4/23/12
Rationale: No known law or requirement imposed for the protection of the environment would be violated. The roads exist on the landscape. Cultural sites will be avoided and timing restrictions will occur to avoid disturbances to sage-grouse leks.
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
Specialist – Rhonda Karges, District Planning and Environmental Coordinator Signature and Date: <i>Rhonda Karges</i> 4/23/12
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 Archeologist Signature and Date: <i>Scott Thomas</i> 4/24/12
Rationale: The proposed project would have no effect on sacred sites nor would it limit access.
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, Natural Resource Specialist (Weeds) Signature and Date: <i>Lesley Richman</i> 4/23/2012
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:

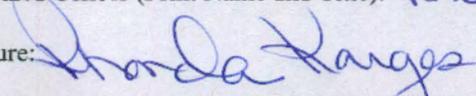
Specialist (Print Name and Title): Rhonda Karges, District P&EC

Signature: 

Date: 4/23/12

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): Rhonda Karges, FM

Signature: 

Date: 4/24/12

Decision: It is my decision (or Proposed Decision if grazing related) 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.

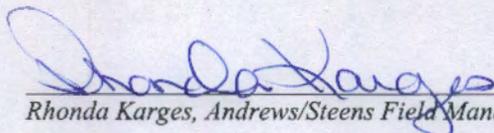
A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for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

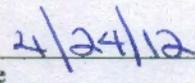
Request for Stay

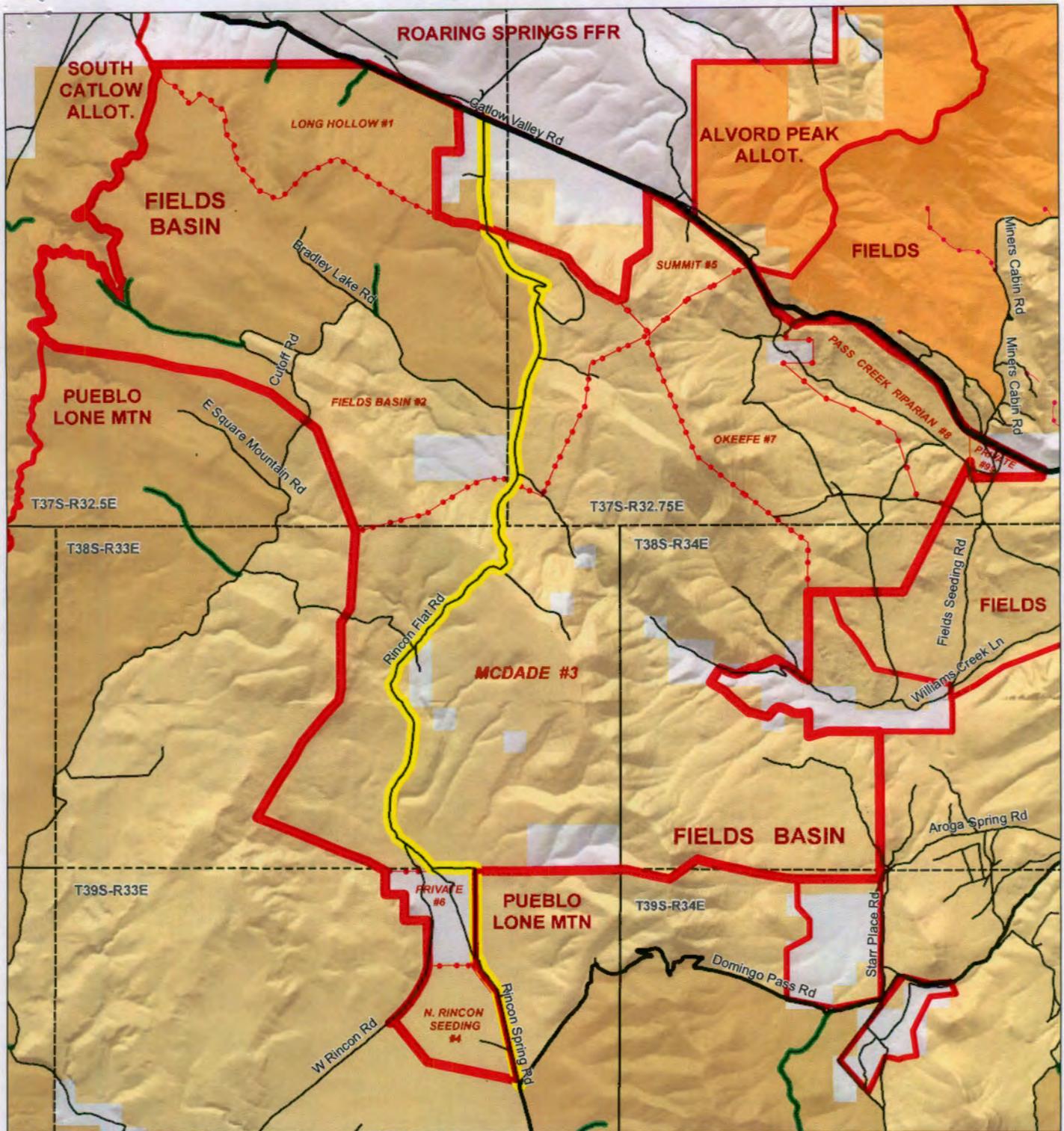
Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- 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.


Rhonda Karges, Andrews/Steens Field Manager


Date



Fields Basin Allotment

- | | | |
|-------------------------|------------------|-----------------------|
| Fields Basin Allotment | Rincon Flat Road | Wilderness Study Area |
| Fields Basin Pastures | Closed Roads | Steens Mtn Wilderness |
| Paved Road | Open Ways | BLM |
| Non-Paved Improved Road | | Private |
| Natural Road Surface | | |

1 0.5 0 1 Miles



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.

Projects/FieldsBasinRoadCX/RinconFlatRdMaint1.mxd

January 27, 2012 For Lewis Clayburn

DOI-BLM-OR-B060-2012-0012CX

