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

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B060-2015-0007-CX
Date: November 13, 2014
Subject Function Code: 2800
Case File/Serial Number or Name: OR-50412
Preparer: Tara McLain, Realty Specialist
Applicant: Road Right-of-Way Applicant
Title of Proposed Action: Road/Way Right-of-Way Renewal (Serrano Tule Springs Road and Unnamed Way)

A. BACKGROUND

Description of Proposed Action and Project Design Elements (Terms and Conditions):

The proposed action is for the Bureau of Land Management (BLM) to renew an existing Federal Land Policy and Management Act (FLPMA) Right-of-Way (ROW) for a term of 30 years on a unnamed way and a portion of the main Serrano Tule Springs Road (see map and legal below). The purpose for the action is established by BLM's responsibility under FLPMA Title V to respond to a ROW application. Additionally, the project is intended to meet the goals of the Andrews Management Unit (AMU) Resource Management Plan which directs management to meet the public needs for realty related land-use authorizations.

The existing road/way ROW was originally granted in 1995 and expires on December 31, 2014. The road/way ROW is 12 feet in total width, or approximately 6 feet from centerline on each side of the existing road. The road length is approximately 1.7 miles. The first half (approximately) of the road is on the existing Serrano Tule Spring Road; the remaining portion of the road is on an unnamed way that traverses the Alvord Desert Wilderness Study Area (WSA) until it reaches a block of private property owned by the ROW Applicant within the Alvord Desert WSA.

The ROW Applicant proposes no road construction, improvements, or maintenance rights. They intend to use the road in its existing condition. Use of the road would be to provide legal access to their vacation property on a year round basis, as conditions permit. However, the bulk of the use is confined to the summer months, as a vacation property. Vehicle traffic on the road would be by personal vehicles owned by the applicant and/or their friends and family. The heaviest vehicle use would be a 4x4 vehicle.

Terms and conditions proposed for the ROW include:

- Snow plowing is not permitted.
- No use of the road shall be permitted when the soil is too wet to adequately support traffic authorized by this agreement.

Legal Description:

See Attached Exhibit A Map

W.M., T. 35 S., R. 34 E., sec. 20, S½NW¼, N½SW¼, SW¼SW¼;
sec. 30, E½NE¼;
sec. 29, SW¼NW¼, N½SW¼, NW¼SE¼.

B. CONFORMANCE WITH LAND USE PLAN (LUP)

Andrews Management Unit (AMU) Record of Decision (ROD) and Resource Management Plan (RMP)
Date Approved/Amended: August 2005

The proposed action is in conformance with the AMU ROD/RMP (August 2005), even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s): Lands and Realty (RMP-59) which states, "Goal - Provide land, interests in land, and authorizations for public and private uses while maintaining and improving resource values and public land administration."

C. COMPLIANCE WITH NEPA

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

E.9, Renewals and assignment of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

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: 12/16/14
Rationale: No significant impacts on public health or safety because the roads and ways are open to the public and can be travelled under the definition of casual use at any time.
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.
Migratory Birds Specialist: Andrew Daniels, Wildlife Biologist Signature and Date: 12/16/14
Rationale: As this is a renewal of an existing ROW that already exists on the ground, there will be no effect to migratory birds or their habitat.
Historic and Cultural Resources Specialist: Scott Thomas, District Archaeologist Signature and Date: 12/16/14
Rationale: No historic or cultural resources would be affected by the proposed ROW. It was inventoried for cultural resources by a BLM archaeologist and no historic or cultural resources were found.
Areas of Critical Environmental Concern (ACEC)/Research Natural Areas (RNA) Specialist: Caryn Burri, Natural Resource Specialist (NRS) - Botany Signature and Date: 12/11/14
Rationale: There are no ACEC/RNAs within the proposed ROW.
Water Resources/Flood Plains Specialist: Jarod Lemos, Fisheries/Riparian Specialist Signature and Date: 12/11/14
Rationale: The proposed ROW does not traverse any perennial or ephemeral stream systems and will have no effect on the water resources/flood plains within the Alvord Lakes Basin.
Soils, Biological Soil Crust, Prime Farmlands Specialist: Caryn Burri, NRS - Botany Signature and Date: 12/11/14
Rationale: Soils and Biological Soil Crusts will not be impacted by the action of granting the ROW. There will be no road construction, improvements or maintenance rights in the future which could impact soils and biological soil crusts. There are no prime farmlands within the ROW.
Recreation/Visual Resources Specialist: Eric Haakenson, Outdoor Recreation Planner Signature and Date: 12-15-14
Rationale: There would be no affects to recreation or visual resources due to the route is already an existing route.
Wilderness, Wild and Scenic Rivers (WSR), Wilderness Study Areas (WSA), and Lands with Wilderness Characteristics Resources Specialist: Tom Wilcox, Wilderness Specialist Signature and Date: 12/12/2014
Rationale: The ROW activity is listed in 43 CFR 46.210, "(f) Routine and continuing government business … having … limited size and magnitude …" and no extraordinary circumstances listed in 43 CFR 46.215 apply, and the activity clearly satisfies the non-impairment criteria, there being no new surface disturbance and the ROW being for a defined time period.

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, Planning and Environmental Coordinator

Signature and Date: Holly Orr 12/12/14

Rationale: There are no highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources. The ROW application is to renew an existing ROW; there are no improvements or maintenance activities proposed; and any new surface disturbing activities would require additional NEPA.

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

Specialist: Holly Orr, Planning and Environmental Coordinator

Signature and Date: Holly Orr 12/12/14

Rationale: There are no highly uncertain and potentially significant environmental effects nor involved unique or unknown environmental risks. The ROW application is to renew an existing ROW; there are no improvements or maintenance activities proposed; and any new surface disturbing activities would require additional NEPA.

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, Planning and Environmental Coordinator

Signature and Date: Holly Orr 12/12/14

Rationale: Implementation would not set precedence for future actions or represent a decision in principle about future actions with potentially significant environmental effects. The ROW application is to renew an existing ROW; there are no improvements or maintenance activities proposed; and any new surface disturbing activities would require additional NEPA.

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

Specialist: Holly Orr, Planning and Environmental Coordinator

Signature and Date: Holly Orr 12/12/14

Rationale: Implementation does not have any known direct relationship to other actions with individually insignificant but cumulative significant environmental effects. The ROW application is to renew an existing ROW; there are no improvements or maintenance activities proposed; and any new surface disturbing activities would require additional NEPA.

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: Scott Thomas 12-16-14

Rationale: No National Register listed or eligible properties would be affected by the proposed ROW. It was inventoried for cultural resources by a BLM archaeologist and no historic or cultural resources were found.

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

Endangered or Threatened Species-Fauna

Specialist: Andrew Daniels, Wildlife Biologist

Signature and Date: Andrew J Daniels 12-16-14

Rationale: There are no Endangered or Threatened wildlife species within the area of the ROW. There will be no effect to any Endangered or Threatened wildlife species or their habitats as a result of this action. This is a renewal of a ROW that already exists on the ground and as such there will be no effect to Greater Sage-Grouse or their habitat as a result of this action.

Endangered or Threatened Species-Aquatic

Specialist: Jarod Lemos, Fisheries/Riparian Specialist

Signature and Date: J Lemos 12/11/14

Rationale: There are no aquatic areas in the proximity of the proposed ROW. There will be no effect to any Endangered or Threatened Aquatic Species because they are not present in the affected area.

Endangered or Threatened Species-Flora Specialist: Caryn Burri, NRS - Botany Signature and Date: 12/11/14
Rationale: There are no T&E or Special Status plant species within the proposed ROW. There will be no road construction, improvements, or maintenance rights in the future which could impact Special Status Species if they are documented in the future.
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, Planning and Environmental Coordinator Signature and Date: Holly Orr 12/17/14
Rationale: Implementation would not violate any known law or regulation imposed for the protection of the environment. The ROW application is to renew an existing ROW; there are no improvements or maintenance activities proposed; and any new surface disturbing activities would require additional NEPA.
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).
Specialist: Holly Orr, Planning and Environmental Coordinator Signature and Date: Holly Orr 12/17/14
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 P. Thomas 12-16-14
Rationale: Access to or integrity of Indian sacred sites would not be affected by the ROW because they are not known to occur in the ROW vicinity.
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).
for Specialist: Lesley Richman, Weed Specialist Signature and Date: William Ray 12/17/2014
Rationale: Noxious weed infestations are scarce in this area. Roads are always susceptible to new weed introductions. Noxious weed infestations on the county road are treated annually. Should new weeds be found, treatments would occur as per our district's on-going weed management program.

RMP conformance and CX review confirmation:

Specialist: Holly Orr, Planning and Environmental Coordinator

Signature: Holly Orr Date: 12/17/14

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: Rhonda Karges, Andrews/Steens Field Manager

Signature: Rhonda Karges Date: 12/18/14

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

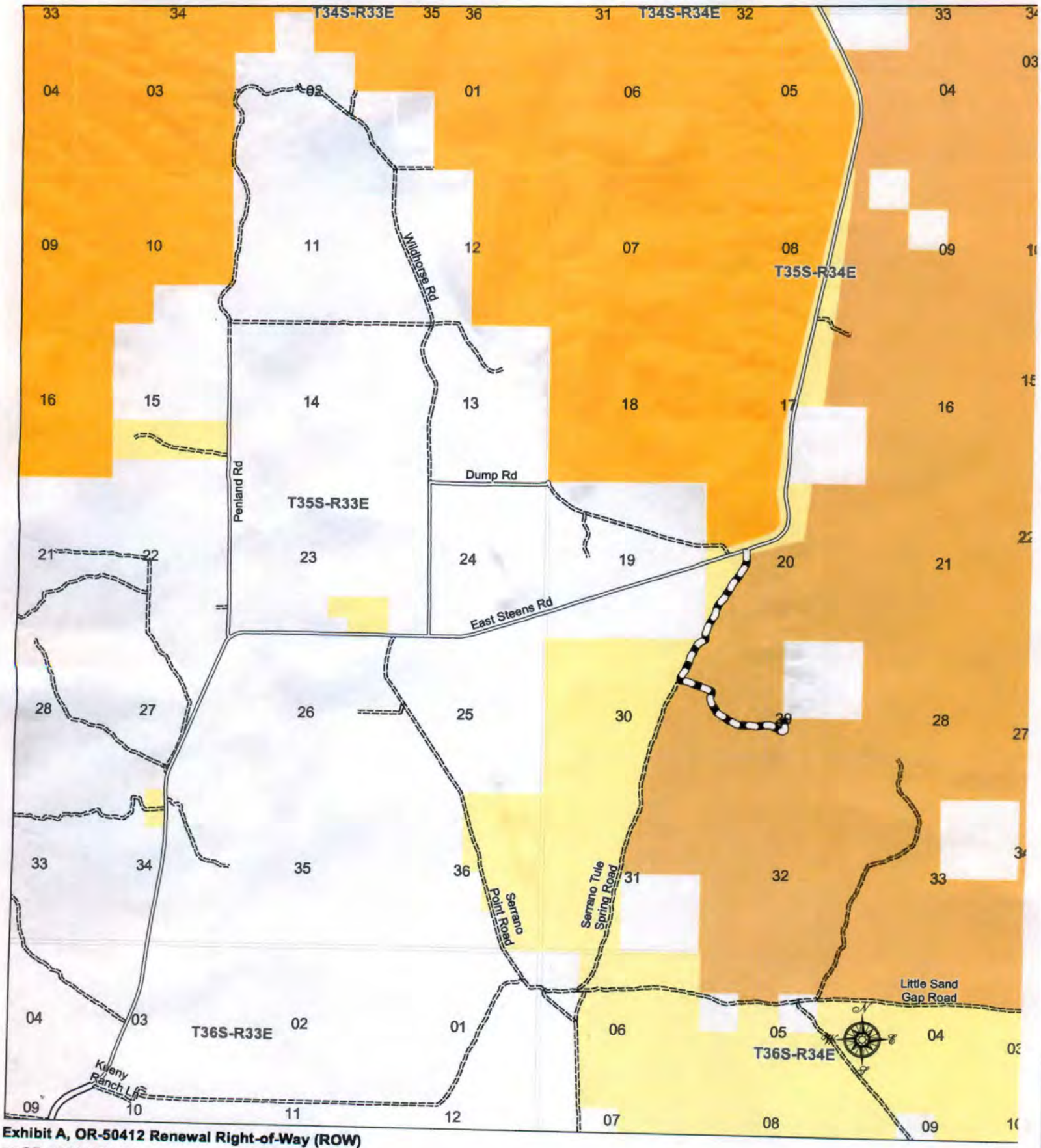

Exhibit A, OR-50412 Renewal Right-of-Way (ROW)

- OR-50412 ROW
- Bureau of Land Management
- Private/Unknown
- BLM Wilderness Study Area
- Steens Mtn Wilderness

= Paved Road
= Non-Paved Improved Road
= Natural/Unknown Road Surface

0 0.2750.55 1.1 Miles

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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. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.
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