

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-2012-0014-CX

Date: 12/16/11

File Code (Project/Serial Number):

Preparer: Louis E Clayburn

Applicant:

Title of Proposed Action: Williams Creek Road Maintenance

**Description of Proposed Action and Project Design Elements (if applicable):** This CX is for maintaining the Williams Creek Road which is used to access the BLM-administration site in Fields, Oregon and several pastures within the Fields Allotment. It is located in the Fields Allotment, Andrews Resource Area. Work would start no earlier than the winter of 2012 and continue annually when needed. It is important to maintain this road in order to facilitate safe travel by the public, administration, and firefighting personnel. This road also provides access to several BLM- administered grazing pastures along with range improvements. Any and all maintenance work would be confined to the existing areas of disturbance, and all BLM guidelines for maintenance level 2 roads will be strictly adhered to. The BLM will perform all maintenance work to include continuous surface blading, spot blading, ditch cleaning, culvert fixing and replacing, using equipment such as a road grader, backhoe and caterpillar in order to maintain Williams Creek Road to the above stated maintenance level.

**Legal Description** (attach Location Map): Sections 22, 23, 24, 27, 28 T38S R34E

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

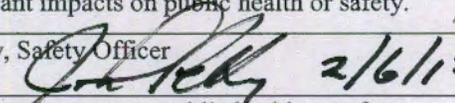
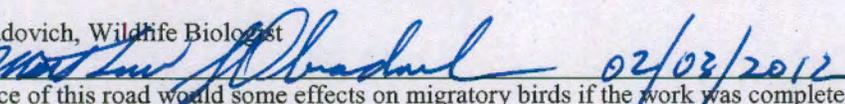
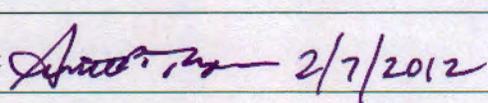
**Date Approved/Amended:** August 2005

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*:

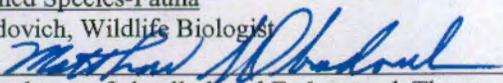
CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	
2.1	Have significant impacts on public health or safety.
Specialist – John Petty, Safety Officer	
Signature and Date:	 2/6/12
Rationale:	No significant impacts on public health or safety.
2.2	Have significant impacts on such natural resources 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 – Matt Obradovich, Wildlife Biologist	
Signature and Date:	 02/03/2012
Rationale:	Maintenance of this road would have some effects on migratory birds if the work was completed during the May 1 to July 15 time period. While there would be no habitat disturbance, disturbance from equipment on the road way might flush birds from nest sites. The disturbance would last less than a day so no nest abandonment would occur. Therefore, effects to migratory birds would be negligible.
<u>Historic and Cultural Resources</u>	
Specialist – Scott Thomas, District Archeologist	
Signature and Date:	 2/7/2012

<p>Rationale: No cultural or historic sites would be affected by the proposed road maintenance.</p> <p><u>Areas of Critical Environmental Concern/Research Natural Areas</u>  Specialist – Caryn Meinicke, Natural Resource Specialist (Botany)  Signature and Date: <i>Caryn Meinicke</i>, 2-3-12</p> <p>Rationale: There are no ACEC/RNAs within the proposed project area.</p>	<p><i>Offrey</i> 2.7.12</p>
<p><u>Water Resources/Flood Plains</u>  Specialist – Daryl Bingham, Natural Resource Specialists (Riparian and Fisheries)  Signature and Date: <i>Daryl Bingham</i>, 3 February 2012</p> <p>Rationale: Water resources would not be affected and the area of the proposed project is not in a floodplain.</p>	
<p><u>Soils, Biological Soil Crust, Prime Farmlands</u>  Specialist – Caryn Meinicke, Natural Resource Specialist (Botany)  Signature and Date: <i>Offrey</i> 2.7.12</p> <p>Rationale: All road maintenance will take place within the existing road bed. While there will be disturbance to soils and biological soil crusts immediately adjacent to the roadbed due to soil deposit along the edges, this disturbance will be short term with recovery between 1-3 years as vegetation reestablishes. There are no prime farmlands within the proposed project area.</p>	
<p><u>Recreation/ Visual Resources</u>  Specialist – Michael Kelly, Outdoor Recreation Specialist  Signature and Date: <i>Michael Kelly</i> 2-3-12</p> <p>Rationale: Recreation: No impacts are anticipated to the recreation resource.  Visual Resources: This area is a VRM Class 3 and the intention is to largely preserve the existing character of the landscape. The maintenance of this existing road and the stipulation that all maintenance work would be confined to the existing areas of disturbance would meet the VRM Class 3 designation.</p>	
<p><u>Wilderness/Wild and Scenic River Resources</u>  Specialist – Eric Haakenson, Outdoor Recreation Specialist  Signature and Date: <i>Eric Haakenson</i> 2-6-12</p> <p>Rationale: There is no wilderness, WSAs, WSRs, or Lands with Wilderness Characteristics present within the proposed project area.</p>	
<p>2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].</p> <p>Specialist – Rhonda Karges, District Planning and Environmental Coordinator  Signature and Date: <i>Rhonda Karges</i> 2/3/2012</p> <p>Rationale: There are no known highly controversial environmental effects or unresolved conflicts concerning alternatives uses of available resources. The road is an existing feature on the landscape and implementation is to merely maintain this feature for safe passage.</p>	
<p>2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</p> <p>Specialist - Rhonda Karges, District Planning and Environmental Coordinator  Signature and Date: <i>Rhonda Karges</i> 2/3/2012</p> <p>Rationale: There are no known highly uncertain or potentially significant environmental effects or unique or unknown environmental risks. The road is an existing feature on the landscape and implementation is to merely maintain this feature for safe passage.</p>	
<p>2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.</p> <p>Specialist – Rhonda Karges, District Planning and Environmental Coordinator  Signature and Date: <i>Rhonda Karges</i> 2/3/2012</p> <p>Rationale: Implementation would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental risks. The BLM routinely maintains roads within Burns District. This road is an existing feature on the landscape and implementation is to merely maintain this feature for safe passage.</p>	
<p>2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</p> <p>Specialist – Rhonda Karges, District Planning and Environmental Coordinator  Signature and Date: <i>Rhonda Karges</i> 2/3/2012</p> <p>Rationale: Implementation would not have any known direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. The road is an existing feature on the landscape and implementation is to merely maintain this feature for safe passage.</p>	
<p>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.</p> <p>Specialist – Scott Thomas, District Archeologist  Signature and Date: <i>Scott Thomas</i> 2-3-12</p> <p>Rationale: No National Register eligible or nominated properties would be affected by this project.</p>	

**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

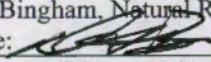
Specialist – Matt Obradovich, Wildlife Biologist

Signature and Date:  02/03/2012

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

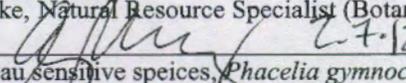
Specialist – Daryl Bingham, Natural Resource Specialists (Riparian and Fisheries)

Signature and Date:  3 February 2012

Rationale: There are no T&E aquatic species present in the proposed project area.

Endangered or Threatened Species-Flora

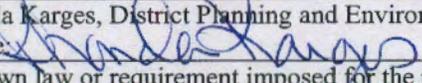
Specialist – Caryn Meinicke, Natural Resource Specialist (Botany)

Signature and Date:  2-7-12

Rationale: There is a Bureau sensitive species, *Phacelia gymnoclada* (naked-stem phacelia) adjacent to the proposed project area; however, as long as the road maintenance occurs only within the existing roadbed, there will be no impacts to this species. There are no documented Threatened or Endangered flora 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.

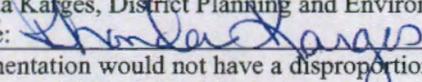
Specialist – Rhonda Karges, District Planning and Environmental Coordinator

Signature and Date:  2/3/2012

Rationale: No known law or requirement imposed for the protection of the environment would be violated. The road is an existing feature on the landscape and implementation is to merely maintain this feature for safe passage.

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

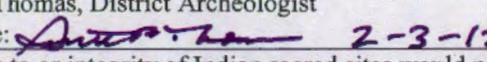
Specialist – Rhonda Karges, District Planning and Environmental Coordinator

Signature and Date:  2/3/2012

Rationale: Implementation would not have a disproportionately high and adverse effect on low income or minority populations as such populations do not exist in 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).

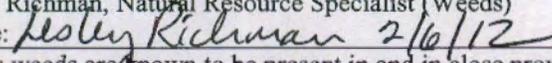
Specialist – Scott Thomas, District Archeologist

Signature and Date:  2-3-12

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 – Lesley Richman, Natural Resource Specialist (Weeds)

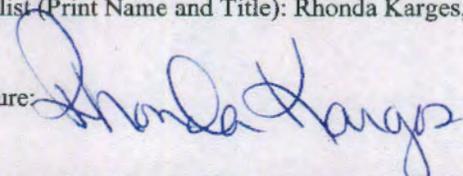
Signature and Date:  2/6/12

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:**

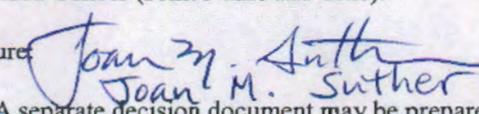
Specialist (Print Name and Title): Rhonda Karges, District P&EC

Signature: 

Date: 2/3/2012

**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):

Signature:   
Joan M. Suther

Date: 2/7/12

**Note:** A separate decision document may be prepared for the action covered by this Categorical Exclusion following program-specific guidance.

(Only include the following language if a lease, permit or other authorization is not issued or other program-specific regulations do not apply.)

**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.

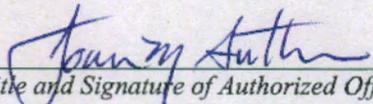
A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for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

 Field Manager  
Title and Signature of Authorized Officer

2/7/12  
Date

- PILE (fence pull pile)
- POND
- ▼ RESERVOIR
- SILT BASIN
- ⊕ SPRING (spring development)
- ⊙ STUDY PLOT
- TANK
- └ TROUGH
- WATERHOLE
- ⊕ WELL
- ▲ Trend Sites
- ▨ Seedings - Proposed
- ▩ Seedings
- Herd Management Areas
- ▭ Pasture Boundary
- ▭ Allotment Boundary
- ▭ RNA
- ▭ Diamond Craters ONA
- ▭ ACEC
- Perennial Streams
- Intermittent Streams
- Perennial Lake
- Intermittent Lake

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.

Ownership boundaries are accurate to within plus or minus 200 feet. Make local inquiry of roads conditions in remote areas. Some roads are impassable following severe weather. Roads shown may not show all existing roads. Always seek private landowner permission before using or crossing their lands.  
sfenton/mxd/AllotmentMaps/AllotmentMap24X24.mxd  
7/23/09 Stacy Fertion, Burns GIS

