

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

CATEGORICAL EXCLUSION REVIEW

OFFICE: Siuslaw Resource Area, BLM Eugene District

TRACKING NUMBER: DOI-BLM-OR-E050-2013-0015-CX

PROJECT NAME: Extension of Public Land Order (PLO) No. 6963, dated April 13, 1993, located within Lane County, Oregon

LOCATION/LEGAL DESCRIPTION: T. 18 S., R. 12 W., Sec. 3, lots 1, 2, 3, 4, and S½NE¼
Sec. 15, SE¼NE¼

A. Description of Proposed Action and any applicable mitigation measures

The proposed action would recommend the Secretary of Interior extend PLO No. 6963, as amended by the *Federal Register* Notice (77 FR 65905 (2012)), which withdrew 250.66 acres of public land from settlement, sale, location or entry under the general land laws, including the United States mining laws, but not from leasing under the mineral leasing laws to protect the sand dunes located in Florence, OR., for an additional 20-year period. The BLM has determined the withdrawal extension is needed to protect the significant scenic, water quality, botanical, wildlife and recreational values that would be destroyed or significantly degraded if mining were to occur. The withdrawal is still being used for the purpose for which it was made.

B. Land Use Plan (LUP) Conformance

The proposed action is in conformance with the Eugene District Record of Decision (ROD) and Resource Management Plan (RMP), as amended (1995) because it is specifically provided for in the following LUP decisions: "*Modification of Florence Sand Dunes Withdrawal: The land described above is withdrawn by Public Land Order No. 6963 of April 5, 1993 and reserved to protect significant scenic, water quality, botanical, wildlife, and recreational values...*"(p. 247, Appendix L).

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 E(1).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR 46.215 apply.

D. Signature

Signature of Project Lead:

/s/Tracy Maahs
Tracy Maahs, Realty Specialist, Eugene District

Date: 01/30/2013

Signature of NEPA Coordinator:

/s/Dana Wilson
Dana Wilson, Landscape Planner, Siuslaw
Resource Area

Date: 01/30/2013

Signature of the Responsible Official:

/s/Virginia Grilley
Virginia Grilley, District Manager, Eugene
District Office

Date: 01/31/2013

Contact Person

For additional information concerning this Categorical Exclusion review, contact: Tracy Maahs, Realty Specialist, 541-683-6376

EXTRAORDINARY CIRCUMSTANCES CHECKLIST

DOI-BLM-OR-E050-2013-0015-CX

Extension of Public Land Order (PLO) No. 6963

Review the proposed action against each of the 12 "extraordinary circumstances" listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Extraordinary Circumstances	YES	NO
<p>1. Have significant impacts on public health or safety. <u>Rationale:</u> Extending the existing withdrawal will have no impact on public health and safety.</p>		X
<p>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); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. <u>Rationale:</u> There are no natural resources or unique geographic characteristics that would be adversely affected by this action. This withdrawal would protect the scenic, water quality, botanical, wildlife and recreational values that would be destroyed or significantly degraded if mining were to occur.</p>		X
<p>3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. <u>Rationale:</u> There are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses. This is an extension of a land withdrawal that has been in effect for twenty years.</p>		X
<p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique or have unknown risks.</p>		X
<p>5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <u>Rationale:</u> Extending the existing withdrawal does not represent establishing a precedent outside of the management goals stated under the current resource management plan.</p>		X
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <u>Rationale:</u> Given the current conditions, this proposed action would not have a direct relationship to other actions and would not cumulatively result in significant environmental effects.</p>		X
<p>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. <u>Rationale:</u> No properties are listed, or eligible for listing on the National Register of Historic Places within the units of the proposed action.</p>		X
<p>8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. <u>Rationale:</u> It was determined that the proposed action would not have significant adverse impacts to Endangered or Threatened Species or to designated Critical Habitat for these species. This action of withdrawal is designed to protect Endangered or Threatened Species and Critical Habitats.</p>		X
<p>9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands in the Eugene district ROD/RMP (1995), which complies with all applicable federal,</p>		X

Extraordinary Circumstances	YES	NO
state, local and tribal laws.		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). <u>Rationale:</u> The withdrawal extension would not affect low income or minority populations.		X
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). <u>Rationale:</u> There are no sacred sites identified within the withdrawal area.		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native 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). <u>Rationale:</u> The proposed action would not alter the current baseline of risk, or actual introduction, continues existence, or spread of noxious weeds or non-native invasive species.		X

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DECISION RECORD
DOI-BLM-OR-E050-2013-0015-CX
Extension of Public Land Order (PLO) No. 6963

Decision

It is my decision to implement this action as described in the categorical exclusion documentation DOI-BLM-OR-E050-2013-0015-CX.

Decision Rationale

The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended). Based on the Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Administrative Remedies

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205.

Signature of the Responsible Official:

/s/Virginia Grilley
Virginia Grilley
District Manager
Eugene District Office

01/31/2013
Date: