

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

CATEGORICAL EXCLUSION REVIEW

A. Background

Project Name: Eugene District Mineral Material Sale, Clay Soil for Cobb Construction, January 29, 2011 to January 28, 2012

Date: January 21, 2011

Categorical Exclusion Number: DOI-BLM-ORE060-2011-0012-CX

Location: The Eugene District Bureau of Land Management (BLM), T. 17 S., R. 2 E. Sec. 3, SE ¼ of SE ¼ ; cut bank of Road 16-2E-33.8.

Description of Proposed Action:

The site is located on a through cut along an unnamed spur road to private land, recently clear cut. The drainage ditches on either side of the road lead to vegetated areas and are not hydrologically connected to any surface water. The proponent proposes to remove up to ten cubic yards of soil from a road cut bank, digging by hand (shovel) and placing the material in a pickup to transport off site at a rate of ¼ to ½ cubic yard per visit. Excavation would extend up to two feet into the bank and up to 20 feet on either side of the road. Work could begin as early as January 29, 2011.

B. Plan Conformance Review

The proposed action is in conformance with the Eugene District Resource Management Plan (RMP1995), as amended.

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, *F. Solid Minerals, (10) – Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and cla, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas.*

This categorical exclusion is appropriate to this situation because the soil for cob construction is a clay mineral material, and the proponent wishes to remove much less than 50,000 cubic yards. The proposed removal site is not in a riparian area.

D. Signatures

Prepared By: /s/ Janet Robbins Date: 02/02/2011
Hydrologist/Minerals Specialist

Reviewed By: /s/ Christie Hardenbrook Date: 02/02/2011
Environmental Specialist

Contact Person:

For additional information concerning this Categorical Review, contact: Jan Robbins,
Hydrologist/ Minerals Specialist (541) 683-6465.

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CATEGORICAL EXCLUSION REVIEW
Extraordinary Circumstances Checklist

Proposed Action: Categorical Exclusion No. DOI-BLM-ORE060-2011-0012-CX Eugene District Mineral Material Sale, Clay soil for Cobb Construction, January 29, 2011 to January 28, 2012

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> The proposed activity is ground-disturbing, but not expected to cause drainage problem that could lead to soil instability, increased turbidity in surface water, or other effects to human health or safety in the local area. The site is on a spur road and has adequate parking and space to turn around safely.</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 affected by this action.</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 known highly controversial environmental effects or unresolved conflicts concerning the use of clay soil for cob construction, or removal of soil from a road cut.</p>		X
<p>4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> The project was reviewed by an archeologist, hydrologist, botanist, fisheries biologist, soil scientist, and wildlife biologist for highly uncertain or potentially significant environmental effects, or unique or unknown environmental risks.</p>		X

Extraordinary Circumstances	YES	NO
<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> Although there is no record of Eugene District BLM selling clay soil, selling mineral materials is a common action and specific authority to sell clay is given to the BLM under the Materials Act (July 31, 1947).</p>		X
<p>6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <u>Rationale:</u> All associated actions – travel on BLM owned or managed roads, digging mineral material – are common activities. The scale of the proposed action is similar to other actions that do not require permission.</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> The site has been reviewed by the District Archeologist for compliance with applicable laws and regulations regarding historic preservation and determined to have no significant impact.</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> The project has been reviewed by a fisheries biologist, wildlife biologist, and botanist for compliance with applicable laws and regulations regarding Endangered or Threatened Species and their Critical Habitat, and determined to have no effect on listed species in the area.</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 action does not violate any law, regulation, or other requirement imposed for protection of the environment.</p>		X
<p>10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). <u>Rationale:</u> To the contrary, the proposed action creates the opportunity to use an extremely low-cost building material, which could benefit low income populations.</p>		X
<p>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> The site has been reviewed by the District Archeologist and determined to have no significant impact on access to and ceremonial use of Indian sacred sites or significantly adversely affect the physical integrity of such sites.</p>		X
<p>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</p>		X

Extraordinary Circumstances	YES	NO
<p>Weed Control Act and Executive Order 13112). <u>Rationale:</u> The site has been reviewed by a wildlife biologist and botanist for compliance with applicable laws and regulations regarding invasive species and determined to have no effect.</p>		

<u>/s/Janet Robbins</u>	<u>02/02/2011</u>
Jan Robbins, Hydrologist	Date
<u>/s/ Chris Landon</u>	<u>02/02/2011</u>
Chris Langdon, Wildlife Biologist	Date
<u>/s/ Steve Leibhardt</u>	<u>02/01/2011</u>
Steve Leibhardt, Fisheries Biologist	Date
<u>/s/ Cheshire Mayrsohn</u>	<u>02/01/2011</u>
Cheshire Mayrsohn, Botanist	Date
<u>/s/ Heather Ulrich</u>	<u>02/01/2011</u>
Heather Ulrich, Archaeologist	Date

Decision:

It is my decision to implement this action on BLM lands as described in the categorical exclusion documentation DOI-BLM-ORE060-2011-0012-CX

Land Use Plan Conformance:

The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended), and is consistent with the 2001 Survey and Manage Record of Decision.

Decision Rationale:

The proposed action has been reviewed by Resource Area Staff and appropriate Project Design Features as specified will be incorporated into the proposal. Based on the NEPA 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:

Notice of the decision to be made on the action described in this categorical exclusion will be posted on the District internet website. The action is subject to appeal to the Interior Board of Land Appeals under 43 CFR Part 4.

Authorizing Official:

/s/ William O'Sullivan
William O'Sullivan
Upper Willamette Field Manager

02/02/2011
Date