

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office

NEPA Log #: DOI-BLM-OR-P040-2011-0009-CX

Project/Lease/Serial/Case File #: None

Proposed Action Title: Highway 207 Fence Reconstruction

Location: Approximately five miles northeast of Mitchell, Oregon. See attached map.

Description of the Proposed Action: The purpose is to reconstruct 2.7 miles of an old existing fence that is part barbed wire (1.7 miles) and part heavy woven wire (1 mile), to comply with existing BLM wire spacing standards for deer, elk, and antelope passage. The woven wire portion of the fence is approximately 46 inches high which presents unsafe passage over for adult big game and a complete passage barrier to sub adults. Approximately 70% of the barbed wire portion of the fence is either on the ground, broken, loose or twisted together. All of these fence conditions are detrimental to big game as they can become entangled in the wire. The fence is also needed to control livestock and function as part of the Circle Bar (2531) and Carroll Rim (2590) Allotment boundaries. At this time the barbed wire portion of the fence does not effectively control livestock.

The proposed action is to reconstruct the existing fence by replacing the old wire and wooden posts with new wires and metal posts (See attached map). The current BLM Grazing Lease holder in the Circle Bar Allotment is willing to help reconstruct up to a mile of fence in his allotment in a cooperative effort to complete the project. For the rest of the fence the Redmond, Oregon chapters of Oregon Hunters Association and Quail and Upland Wildlife Federation (OHA/QUWF) volunteers would do the labor. The construction of the OHA/QUWF portion would need to take place this winter/spring as the new fence needs to be in for an April 1, 2011 livestock turnout in the Carroll Rim Allotment.

The existing wire would be rolled up and hauled away. The old wooden posts would either remain in place or be pushed over. The new fence would be constructed with a barbless bottom wire and barbed top three wires. The bottom wire would be 18 inches from the ground; the next wire 5 inches above the first, the third wire 5 inches above the second, and the fourth wire 12 inches above the third (see attachment B). Steel fence post spacing would be one rod (16.5') apart and one wood stay would be placed equal-distance between posts. In addition, live juniper trees with a DBH of eight inches or greater may be used as corner panels when they occur at needed locations. Two-by-fours or sixes would be nailed to the trees before attaching the wires. Brush and juniper limbs would be cleared using hand tools.

Two exceptions to the above construction specifications would occur in this fence. One exception is in big game travel routes. In travel routes, three 16.5' lengths of fence would have removable wooden stays so an adjustable fence could be created for wildlife passage. This type of fence would allow for easier movement of wildlife, especially big game (see attachment C). The adjustment of the fence would only occur when cattle are not scheduled to graze the allotments. OHA/QUWF would do the adjustments with BLM coordination.

The second exception is a short length (.15 mile) of fence where the it leaves highway 207 and goes up a hill to an ad-hoc vehicle pull-out. This portion of the fence is within the Sutton Mountain

Wilderness Study Area (WSA) and limbing of junipers and tacking of 2x4s or 2x6s is not allowed within WSAs.

Trucks and other large vehicles would only be allowed for transporting materials to designated points along or near the fence line using the highway. Transportation of materials along the fence line with four wheelers would be limited to the south side of the fence adjacent to highway 207 which would preclude accidental encroachment into the WSA. ATV use would not be allowed where the fence leaves highway 207 and goes up the hill to the ad-hoc vehicle pull-out. Use of ATVs would also be limited to dry or frozen ground to hinder subsequent development of user created ATV trails particularly because of the high visibility next to a state highway. An ATV unfriendly gate is to be installed at the top of the hill ad hoc access point to allow for horse user access. Any camp site locations would be determined by the BLM prior to construction.

B. Land Use Plan Conformance

The above action has been reviewed and found to be in conformance with the Two Rivers Resource Management Plan (RMP) and Record of Decision (ROD) dated June 1986. Fences are constructed to provide exterior allotment boundaries ... protect streams and riparian zones, and control livestock (RMP, p. 109; ROD, p. 40). Also, all fences are designed to mitigate wildlife movement problems (ibid). The standard fence specifications to be used for reconstruction are described in the Decision Record, Sutton Mountain Coordinated Resource Management Plan (CRMP) dated March 1996 on pages 55 and 56.

C. Compliance with NEPA

The proposed action described above does not require the preparation of an Environmental Assessment (EA) or Environmental Impact Statement (EIS) and is permissible as a categorical exclusion based on 516 DM 11.9 A (I) which allows the modification of existing fences to provide improved wildlife ingress and egress.

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 516 DM 2.3A (3) Appendix 2 apply. See attached CX Extraordinary Circumstances Documentation checklist.

D. Signature

I considered the above Proposed Action, land use plan, compliance with 516 DM 11.9 A (I) and the lack of extraordinary circumstances potentially having effects that may significantly affect the environment information provided. Based on this review, there is no potential for significant impacts so further NEPA analysis is not needed.

Authorizing official: H. F. "Chip" Faver
H. F. "Chip" Faver, Central Oregon Resource Area Field Manager

2/1/11
Date

Contact Person

For additional information concerning this review, contact: Don Zalunardo, Rangeland Management Specialist Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6714.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION The proposed categorical exclusion action will:	YES	NO
2.1 Have significant impacts on public health or safety.		x
Rationale: Reconstruction of existing rangeland wire fence has not been associated with having significant impacts on public health or safety, as of yet.		
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); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		x
Rationale: The fence is on the boundary of the Sutton Mountain Wilderness Study Area (WSA) except for the NW1/4 SE1/4 of section 8. This original portion of the fence (highlighted in green on the attached map) is within the WSA. The wilderness specialist has recommended to have the fence rebuilt in its original placement rather than moving it to the WSA boundary as it is a more effective barrier to OHVs there. The proposed project is consistent with Visual Resource Management Class IV objectives. A cultural resource inventory was conducted for the proposed spring developments and no resources were identified within the area of potential effect. Should any new resources be discovered during implementation, work would stop and the archaeologist would be contacted. Project activities would resume when the issues are resolved and, or consultation with the State Historic Preservation Office has been completed.		
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].		x
Rationale: The proposed action is in conformance with the Two Rivers Resource Management Plan. The proposed action is in conformance with the above plan, even though it is not specifically provided for, because it is clearly consistent with the following land use plan decisions, objectives, terms, or conditions. On page 40, under Design Standards and Standard Operating procedures for Range Improvements, the first paragraph under Fences states, "Fences are constructed to provide exterior allotment boundaries, divide allotments into pastures, protect streams and riparian zones and to control livestock." The ROD/RMP establishes the land use allocation and goals for the affected lands; as such, there is no unresolved conflict regarding other uses of these resources. The old existing fence presents unsafe passage over for adult big game and a complete passage barrier to sub adults as well as entanglement problems. The new fence would be built to comply with existing BLM wire spacing standards for deer, elk, and antelope passage.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		x

Rationale: Past existing fence reconstruction for cattle grazing has shown no highly uncertain, potentially significant, unique or unknown risks.		
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	x
Rationale: Fence reconstruction has occurred numerous times for many years throughout BLM. There is no evidence that this action has potentially significant environmental effects. This management activity does not commit the BLM to pursuing further actions, and as such would not establish a precedent or decision for future actions with potentially significant environmental effects.		
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	x
Rationale: The proposed action is specifically provided for in land use plan decisions. Similar past activities have had no significant direct, indirect or cumulative effect.		
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.	x
Rationale: Cultural clearances have been completed with no significant impact.		
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.	x
Rationale: The scope of the project would not change the overall habitat function of the area or result in the loss of critical habitat. A waiver was received from the botanist stated "no special status plant species are suspected of occurring in the area". The person reviewing for wildlife stated "There are no T&E species or critical habitat in or around the project area".		
2.9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	x
Rationale The proposed action conforms to the direction given for the management of public lands in the Two Rivers Resource Management Plan and Sutton Mountain CRMP which comply with all applicable laws, such as the Clean Water Act, Endangered Species Act and others.		
2.10	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	x
Rationale: The proposed action would have no measurable effect on low-income or minority populations.		
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).	x
Rationale: A cultural waiver was completed for this proposed action with little potential of sacred sites being affected.		
2.12	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).	x
Rationale: The proposed action would not measurably change the rate of introduction, continued existence or spread of noxious weeds or invasive species. Livestock entering public lands have the potential to transport some viable undesirable seed via hide or gut; however, the possibility of introducing undesirable plants, not already in the area, is minimal.		

Existing portions of Highway 207 fence to reconstruct

