

# Categorical Exclusion Documentation

Bureau of Land Management (BLM)

Prineville District – Deschutes Resource Area

## A. Background

**Proposed Action Title:** 2012 Cattle guards – Deschutes Resource Area

**CE Number:** DOI-BLM-OR-P060-2012-0022-CX

**Project or Serial Number:** None

**Location:** Deschutes Resource Area (see attached map for specific locations)

### Description of the Proposed Action:

The Proposed Action would authorize the installation of 6 cattle guards within the Deschutes Resource Area. The proposed cattle guard locations include:

Allotment	Cattle guard Location (T,R,S)
Crenshaw 10'	T. 16 S., R. 13 E., Sec. 30 10T 642608 4890796 UTM
Crenshaw 12'	T. 16 S., R. 13 E., Sec. 4 10T 645119 4897571 UTM
Powell Butte	T. 16 S., R. 14 E., Sec. 34 10T 657770 4889095 UTM
Salt Creek #1	T. 18 S., R. 17 E., Sec. 9 10 T 0684915 4877075
Salt Creek #2	T. 18 S., R. 17 E., Sec. 9 10 T 0685742 4876783
Salt Creek #3	T. 18 S., R. 17 E., Sec. 9 10 T 0686341 4876350

Installation of cattle guards would aid in public access and safety and provide for the orderly administration of the range (e.g. help prevent livestock trespass, etc). All worksites would be adequately flagged or marked for the safety of motorists of all kinds during installation. Cattle guards would be installed so that they are flush with the road surface to the extent practical. Proper drainage would be provided to minimize the cleanout maintenance, which would otherwise be required. All disturbances would be kept within the existing footprint of the road or vehicle trail. Cattle guards would not be

installed within Wilderness Study Areas, floodplains, etc. The Categorical Exclusion review for extraordinary circumstances is documented below.

A wildlife and sensitive plant species clearance would be completed prior to authorization of any ground disturbing activities. Clearances would be completed by a BLM approved wildlife biologist. Installation of cattle guards in areas identified as nesting habitat for Golden eagles will not occur until after August 31<sup>st</sup>. In addition, a cultural clearance would be completed by a BLM approved Archeologist prior to authorization of any ground disturbing activities. If any cultural resource sites are found within the proposed disturbance area the proposed cattle guard would not be installed.

## **B. Land Use Plan Conformance**

The proposed action is in conformance with the following Land Use Plan:

### **Upper Deschutes Record of Decision and Resource Management Plan, September 2005**

Transportation and Utilities, Objective TU – 2, Guidelines, Roads, No. 21, Page 138:  
“Motorized routes may have gates or cattle guards installed to allow for continued grazing activities and to insure visitor safety.”

## **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.G (2), “Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattle-guards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan.” 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 apply as described in 516 DM 2, Appendix 2. See attached CX Extraordinary Circumstances Documentation checklist beginning on page 3.

I considered the above Proposed Action, land use plan, compliance with 516 DM 11.5.D (2), and the documentation of the lack of extraordinary circumstances potentially having effects that may significantly affect the environment. Based on this review, there is no potential for significant impacts so further NEPA analysis is not needed.

## **D. Signature**

Authorizing official:



Molly M. Brown

Field Manager, Deschutes Resource Area

Date

3/4/13

## Contact Person

For additional information concerning this review, contact Molly Galbraith or Emily Lent, Rangeland Management Specialists at the Prineville District Office, 3050 NE 3<sup>rd</sup> Street, Prineville, OR 97754, 541-416-6700.

<b>CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION</b>			
The proposed categorical exclusion action will:		<b>YES</b>	<b>NO</b>
2.1	Have significant impacts on public health or safety.		X
Rationale: During installation of the proposed projects Occupational Safety and Health Administration rules would be followed.			
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 proposed actions would not occur on park, recreation or refuge lands; wilderness or wilderness study areas or lands with wilderness character; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; or migratory bird habitat. Clearances for cultural resources, sensitive plants and animals would be completed. Installation of cattle guards in areas identified as nesting habitat for Golden eagles will not occur until after August 31 <sup>st</sup> . If any cultural resource sites are found within the proposed disturbance area the proposed cattle guard would not be installed.			
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 actions would not have highly controversial environmental effects because placement of cattle guards is an action that the BLM has performed many times and the effects from the action are well understood and there is no known disagreement for this specific action.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: Emplacement of cattle guards is an action that the BLM has performed many times and thus the environmental effects of the proposed actions are known and not potentially significant.			

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
Rationale: The proposed actions are not precedent setting because the installation of cattle guards has been authorized on public lands for many years. The installation is specifically allowed for by the Upper Deschutes Record of Decision and Resource Management Plan, September 2006, page 138.		
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
Rationale: The proposed action does not have a direct relationship to other actions occurring on the District which could cumulatively produce a significant environmental 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: The proposed action would not be implemented in areas where National Register eligible or listed properties are located. Disturbance would be confined to a small, previously disturbed area (road/fence intersection).		
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 proposed action would not affect any known T&E species or critical habitat. The area is located in the urban interface for the growing communities of Bend and Redmond and receives a great deal of year-around use from the public. Much of that use involves dumping of garbage (including, but not limited to mattresses, washing machines, TVs, car bodies and camper shells), party events, shooting, homeless camps, and a great deal of off-road use with ATVs, motorcycles and 4-wheeldrive trucks. The opportunity for a listed species to exist is limited. The cattle guard locations are not within low-density or core sage grouse habitat. Installation of cattle guards in areas identified as nesting habitat for Golden eagles will not occur until after August 31 <sup>st</sup> . If any cultural resource sites are found within the proposed disturbance area the proposed cattle guard would not be installed.		
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 action would be performed in conformance with all applicable Federal, State, or local laws or requirements imposed for the protection of the environment and thus would not violate or threaten any Federal, State or local laws or requirements.		

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 adverse effect on low-income or minority populations because the disturbance from the proposed action would be confined to a small, previously disturbed area (road/fence intersection) and there are no low income or minority populations within this small disturbance area.		
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or cause significant adverse affect on the physical integrity of such sacred sites (Executive Order 13007).		X
Rationale: The proposed action would not limit access to Indian sacred sites. The net result would be easier access because gates would not need to be opened or closed. It would not adversely affect Indian sacred sites physical integrity because the cattle guards would be placed in existing and heavily compacted roadbeds.		
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
<p>Rationale: The proposed action would not measurably change the current rate of introduction, continued existence or spread of noxious weeds or invasive species, because installation of cattle guards would be in previously disturbed road ways. In addition, the following standard practices would apply in those areas of known infestations:</p> <ul style="list-style-type: none"> <li>- Take care where vehicles are parked and where staff is working/walking (i.e. do not park in a patch of cheatgrass);</li> <li>- Take care to check personnel, tools, and vehicles for plant parts before leaving the site, and wash vehicles if necessary;</li> <li>- Minimize soil disturbance as much as possible, out of the roadway.</li> <li>- If possible, note weed species present and their location(s), to assist with treatment.</li> </ul>		