

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office

NEPA Log #: DOI - BLM - OR – P060 - 2012- 0041 - CX

Project/Lease/Serial/Case File #: OR 67213

Proposed Action Title: Oregon Army National Guard Demolition Training Area Right-of-Way.

Location: The proposed training area right-of-way location is the Millican cinder pit approximately 27 air miles southeast of Bend, Oregon and 2.5 miles north of Millican's location on Highway 20, within BLM land described as:

Willamette Meridian, Oregon

T. 19 S., R. 15 E.,

sec. 09, S2S2; sec. 16, N2.

Description of the Proposed Action:

The proposed action is to grant a ten year right-of-way to the Oregon Military Department (OMD) to conduct demolition training and related military exercises (the Demolition Training) in the Millican cinder pit at the location noted above.

Under the terms of the proposed right-of-way, OMD will be allowed to conduct Demolition Training in the Millican cinder pit area; provided that, unless otherwise agreed by the Authorized Officer, there will be no more than one training event (of not more than five days extent) during any calendar year in which the right-of-way is in effect. OMD will be required to give the authorized BLM officer not less than 60 days advance notice of OMD's intention to conduct any Demolition Training event under the right-of-way, and BLM may refuse to allow any proposed event at BLM's discretion and for any reason. It is anticipated that approximately 75-100 soldiers may participate in any one event and that typically no more than 150 pounds of demolition explosive will be used for any single explosion.

OMD proposes to have its first Demolition Training under the right-of-way in the period from June 14, 2012 through June 17, 2012. It is anticipated that future Demolition Training events will be similar in purpose and scope to the event proposed for June 2012 (the June Event). The June Event will be conducted by the 162 Engineer Company, 82 Brigade, Oregon Army National Guard. There will be three days of actual live fire demolition activities during the June Event, with the remainder of the event used for set up, preparation and logistics activities.

OMD will provide each of the Deschutes County Sheriff's Department, the Crook County Sheriff's Department, and the Oregon Department of Transportation with not less than 10 days

advance written notice of any Demolition Training event. OMD will cooperate with such county and state authorities during the conduct of the event as such authorities may request. In addition, not less than a seven days prior to a training event: OMD will notify local land owners (within a five mile radius of the Millican cinder pit) and local recreation groups such as Combined Off Highway Vehicle Operations (COHVOPS -- current contact is Matt Able 541-416-6723) of the Demolition Training event. There are no known homes or businesses within a two mile radius of the Millican cinder pit.

Safety guards will be located to observe and prevent inadvertent access within a 1,000 km radius (the cordoned area) of the blasting activity occurring within the cinder pit. Laminated "Danger" signs and parking cones will be used to mark off the cordoned area. In addition, for all roads and well-traveled trails approaching the cordoned area, there will be a tactical vehicle, radio and two military personnel at the cordon border to protect the public from entering the cordoned area. Less traveled trails will have safety cones and warning signs posted. Before each blast, all road/trail guards will give an "All Clear." A "Cease Fire" will be called out in the event of civilian traffic approaching the cordoned area.

Hours of live fire demolition activity will begin at 8:00 a.m. and end at 7:00 p.m. Demolitions will be guarded 24/7 on site by armed military personnel. Concertina wire will surround the tactical vehicle housing the explosives.

Some military personnel (not more than 10 individuals per evening unless otherwise approved by the authorized BLM officer) may camp in the Millican pit during the evenings of the training event period. Such camping shall take place within existing disturbed areas of the Millican cinder pit such as the existing primitive camp sites that are located on the eastern border of the cinder pit. For the June Event it is anticipated that four military personnel will remain on site overnight to guard vehicles and explosives.

For the June Event, vehicles used within the training area will include: Five (5) M113 Armored Personnel Carriers weighing 24,000 lbs. each, Two (2) Heavily Expanded Mobility Tactical Trucks weighing 39,000 lbs. each, Three (3) High Multipurpose Mobility Wheeled Vehicles weighing 5,500 lbs. each, and One (1) skid-steerer (BobCat) weighing 4,000 lbs. Vehicles will operate only within the training area's cordoned 1,000 km radius boundary and act as security, transportation and cover/concealment equipment. Oil spill kits will be on site for all vehicles and equipment. Only licensed personnel will operate equipment. Vehicles will remain on existing roads and routes.

The OMD shall be responsible for weed control on disturbed areas within the limits of the right-of-way where the existence or condition of such disturbed areas is related to the OMD's activities under the ROW. The OMD shall use weed-free surface and fill material if additional material is needed. The OMD and its personnel and contractors (herein "personnel") will check clothing, tools and vehicles for plant parts before entering and leaving the ROW area. Personnel will remove plant parts from clothing and dispose of such parts in a manner that will avoid the spread of noxious weeds. In addition, personnel will wash all tools and vehicles if necessary to avoid the spread of noxious weeds. The OMD shall instruct personnel to take care where

vehicles are parked and where personnel will be working/walking (e.g., do not park in a patch of cheat grass); the OMD will minimize soil disturbance as much as possible.

No explosives will be used outside of the cinder pit. The OMD is responsible for fire protection according to industrial fire protection standards, including having fire equipment on site, maintaining an after-hours watch, wetting down stations, and providing subsequent station visits as determined by the BLM. The military will have a water truck centrally located on the training area. In addition, at least 15 various types of shovels, Pulaski, and McCleod will also be centrally located and readily available for use.

Clean-up operations will take place after each training day. All holes will be filled in and ground will be smoothed over. Any debris (targets, trash, etc.) brought in by OMD will be removed upon completion of each training event. The training area shall be left in at least as orderly and clean a condition as existed immediately prior to commencement of the Demolition Training event.

B. Land Use Plan Conformance

Land Use Plan Name: The Upper Deschutes Record of Decision (ROD) and Resource Management Plan (RMP).

Date approved: September 2005.

The proposed action is in conformance with the above RMP:

See RMP Page 96 which acknowledges military use of BLM land under the RMP stating “Military Uses, Objective MU-1: Provide a reliable land base suitable for meeting short and long term national and state military readiness needs.”

Also, see RMP Page 135 which provides, “Transportation and Utilities Objective TU-1: Provide new or modified rights-of-way for transportation/utility corridors and communication/energy sites to meet expected demands and minimize environmental impacts”. In addition, Guideline 1 on such page states, “BLM administered lands will continue to be available for rights-of-way, including multiple use and single use utility/transportation corridors, following existing routes, and roads”.

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 Departmental Manual (DM) 516 11.9, Effective Date August 14, 2007, E. Realty, “(12) Grants of right-of-way wholly within the boundaries of other compatibly developed rights-of-way.” The Proposed Action will take place wholly within the boundaries of the previously approved community pit right-of-way authorization Serial Number OROR 062863.

In addition, The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with Departmental Categorical Exclusions, 516 DM 2, Appendix 1, Effective Date June 21, 2005 . . . “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).” The Army National Guard is a government entity – 1.) Explosive activities in rock and cinder pits are routine activities, 2.) The Guard conducts its explosives training twice or more per year at various locations within Oregon, 3.) The Proposed action has limited context and intensity – demolition training events will be short term events (e.g., the first event under the Proposed Action will have 2 ¼ days of actual explosive training), and 4.) The pit will be restored by the ANG to its condition preceding the training event.

The above noted categorical exclusions are 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 apply. See attached CX Extraordinary Circumstances Documentation checklist.

D. Signature

I have considered this proposed military training ROW grant action and have found that it has no significant affect either individually or cumulatively on the human environment.

Authorizing official: Susan M. Berger, Acting 06/14/2012
Molly Brown, Field Manager, Deschutes Resource Area Date

Contact Person

For additional information concerning this review, contact Michael Kroll, Realty Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6752, or email mkroll@blm.gov.

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CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		YES	NO
The proposed categorical exclusion action will:			
2.1	Have significant impacts on public health or safety.		X
Rationale: The proposed action is not predicted to have significant impacts on public health or safety. Extensive safety precautions will be taken military personnel to assure that no civilian personnel are allowed during demolition exercises within the 1,000 km safety buffer cordoned area surrounding the exercises.			
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 action would not have an effect on historic or cultural resources, based on studies and surveys conducted by BLM staff experts in the relevant subject matter area.			
The proposed action involves a proposed project area that is sufficiently far in distance from any park, recreation or refuge lands, wilderness areas, wild or scenic rivers, national natural landmarks, and wetlands that the proposed action would not have an effect on any such identified ecologically significant or critical areas.			
The proposed action would have only limited land surface impacts and it is not expected that the action would have any effect on any sole or principal drinking water aquifer. The proposed action involves a proposed project area that is not located on and would not have an effect on prime farmlands.			
The proposed action does not include any actions for Wilderness Study Areas or for lands being managed for wilderness character. There are no wilderness qualities on public lands proposed for the proposed action.			
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 would not have highly controversial environmental effects or involve unresolved conflicts with available resources because the proposed project area is a gravel/cinder rock pit that has been used as such for over 10 years. It is a common practice to set off explosives in rock pits as this is a principal means by which pit rock is broken up and made available for commercial use. Also, military demolition training activities last occurred in the proposed project area in 2009 and such activities did not give rise to any controversial environmental effect or conflict concerning available resources.			
2.4	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. The potential effects			

<p>and risks of the proposed project are well known. The demolition training will involve setting off explosions within the gravel/cinder pit that will break up rock aggregate and create depressions in the ground area where the explosions occur. Broken rock aggregate resulting from the explosions will be moved to piles within the quarry and be available for later commercial use. Depressions created on the floor of the pit will smoothed and leveled to a condition that is common for an active rock quarry.</p>		
2.5	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	X
<p>Rationale: The proposed action is completely consistent with activities that would be expected to occur in an active gravel pit and there is no evidence that this action would have potentially significant environmental effects. This management activity does not commit the BLM to pursuing further actions, and would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.</p>		
2.6	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	X
<p>Rationale: Significant cumulative environmental effects are not predicted to occur with respect to the proposed action because there are no known related other activities in the vicinity of the project area that would be expected to have a cumulative effect with the proposed action. The principle public activity that occurs in the vicinity of the project area is motorized off highway vehicle (OHV) recreation. This OHV activity has occurred for several years side by side with the operation of the training area gravel pit as a commercial rock pit. To date these contemporaneous commercial rock pit and OHV activities have not given rise to any know significant cumulative environmental effects.</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.	X
<p>Rationale: Based on the findings of the District's cultural/historic expert, the proposed action would not adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historical resources.</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.	X
<p>Rationale: Based on the findings of the District wildlife expert and the District botanist, there are no Endangered or Threatened species, or species of special interest, known to live within at least a five mile radius of the requested right-of-way location. Therefore, the proposed action would not 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.</p>		
2.9	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	X
<p>Rationale: The issuance of this military training area right-of-way is in accordance with the provisions of the Federal Land Policy and Management Act of 1976, as amended. The proposed right-of-way is designed to conform with all Federal, State, local and tribal laws and requirements including those relating to the protection of the environment. Accordingly, the proposed right-of-way grant does not violate any Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.</p>		

2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
Rationale: The proposed action is not expected to have any noticeable 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: The proposed action would not 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 because the proposed action will occur in an area that does not include or limit access to any known Indian sacred sites or affect the access to any such sites. The proposed action does not make any changes to the access and use of Federal lands. The proposed would grant the right-of-way holder the right to conduct demolition activities of a kind and nature that would be expected to occur in a gravel pit like the right-of-way project area.		
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 is not expected to 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) because the proposed project area is a gravel/cinder rock pit that has been used as such for over 10 years. It is a common practice to set off explosives in rock pits as this is a principal means by which pit rock is broken up and made available for commercial use. Also, military demolition training activities last occurred in the proposed project area in 2009 and such activities did not give rise to any known existence or spread of noxious weeds or non-native invasive species in or around the training area. All equipment used in the military training will stay on existing roadways and other existing cleared areas. As part of the right-of-way, the military will be required to clean all vehicles prior to their use in the demolition training exercise to remove any weeds or invasive species before such vehicles enter BLM land.		