

Categorical Exclusion Documentation

A. Background

BLM Office: Prineville Field Office

NEPA Log #: DOI – BLM – OR – P060 – 2014 – 0019 – CX

Project/Lease/Serial/Case File #: n/a

Proposed Action Title: Powell Butte RNA Enclosure Fence

Location: Powell Butte Research Natural Area (RNA) is located in Crook County, Oregon, 6 air miles south of the town of Powell Butte and 10 air miles southeast of the town of Redmond. Please see attached map.

Description of the Proposed Action: The proposed action is to construct 4.5 miles of fence to protect the values of this RNA from trespass activities, motorized travel, grazing and other unwanted public land uses. Recently construction contractors illegally entered the RNA and removed stone and pant materials, and in 2013 the BLM declined a request for a special recreation use permit for rock climbing within the RNA. There are several motorized travel routes that enter the RNA and facilitate unwanted human activities.

The Powell Butte RNA was established in 1989 to provide a representation of the western juniper/mountain big sagebrush/Idaho fescue plant association, the western juniper/mountain big sagebrush/bluebunch wheatgrass plant association, and the western juniper/bluebunch wheatgrass plant association. Powell Butte RNA is part of a federal system of such tracts established for research and education purposes.

In March 2014, a cadastral survey crew located monuments and staked the boundary. Fencing would be 3-strand, with the top and bottom wires smooth and the middle wire barbed. The spacing, measured from the ground up, would be 18", 26", and 38". Steel posts would be every 16.5' with one stay placed between each post. Botany, wildlife, and cultural clearances would be completed prior to fence construction.

Trucks and other large vehicles would only be allowed for transporting materials to designated points up to the RNA boundary, not within. Transportation of materials along the fence line with four wheelers would be limited to areas outside of the RNA boundary, on BLM land. Use of ATVs would also be limited to dry or frozen ground to hinder subsequent development of user-created trails particularly because of the high visibility next to Brasada Ranch.

B. Land Use Plan Conformance

Land Use Plan Name: Upper Deschutes RMP (UDRMP) **Date approved (ROD):** September 2005

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 70 of the UDRMP there is discussion of Research Natural Areas - "Objective SMA-3, Provide components of the national system of RNAs. . .which have substantially retained their natural character. . .Livestock grazing will not be allowed . . . [and the RNA is] closed to OHV use." Fencing is needed in order to prevent livestock and motorized vehicle use and "retain its natural character" as stated in Objective SMA-3.

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. J. (9) May 8, 2008: "Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas."

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 2 below.

D. Signature

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.

Authorizing official: Molly Brown

3/31/14

Molly Brown, Deschutes Resource Area Field Manager

Date

Contact Person

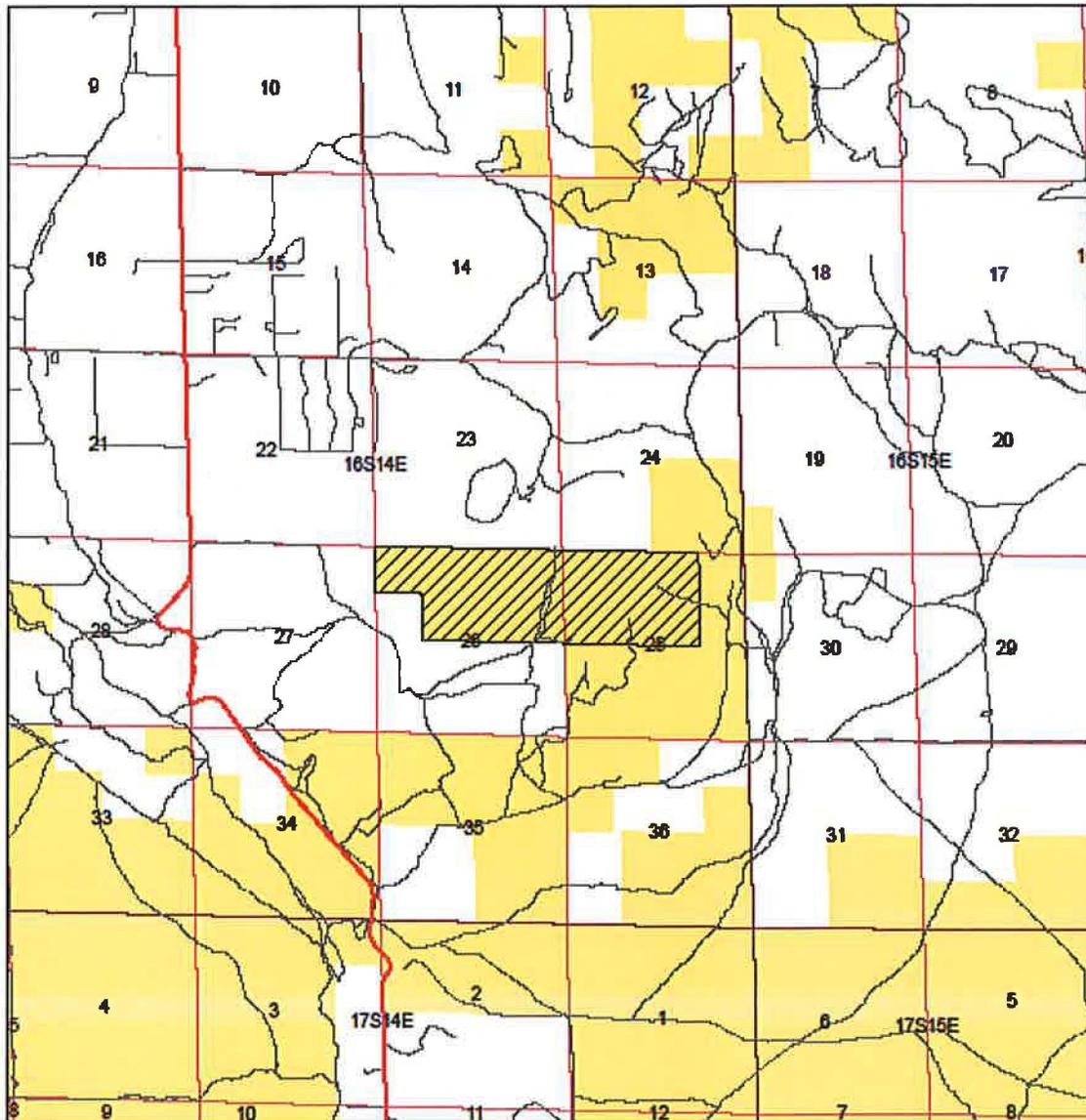
For additional information concerning this review, contact: Sarah Canham, Natural Resource Specialist, Botany & Weeds, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6785, scanham@blm.gov.

CX EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION		
The proposed categorical exclusion action will:		
	YES	NO
2.1 Have significant impacts on public health or safety.		X
Rationale: Construction of wire fence has not been associated with having significant impacts on public health or safety, as of yet. Occupational Safety and Health Administration rules would be followed during construction.		
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 occur on the border of the Powell Butte Research Natural Area for the purpose of protecting its integrity. The proposed action 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.		
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 because fence construction 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 action. The new fence would be constructed to comply with existing BLM wire spacing standards for deer, elk, and pronghorn passage.		
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
Rationale: Past existing fence construction 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 construction has occurred numerous times for many years throughout the 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 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.		
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. The project is not in occupied sage grouse habitat. No Special Status Species are expected in the area, and none would be affected by the proposed action.		
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 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: There are no sacred sites in the project area and none would be 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
<p>Rationale: The proposed action would not measurably change the current rate of introduction, continued existence or spread of noxious weeds or invasive species. Installation of fences would prevent livestock and motorized vehicle users from bringing weeds into the area. In addition, the following standard practices would apply in those areas of known infestations:</p> <ul style="list-style-type: none"> - Take care where vehicles are parked and where staff are working/walking (i.e. do not park in a patch of cheatgrass); - Take care to check personnel, tools, and vehicles for plant parts before leaving the site, and wash vehicles if necessary; - Minimize soil disturbance as much as possible, out of the roadway. - Note weed species present and their location(s), to assist with treatment. 		

Powell Butte ACEC/RNA



U.S. DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 PRINEVILLE DISTRICT
 5030 NT Third Street
 Prineville, OR 97754
 (541) 416-6700



mhb 3/23/2006

0 0.5 1 2 Miles

Legend

-  Powell Butte ACEC/RNA
-  Bureau of Land Management
-  Other

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notice.

Decision Record

Action Title: Powell Butte RNA Enclosure Fence

NEPA Log #: DOI – BLM – OR – P060 – 2014 – 0019 – CX

BLM Office: Prineville Field Office

Decision

It is my final decision to implement the Proposed Action as described in the Categorical Exclusion documentation entitled Powell Butte RNA Enclosure Fence.

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 CFR Part 4. If an appeal is taken, your notice of appeal must be filed with the the Deschutes Resource Area Field Manager, Prineville District Office, 3050 NE Third Street, Prineville, Oregon 97754.

Any person whose interest is adversely affected by a final decision may appeal the decision for the purpose of a hearing before an administrative law judge, following the requirements in 43 CFR 4.470. You are allowed thirty (30) days from the date the final decision becomes effective to file such an appeal at the above address (43 CFR 4160.4). Any appeal must state clearly and concisely why you think this decision is in error. A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper.

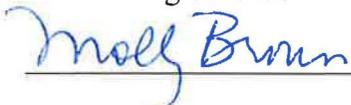
Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

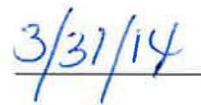
- The relative harm to the parties if the stay is granted or denied.
- The likelihood of the appellant's success on the merits.
- The likelihood of immediate and irreparable harm if the stay is not granted.
- Whether or not the public interest favors granting the stay.

As noted above, the motion for stay must be filed in the office of the authorized officer.

Authorizing official:



Molly Brown, Deschutes Resource Area Field Manager



Date