

## Categorical Exclusion Documentation

Department of the Interior  
Bureau of Land Management, Spokane District  
1103 North Fancher Road  
Spokane Valley, WA 99212

### A. Background

*BLM Office: Wenatchee Field Office*

*Lease/Serial/Case File No.:* BIA Lease 287

*NEPA Log Number:* OR-134-08-CX-004

*Proposed Action Title:* Onsite Diesel Fuel Storage Tank for Cowden Gravel & Ready Mix - Mike Manklathe Nooksack Indian Public Domain Allotment 3902

*Location of Proposed Action:* The BIA sand and gravel lease site is located about six miles southeast of Lynden, Washington. The legal description of mine facility is Township 39 North, Range 4 East, Section 7, Government Lots 8 & 9 and NE $\frac{1}{4}$ SW $\frac{1}{4}$ .. Site access is via a short gravel access road off the east side of Mission Road.

*Description of Proposed Action:* On October 24, 2007, BLM received a letter (dated 10-19-2007) from Cowden requesting approval of a minor modification to their mine/reclamation plan in order to add an on-site 1,000-gallon diesel storage tank to their operations on BIA Lease 287.

The proposed fuel storage and dispensing facility area at the gravel pit will be located in the eastern portion of active operations on Allotment 3902. The fuel tank is approximately three feet in width and twelve feet in length and mounted on skids. It is a 1,000 gallon double-walled Ace diesel storage tank with built-in secondary containment to hold 110% of the tank contents. Tank fail-safe features include automatic overfill shut-off, automatic nozzle shut-off upon breakaway, emergency venting, and a built-in fire extinguisher and spill response kit.

### B. Land Use Plan Conformance

Land Use Plan Name: Spokane Resource Management Plan

Date Approved/Amended: Approved 1987/Amended 1992

*Option 1 (conforms with LUP):* The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

OR

*(Option 2: not explicitly provided for in the LUP)* The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (*objectives, terms, and conditions*): There is currently no land use plan for the area of the proposed action. Regulations found in 43 CFR 1610.8(b)(1) allow an action (such as a mine plan modification) where public lands are not

covered by a land use plan, provided appropriate environmental documentation is completed as necessary to make an informed decision.

**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 11.9F. (8)

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 apply, as shown in the following table:

<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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**F: Signature**

Authorizing Official:     /S/ Sally Sovey     Date:     12/13/07      
(Signature)

Name: Sally Sovey  
Title: Wenatchee Field Manager

**G. Contact Person**

For additional information concerning this CX review, contact Brent Cunderla, BLM-Wenatchee Field Office Geologist, (509) 665-2100.

**Note:** A separate decision document must be prepared for the action covered by the CX.