

RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

CX Log #: DOI-BLM-OR-V040-2015-039-CX

CE Exemption category: 516 DM 11.9, Appendix 4 A.1. which states, "Modification of existing fences to provide improved wildlife ingress and egress."

And

516 DM 11.9, Appendix 3 1.7. which states, "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)."

BLM Office: Vale District Bureau of Land Management, 100 Oregon Street, Vale, Oregon 97918

Phone #: 541-473-3144

BACKGROUND

Project Name: Castle Rock Guzzler Replacement and Removal

Applicant: Vale District Bureau of Land Management

Location of Proposed Action: Malheur Resource Area, Dearmond-Murphy Allotment.

T17S, R37E, Sec. 03, NE ¼, NW ¼ -Castle Rock Guzzler, BLM RIPS # 725583.

Wildlife guzzlers are water catchment systems essential to maintaining healthy wildlife populations in hot, arid regions or in areas with little water. The Vale District Office has constructed several bighorn sheep guzzlers to enhance habitat for bighorn sheep and other wildlife species. During drought years, these water developments are crucial to a wide variety of animals.

Guzzler projects consist of an underground storage tank, a water catchment (apron), a drinker, float and piping connecting these parts. A barbed wire fence enclosure is designed to provide access to wildlife while excluding cattle. A non-functioning guzzler does not provide water to wildlife and can become a hazard to wildlife and cattle if left alone and not maintained.

PURPOSE AND NEED

The purpose of the proposed project is to provide water to wildlife and to reduce the hazard of guzzler parts and collapsed fencing to wildlife and cattle. There are limited water sources in the project area to provide adequate wildlife water requirements. Once developed and maintained, the additional water source will provide adequate drinking water for wildlife in the Castle Rock area.

The proposed project is to replace the existing water catchment with a new Boss™ tank that already has a dome lid to catch water. The boss™ tank lid has the capability to act as supplemental water catchment with an integrated drinker to provide water for animals. The Boss™ tank and materials will be transported by helicopter to minimize disturbance at Castle Rock Guzzler enclosure from a material staging area located at Beulah Reservoir.

No roads or trails will be constructed and hand crews will only access the guzzler site by using an existing 4-wheel drive road for project preparation, maintenance and repair on the Castle Rock Guzzler.

A hand crew will dig a pit 188.5 inches (L) x 98.5 inches (W) x 26.0 inches (D) to remove the existing tank and cement drinker and replace it with the new Boss™ tank. Wood, cement and litter will be gathered and removed by helicopter. The hand crew will access the enclosure to

do prep work to remove litter and to do maintenance on the enclosure fence and rock jacks before the tank is flown in. BLM Fence standard specification (BLM manual 1-1572) will be done in Castle Rock enclosure as (16, 6, 6, 12) bottom wire smooth.

DESIGN FEATURES

Access- Existing roads will be used for all ground -based implementation activities. No new roads or trails will be constructed. Minimal in/egress trips will be conducted to avoid impacts caused by repeated travel.

Avoidance of sensitive species habitat – Clearances for sensitive species will be conducted prior guzzler removal. If sensitive wildlife or plant species are found in the project area, removal will be scheduled and/or modified to avoid or minimize disturbance to these species and their habitat.

Cultural resources – All proposed activities will comply with section 106 requirements and the 2015 Oregon Washington BLM/SHPO Protocol.

Lands outside of WSAs but determined to possess wilderness characteristics – The Castle Rock Guzzlers is located within the Castle Rock Land with wilderness characteristics. The removal of the old Castle Rock tank and water catchment will cause minor surface disturbance only and of a temporary nature. The amount of surface disturbance is constrained to avoid permanently impacting wilderness characteristics. No ground-based heavy equipment will be used; dismantling of the water catchment and drinker will be conducted by a hand crew. No new roads will be constructed since the guzzler is adjacent to existing 4-wheel road.

PLAN CONFORMANCE

All actions approved or authorized by the BLM must conform to the existing land use plan where one exists (43 CFR 1610.5-3, 516 DM 11.9). Although it is not a NEPA requirement, the BLM includes within all its NEPA documents a statement about the conformance of the proposed action and alternatives with the existing land use plan. The BLM’s planning regulations state that the term “conformity” or “conformance” means that “... a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or amendment” (43 CFR 1601.0-5(b)).

The proposed action is also in conformance with the management objectives of the Southeastern Oregon Resource Management Plan (SEORMP, Sept. 2002), *General Planning Criteria*, cited on page 9 of the RMP. The proposed action conforms to program-specific objectives of the SEORMP which are cited on page 50 section 102.8 of FLPMA requires that public land be managed to protect the quality of multiple resources and to provide food and habitat for fish, wildlife, and domestic animals.

DOCUMENTATION OF CATEGORICAL EXCLUSIONS: EXTRAORDINARY CIRCUMSTANCES

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 circumstances described in 516 DM 2, Appendix 2, and listed below apply.

Yes	No	Extraordinary Circumstances	Reviewer (Specialist and/or FM Initials in each box)	Date
		1. Have significant impacts on public health or safety.		
		2. Have significant impacts on such natural resources		

Yes	No	Extraordinary Circumstances	Reviewer (Specialist and/or FM Initials in each box)	Date
		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.		
		3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
		4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
		5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
		6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
	X	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.	CB	8/4/15
	X	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.	SF (plants) MM (Wildlife)	7/17/15 8/3/15
		9. Violate a Federal law, or a State, local, or Tribal law or requirement imposed for the protection of the environment.		
		10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
	X	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).	CB	8/4/15
	X	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).	Is	07/13/2015

