

**Bureau of Land Management  
Winnemucca District Office  
Categorical Exclusion**

HRFO (1000)       BRFO (3000)       District (      )

<b>CX#: DOI-BLM-NV-W010-2012-012 -CX</b>	<b>Date:01/17/2012</b>
Regulatory Authority (CFR or Law): FLPMA  BLM Manual: 1745  Subject Function Code: 6500	Lease / Case File / Serial #:
Project Lead Preliminary Review: Is the project located within a Sage Grouse 75% Bird Breeding Density Area? No	

1. BLM District Office: Winnemucca District Office
2. Name of Project Lead: Mandy DeForest
3. Project Title: Inskip Canyon Quail Augmentation
4. Applicant: NDOW
5. Project Description: (briefly describe who, what, when, where, why, how)

The NDOW would like to augment the population of California quail located on the East Range in Inskip Canyon. They would like to conduct the release between January 16 and February 29, 2012, and anticipate releasing up to 50 birds. These quail are being acquired through capture efforts in residential Reno and would be transported to the release site via pickup truck. The quail would be released from the pickup off of the existing two track roads within Inskip Canyon. The quail would be released on BLM lands, however there is a checkerboard land pattern within Inskip Canyon.

Project dimensions (length, width, height, depth): \_\_\_\_\_ Acreage:  
7680 acres (it is anticipated the quail will disperse in the area shaded on the map.)

Will the project result in new surface disturbance? Yes \_\_\_ No X

Has the project area been previously disturbed? Yes \_\_\_ No \_\_\_ N/A X. If yes, what percent of the project area has been disturbed? \_\_\_% . If only part of the project area has been disturbed, indicate disturbed area on map. Describe disturbance (and attach photo of disturbed area if you have one):

6. Legal Description:      T. 31 N., R. 36 E., sec. 15, 17 1/4 \_\_\_\_\_ 1/4  
   T. \_\_\_\_\_ N., R. \_\_\_\_\_ E., sec. \_\_\_\_\_, \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4

USGS 24k Quad name:

100k map name: Winnemucca

Land Status: BLM X Private X Other Checkerboard

**Part I: Plan Conformance Review**

The proposed Action is subject to the:

- Paradise-Denio Management Framework Plan
- Sonoma-Gerlach Management Framework Plan
- Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness and Other Contiguous Lands in Nevada RMP

*(The Proposed Action has been reviewed for conformance with this plan (43 CFR 1610.5, BLM Manual 1617.3).*

**Part II: NEPA Review**

Categorical Exclusion Review: This Proposed Action qualifies as a categorical exclusion under:

43 CFR 46.210 DOI Implementation of NEPA of 1969, Listing of Departmental Categorical Exclusions *(formerly 516 DM2 Appendix 1)*

516 DM11.9, (BLM) A.5 Routine augmentations, such as fish stocking, providing no new species are introduced.

**ESA and BLM Sensitive Status Species**

Evaluation Criteria	Yes	No
1. Are species listed under the Endangered Species Act likely to occur in the project area? If yes, list the species in Table 1 below. Verify with USFWS or use approved list.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are BLM NV Sensitive Species, based upon the current IM, likely to occur in the project area? If yes, list the species in the Table 1 below.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Could the proposed action result in “take” under the Migratory Bird Treaty Act? If yes, attach appropriate mitigation measures.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Table 1. Special Status Species that may occur in the project area:**

ESA	BLM	Common ( <i>Scientific</i> ) Name	May Be Affected?	Mitigation for BLM Sensitive Species ( <i>Attach ESA Section 7 Compliance to Form</i> )
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Greater Sage-grouse	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes	

			<input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Table 2 Migratory Bird Treaty Act Consideration**

Potential MBTA Species w/in the Project Area Common ( <i>Scientific</i> ) Name	May Be Affected?	Proposed Mitigation
Black-chinned sparrow ( <i>Spizella breweri</i> ), Brewer's sparrow ( <i>Spizella breweri</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Calliope hummingbird ( <i>Stellula calliope</i> ), Common poorwill ( <i>Phalaenoptilus nuttallii</i> ), Green-tailed towhee ( <i>Pipilo chlorurus</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Ferruginous hawk ( <i>Buteo regalis</i> ), Golden eagle ( <i>Aquila chrysaetos</i> ), Gray flycatcher ( <i>Epidonax wrightii</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Prairie Falcon ( <i>Falco mexicanus</i> ) Sage sparrow ( <i>Amphispiza belli</i> ) Sage thrasher ( <i>Oreoscoptes montanus</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Virginia's warbler ( <i>Vermivora virginiae</i> ) White-throated swift ( <i>Aeronautes saxatalis</i> )	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

The Proposed Action has been reviewed to determine if any exceptions described in 43 CFR 46.215 Categorical Exclusions: Extraordinary Circumstances apply. (See attached page)

*Mitigation Measures/Remarks: (if there are any applicable mitigation measures, including any standard stipulations, conditions of approval, terms of conditions, etc. that would be attached to the permit, state "See Attached" and attach a copy to the CX.)*

**Part III: DECISION:** I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no other environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures identified above under the authority of Federal Land Policy Management Act (FLPMA) of 1976 (43 U.S.C. 1701 *et seq.*)

Section 102. [43 U.S.C. 1701] (a)(8) “The Congress declares that it is the policy of the United States that the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use.”

Remarks reserved for authorized officer:

Authorized Official /s/ Michael Truden Date: 2/1/12  
(Signature)

#### Administrative Review or Appeal Opportunities

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to Michael Truden, Field Manager, Humboldt River Field Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by §4.412 (b), and any arguments the appellant wishes to make. Form 1842-1 (enclosed) provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in §4.401(a), the notice of appeal will not be considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in §4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under §4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than 15 days after filing the document.

In addition, within thirty (30) days of receipt of this decision you have the right to file a petition for a stay together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties specified above.

Pursuant to 43 CFR 4.471(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

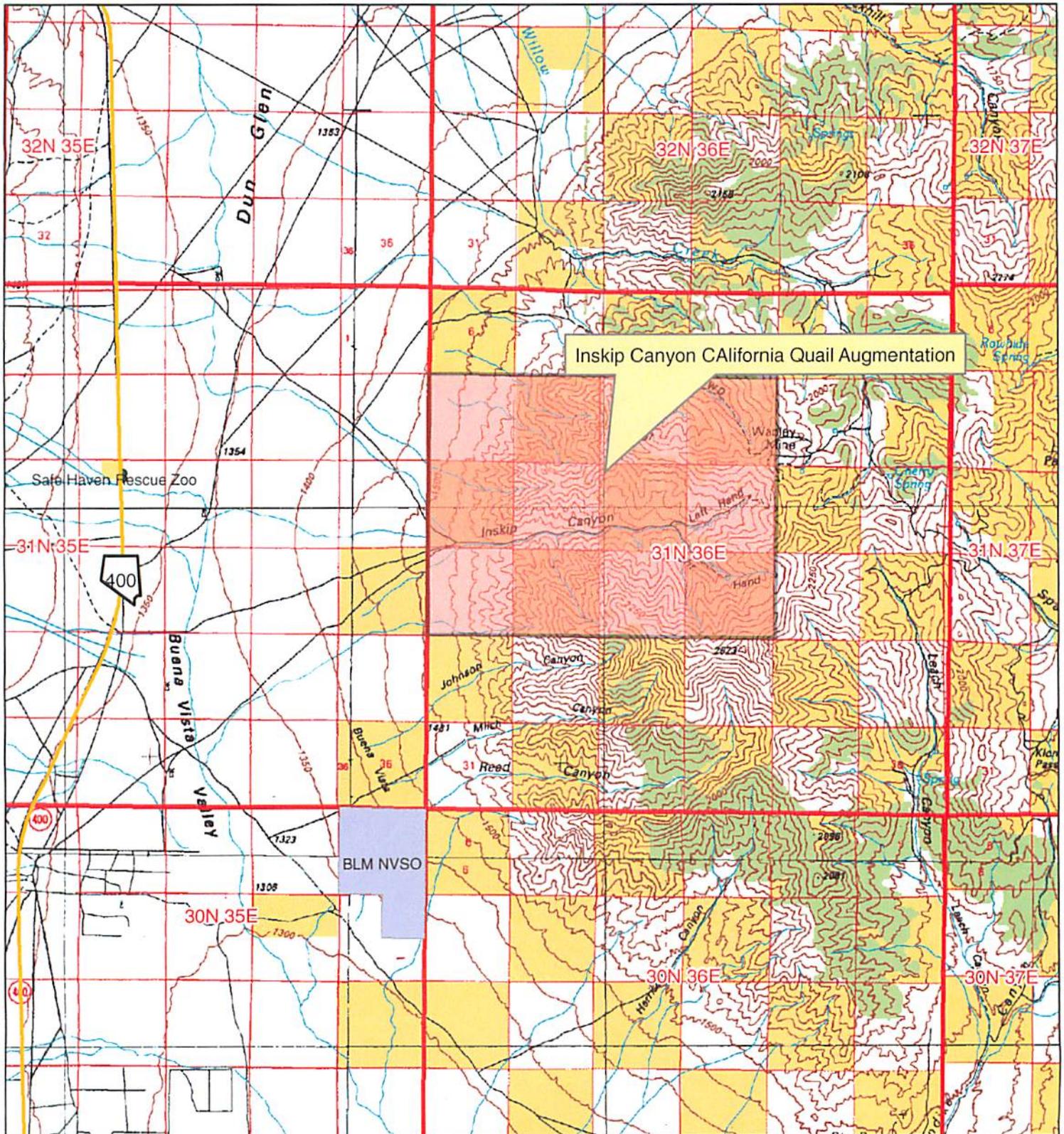
- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
- (4) Whether the public interest favors granting the stay.

43 CFR 4.471(d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).



# Inskip Canyon California Quail Augmentation



**Legend**

Private Cyn. Quail Habitat	<b>Land Status</b>
NDOT Roads - Scaled Labels	<b>Agency</b>
Interstate	Bureau of Indian Affairs
US Highway	Bureau of Land Management
State Route	Bureau of Reclamation
Sage Grouse 75%	Department of Defense
NEPA_Pole	Department of Energy
NEPA_Line	Forest Service
NEPA_Playon	Fish and Wildlife Service
Township	National Park Service
	Nevada State Lands
	Park
	Private
	Water

Winnemucca, NV  
 USGS 7.5' Quadrangles  
 T.31 N., R.36 E., sec. 15 & 17

0 0.5 1 2 Miles

1:100,000  
 1/19/2012

Winnemucca District Office  
 Humboldt River Field Office  
 5100 E. Winnemucca Blvd  
 Winnemucca, NV. 89445

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