

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Twin Falls District
Shoshone Field Office
400 West F Street
Shoshone, ID 83352

CATEGORICAL EXCLUSION REVIEW SHEET
NEPA No. **DOI-BLM-ID-T030-2012-0017-CX**

Project Description

Install two cattle guards; East Star Lake/Camp II cattle guard on a Bureau of Land Management (BLM) maintained road in an existing pasture boundary fence and Owinza RR Crossing cattle guard on a county road in an allotment boundary and railroad right of way fence. The installation would require the digging of a shallow pit in the existing road bed and placing metal grates on precast concrete bases. In most cases the area disturbed during installation would be less than .01 acre per cattleguard. The project would also incorporate an additional gate to one side where livestock, wide loads and metal tracked equipment could pass. Occasionally, minor additional excavation would be needed to provide for adequate drainage and maintenance.

Consideration of Extraordinary Circumstances:

This Categorical Exclusion Review (CER) Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 43 Code of Federal Regulations (CFR) 46.215 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have significant impacts on public health or safety.

The projects are necessary to eliminate the need for gates that must be opened and closed by the public and the associated hazards of such activity. The Owinza RR Crossing cattleguard would also provide safety measures by greatly reducing the risk of livestock presence on railroad tracks.

2. The proposed action would not 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.

There are no known ecologically significant or critical areas within the project areas. The proposed actions would not have significant impacts on the migratory birds because

construction would be done outside of nesting season. The archeological surveys completed by the BLM conclude there are no known cultural resources in the project areas.

3. The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

The proposed action (installation of two cattleguards) is not known to have highly controversial environmental effects. Installation of cattleguards is a common practice.

4. The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The proposed action would not have highly uncertain and potentially significant environmental effects or involve unknown environmental risks. Installation of cattleguards is a common practice with known effects that are not unique.

5. The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects because there are no future actions in regards to these cattleguards.

6. The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

There are no other projects proposed in the vicinity of the project areas that would have a direct relationship to and or lead to significant cumulative effects. The proposed action does not have a direct relationship to other actions in the area.

7. The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau

A cultural resource inventory was completed in June 2012 and no cultural resources were identified. There would be no impact to cultural resources.

If there are any future or inadvertent historic, cultural or paleontological property discoveries made during project implementation, there will be an immediate ceasing of the project activities and the Shoshone Field Manager and Archeologist will be contacted for further investigation (see also 36 CFR 800.11 and SPA). In the event that American Indian human remains, unassociated funerary objects, or grave goods are encountered, work in the immediate vicinity of the discovery will cease, and BLM shall comply with NAGPRA as outlined in 43 CFR 10 by consulting with the SHPO and implementing appropriate mitigation.

8. 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.

The proposed action would not adversely affect special plant species because there are no known occurrences of threatened, endangered, or sensitive plants in the project areas.

The cattleguard sites are in preliminary general habitat (PGH) for greater sage grouse. The areas mapped as PGH were derived by considering sage-grouse lek density, attendance and connectivity factors with the intent of delineating habitat of highest value for conservation and maintenance of sage-grouse populations. There are no occupied or undetermined lek sites in close proximity to project sites. Records at the Shoshone Field Office reveal that a recently discovered occupied sage-grouse lek occurs about 3 miles from the proposed Owinza RR Crossing site and 8 miles from the East Star Lake/Camp II proposed project site. Installation of the cattleguards with gate structure would not result in a measurable change in the suitability of habitat in the area to support greater sage-grouse use over current conditions. The planned action is not going to result in a detectable increase in the level of impact to the amount of suitable habitat or to the local population of any BLM Sensitive animal species identified as affected by the action. The project locations are not expected to alter the level of use of the habitat in the project area by migratory birds and would result in no discernible increase in human caused impacts to the local population of the Birds of Conservation Concern over current levels. This extraordinary circumstance does not apply because cattleguard installation would pose minimal, short term disturbance to BLM sensitive wildlife species and there are no known threatened and endangered animals in the project areas.

9. The proposed action would not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

The extraordinary circumstances does not apply because the proposed action would not violate any laws or requirements imposed for the protection of the environment. The proposed action would not have significant impacts on migratory birds. Any nest discovered during srveys will be protected from harm.

10. The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The proposed actions would not have a disproportionately high and adverse effect on low income or minority populations. The cattleguards will be installed by the BLM and thus no additional jobs will be created by these projects; however, no low income and or minority populations will be effected.

11. 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 (Executive Order 13007).

The proposed actions would not limit access because the purpose of the projects would be to eliminate gates and allow easier access across public lands.

12. The proposed action would not 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).

The proposed action would not contribute to the introduction, continued existence or spread of noxious weeds or non-native invasive species. The majority of disturbed areas would be on existing roads. Areas on either end of the cattleguard may be disturbed during construction but would be less than 100 square ft. total. The area of disturbance would be seeded with a BLM approved seed mix.