

U.S. Department of the Interior
Bureau of Land Management
Carson City District Office

**CATEGORICAL EXCLUSION
ENVIRONMENTAL REVIEW AND APPROVAL**

Project Lead: Pilar Ziegler

Field Office: Sierra Front

Lead Office: Sierra Front

Case File/Project Number: LLNVC02000/5000

Applicable Categorical Exclusion: 526 DM 11.9 C. (4) Pre-commercial thinning and brush control using small mechanical devices.

NEPA Number: DOI-BLM-NV-C020-2012-0036-CX

Project Name: Churchill to Wellington Byway Thinning

Project Description: BLM is proposing to have pinyon pine and juniper trees removed on 789 acres of BLM managed land using a Natural Resources Conservation Service (NRCS) program contract. Trees will be removed with a chainsaw from invaded sagebrush plant communities. Stump height will not exceed 6 inches. Cut material will be left in place to stabilize soils and will be lopped so it lies no higher than 36 inches above the ground. Access would be from existing roads. Trees with a DBH greater than 18 inches may have historical significance and will be retained. Any trees which show signs of a vertical scar approximately one meter or more in length will be retained. Cultural resource surveys and botanic surveys are not required for hand treatment. Treatment of sites where young trees are spreading will restore and maintain a balance of vegetation types to prevent dominance of tree cover that would render sagebrush habitat unsuitable for wildlife species including Bi-State sage-grouse, pronghorn, sage sparrow, mountain quail, and mule deer. Treatment will improve wildlife habitat values by increasing the quality and quantity of desirable plants. The project will likely be implemented in August 2012 and is expected to be completed in 2013.

Applicant Name: BLM via NRCS contract

Project Location: Douglas and Lyon Counties. T. 14 N., R. 23 E., S. 5, 8, 15-17, 20-22.

BLM Acres for the Project Area: Area of proposed treatment is estimated at 789 acres.

Land Use Plan Conformance: FOR-1 "Forest and woodland management will be based on the principles of multiple use, sustained yield, and ecosystem management." WLD-2 "Maintain or improve the condition of the public rangelands so as to enhance productivity for all rangeland values (including wildlife)."

Name of Plan: NV – Carson City RMP.

Screening of Extraordinary Circumstances: The following extraordinary circumstances apply to individual actions within categorical exclusions (43 CFR 46.215). The BLM has considered the following criteria:

(Specialist review: initial in appropriate box)

<i>If any question is answered 'yes' an EA or EIS must be prepared.</i>	YES	NO
1. Would the Proposed Action have significant impacts on public health or safety? (project lead/P&EC)		B2B
2. Would the Proposed Action 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 (EO 11990); floodplains (EO 11988); national monuments; migratory birds (EO 13186); and other ecologically significant or critical areas? (wildlife biologist, hydrologist, outdoor recreation planner, archeologist)		✓ ADC we ad
3. Would the Proposed Action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA 102(2)(E)]? (project lead/P&EC)		B2B
4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? (project lead/P&EC)		B2B
5. Would the Proposed Action establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? (project lead/P&EC)		B2B
6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects? (project lead/P&EC)		B2B
7. Would the Proposed Action have significant impacts on properties listed, or eligible for listing, on the NRHP as determined by the bureau or office? (archeologist)		✓
8. Would the Proposed Action 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? (wildlife biologist, botanist)		DT ad
9. Would the Proposed Action violate federal law, or a State, local or tribal law or requirement imposed for the protection of the environment? (project lead/P&EC)		B2B
10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)? (project lead/P&EC)		B2B
11. Would the Proposed Action 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 (EO 13007)? (archeologist)		✓
12. Would the Proposed Action contribute to the introduction, continued existence, or spread of noxious weeds or non-native 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 EO 13112)? (botanist)		DT

SPECIALISTS' REVIEW: During ID Team consideration of the above Proposed Action and extraordinary circumstances, the following specialists reviewed this CX:

Jo Ann Hufnagle, Realty Specialist
Arthur Callan, Outdoor Recreation Planner
Niki Cutler, Hydrologist
Jim Carter, Lead Archaeologist
Pilar Ziegler, Wildlife Biologist/BLM Sensitive Species - Wildlife
Dean Tonenna, Botanist - Natural Resource Specialist/BLM Sensitive Species - Plants
Brian Buttazoni, Planning & Environmental Coordinator

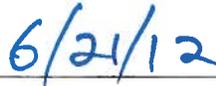
DECISION:

It is my decision to implement the Churchill to Wellington Byway Thinning project. I have reviewed this LUP conformance and NEPA compliance record and have determined that the proposed project is in conformance with the CRMP and that no further NEPA analysis is required.



for

Leon Thomas
Field Manager
Sierra Front Field Office



Date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas
Field Manager, Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals

Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to 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 appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.