

CATEGORICAL EXCLUSION DOCUMENTATION

CX No: DOI-BLM-ID-B011-2014-0003-CX

A. BACKGROUND

BLM Office: Morley Nelson Snake River Birds of Prey NCA

Lease/Serial/Case File No.:

Proposed Action Title/Type: Authorization of temporary fences in Rattlesnake Seeding allotment.

Location of Proposed Action:

The Rattlesnake Seeding allotment (00827) is located just south and west of Mountain Home, ID. The allotment encompasses approximately 17,383 acres of public land, 501 acres of state land, and 1,024 acres of private land, for a total of 18,908 acres. Elevations in the allotment vary from approximately 3,000 to 3,200 feet.

Description of Proposed Action: The action proposed is building a total of 4 miles of non-continuous, temporary fences in the Rattlesnake Seeding allotment (00827). Six segments of temporary fence would divide the following pastures: East Lamberton, West Lamberton, Middle Lamberton, Rattlesnake Seeding 1, Rattlesnake Seeding 2, and Rattlesnake Seeding 4.

The proposed fences are needed to implement a study of high intensity, low frequency grazing. All fencing would be removed at the completion of the 10-year study.

B. LAND USE PLAN (LUP) CONFORMANCE

This proposed Action is subject to the following land use plan: Snake River Birds of Prey NCA Resource Management Plan

Date Plan Approved: 9/30/2008

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): Upland Vegetation 2.6-Management Actions states, “Designate up to 5,000 acres for research purposes.”

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 11.9 J(9)

“Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas.”

Category Description:

A categorical exclusion is appropriate in this situation because no extraordinary circumstances exist that would introduce potential effects that may significantly affect the environment. The proposed action has been reviewed and none of the extraordinary circumstances described in 43 CFR 46.215 applies.

The following list of Extraordinary Circumstances (516 DM 2, Appendix 2) was considered. The project would not:

1. Have significant impacts on public health or safety.

Building new fences in an area already dominated by many miles of fence would not constitute a significant safety hazard because the public land users are accustomed to recreating and or operating in these areas.

The Proposed Action would not have any significant impacts to public health or safety.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

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; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.

With the exception of slightly more concentrated cattle use along fence lines, no impacts to natural resources and unique geographic characteristics is expected.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

There would be no significant effects to nesting birds of prey, or any other members of the local ecosystem due to the scale and nature of the proposed activity as this is an area that burned several times in the last 10 years.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The BLM has extensive experience with temporary fences. The effects of temporary fences to resources are understood, and the small scale of this project would not result in significant impacts.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

Future actions would not be affected and/or precedents set by this action, as no change to the grazing permit is being proposed or implemented through this action. The proposed action would allow for pastures to be divided. All grazing in these pastures would remain within the parameters of the existing permit. However, fluctuations in stocking rates and duration of use would allow for high intensity, low frequency grazing to be compared to standard stocking rates and timing of a traditional grazing system.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.

This action does not have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects. The impacts of cattle use in conjunction or cumulatively with other on-the-ground activities are already occurring and would continue at the current or lesser rate and intensity as existing actions analyzed under the January 1, 2008 Final EA, ID-111-2006-EA-1772.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

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.

A Class III Cultural Resources Survey was conducted along the proposed alignments for the fence segments. One fence segment would pass through the edge of a previously recorded historic trash scatter, but the fence construction would not impact any historic properties listed or eligible for listing on the National Register of Historic Places-

Specialist Signature/Date: /s/ Dean C. Shaw 5/19/2014

8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.

Plants

No endangered or threatened species or their habitat, including the proposed "Threatened" slickspot peppergrass, is known to occur within the project area. Two element occurrences of Davis Peppergrass, a BLM Type 3 special status plant, are known to occur within the project area (EOs 26 & 28 in T5S-R6E-SECs 14 and 17, respectively); however, fence construction would not impact Davis Peppergrass.

Plants Specialist Signature/Date: Mark E. Steiger DATE 6/11/2014

Wildlife

No federally listed species are known to occur within the project area. Therefore, no effect is expected to any federally listed species.

The area has a relatively abundant population of Piute ground squirrels, the main food source for a variety of raptor species within the NCA. Piute ground squirrels use fence lines to evade raptors which can lead to fence strikes by raptors unfamiliar with new fences. Raptors are often narrowly focused on their prey while hunting and do not see the fence in time to avoid impact. Fence reflectors will reduce the risk of raptor strikes until the raptors in the area become familiar with the new fences. Impacts to raptors would be mitigated and in compliance with the Migratory Bird Treaty Act (1998, as amended) in the area by attaching reflectors to the temporary fencing.

Wildlife Specialist Signature/Date: /s/ Jill Holderman 4/18/2014

There are no endangered or threatened fish or critical aquatic habitat in the area.

Aquatics Specialist Signature/Date: N/A

9. Violate a Federal, State, local, or Tribal law or requirement imposed for the protection of the environment.

Fence construction has been designed to comply with all Federal, State, local and Tribal laws, and meets requirements for the protection of the environment.

Specialist Signature/Date: Dean C. Shaw 6/5/2014

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

There are no low income or minority populations living in the project area. Low income or minority visitors to the area would not be affected any differently by the proposed activities than any other visitor.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

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).

The fence construction 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).

Specialist Signature/Date: Dean C. Shaw 6/5/2014

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).

The proposed project 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 species.

Specialist Signature/Date: /s/ Steve Leonard 6/17/2014

D: SIGNATURE

I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.

Authorizing Official: /s/ Patricia Roller 6/19/14

Patricia Roller
Field Manager
Morley Nelson Snake River Birds of Prey NCA

Prepared By/Contact Person: Steve Leonard