BLM

U.S. Department of the Interior
Bureau of Land Management

Categorical Exclusion

Twist Pit Area Material Removal
DOI-BLM-UT-G010–2014–0170–CX

PREPARING OFFICE

U.S. Department of the Interior
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Prepared by
U.S. Department of the Interior
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Table of Contents

1. Categorical Exclusion **1**

2. Extraordinary Circumstances Review **3**

2.1. Categorical Exclusion Rationale 5

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Chapter 1. Categorical Exclusion

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A. Background

BLM Office:

Vernal Field Office, 170 South 500 East, Vernal, UT 84078

Lease/Serial/Case File No.:

Proposed Action Title/Type:

Road material pile removal.

Approximately 10,000 yards of material is stored in piles at this location which Uintah County would like to use on public roads. Reject sand material would be used to mix with salt for winter road maintenance for the County and Vernal City. The pit run and other material would be used to build up and repair County roads.

Location of Proposed Action:

Township 5 South Range 20 East Section 35 S/E N/E N/E, N/E S/E N/E, S/E S/E N/E, and N/E N/E S/E, Uintah County, UT

Description of Proposed Action:

Removing of road material would occur only when the ground is dry and generally would be on week days. The area of disturbance would be no greater than 5 acres at any one time. No water would be used. Less that 10,000 gal of chemicals (under SARA,1986) and less than the TPQ of chemicals in 40 CFR 355 would be used in association with the operations (applicant would clean up spills of fuel, lubricants, acids or antifreeze from trucks used and dispose of properly). The applicant would monitor and control noxious weeds that emerge in association with the extraction and transport of stone within the application area. The applicant would abide by any timing restrictions or avoid areas should any sensitive plants, wildlife or other resources be identified later by the BLM. The area would be jointly inspected upon the completion of extraction and two years afterwards (the latter to determine if the applicant must conduct any reclamation work).

B. Land Use Plan Conformance

The proposed action is consistent with the decisions of the Vernal Field Office Resource Management Plan Record of Decision (ROD 2008). The ROD allows the development of mineral operations for salable minerals, and 389,788 acres have been set apart for mineral material disposal with standard and special stipulations. The proposed off road travel would not conflict with the limited OHV designation because it would be a formally permitted activity and all appropriate resource clearances have been conducted. The project would not conflict with other decisions throughout the plan.

Land Use Plan Name:

Vernal Field Office Resource Management Plan Record of Decision

Date Approved/Amended: 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

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) : The proposed action is consistent with the decisions of the Vernal Field Office Resource Management Plan Record of Decision (ROD 2008). The ROD allows the development of mineral operations for salable minerals (page 97), and 389,788 acres have been set apart for mineral material disposal with standard and special stipulations (page 100). The project would not conflict with other decisions throughout the plan.

C. Compliance with NEPA:

The action described above generally does not require the preparation of an environmental assessment (EA) or environmental impact statement (EIS), as it has been found to not individually or cumulatively have a significant effect on the human environment. The applicable Categorical Exclusion reference is in 516 DM 2, Appendix 1 (or 516 DM 11.5 F (10)). This reference states, "Disposal of mineral materials such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas."

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 extraordinary circumstances described in 516 DM 2 apply.

I considered: Extraordinary Circumstances as shown in the attached worksheet.

D. Approval and Contact Information

JUL 22 2014

Jerry Kenczka
Assistant Field Office Manager, Lands and Minerals

Date

Chapter 2. Extraordinary Circumstances Review

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2.1. Categorical Exclusion Rationale

CX Number:	DOI-BLM-UT-G010–2014–0170–CX
Date:	6-4–2014
Lease/Case File/ Serial Number:	
Regulatory Authority (CFR or Law):	516 DM 2, Appendix 1

Section 1.1 Impacts on Public Health and Safety

1. Does the proposed action have significant impacts on public health and safety?		
YES	**NO**	**REVIEWER/TITLE**
	X	Elizabeth Gamber, Geologist

Rationale: No significant impacts on public health and safety would occur from the removal of stockpiled material from the piles in the twist pit area. Utilization of the material for winter road mitigation would improve safety for winter drivers in the area.

Section 1.2 Impacts on Natural Resources or Unique Geographic Characteristics

2. Does 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 or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?		
YES	**NO**	**REVIEWER/TITLE**
	X	Elizabeth Gamber, Geologist, Jason R. West, ORP

Rationale: Located in a previously disturbed area — no paleo resources are present; no affect on drinking water aquifers because stockpiles are existing; no park, recreation or refuge lands are present; and wilderness or wilderness study areas and wild or scenic rivers are not present. No national natural landmarks, prime farmlands, wetlands, floodplains are present.

Section 1.3 Level of Controversy

3. Does the proposed action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
YES	**NO**	**REVIEWER/TITLE**
	X	Elizabeth Gamber, Geologist

Rationale: No highly controversial environmental effects and no unresolved conflicts concerning alternative uses of available resources would occur because effects of removing existing stockpiles are known.

Section 1.4 Highly Uncertain or Unique or Unknown Environmental Risks

4. Does the proposed action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
YES	**NO**	**REVIEWER/TITLE**
	X	Elizabeth Gamber, Geologist

Rationale: No highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks are anticipated. Effects of removing existing stockpiles are known.

Section 1.5 Precedent Setting

5. Does the proposed action establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Elizabeth Gamber, Geologist

Rationale: The proposed action does not establish a precedent or represent a decision in principle with significant environmental effects. Effects of removing existing stockpiles are known.

Section 1.6 Cumulatively Significant Effects

6. Does the proposed action have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Elizabeth Gamber, Geologist

Rationale: The proposed action does not have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects.

Section 1.7 Impacts on Cultural Properties

7. Does the proposed action 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?		
YES	NO	REVIEWER/TITLE
	X	Jimmie McKenzie, Archaeologist

Rationale: The proposed action does not 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.

Section 1.8 Impacts on Federally Listed Species or Critical Habitat

8. Does 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?		
YES	NO	REVIEWER/TITLE
	X	Dan Emmett, Wildlife Biologist; Christine Cimiluca, NRS

Rationale: Located in a previously disturbed area (Sage Grouse area does not apply); Critical habitat for threatened, endangered, candidate or proposed plant species does not occur in the Project Area, and no populations of these species have been documented.

Section 1.9 Compliance With Laws

9. Does the proposed action violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
YES	**NO**	**REVIEWER/TITLE**
	X	Elizabeth Gamber, Geologist

Rationale: No, the proposed action does not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment

Section 1.10 Environmental Justice

10. Does the proposed action have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
YES	**NO**	**REVIEWER/TITLE**
	X	Elizabeth Gamber, Geologist

Rationale: No, the proposed action does not have a disproportionately high and adverse effect on low income or minority populations because none are present in the project area.

Section 1.11 Indian Sacred Sites

11. Does 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 (Executive Order 13007)?		
YES	**NO**	**REVIEWER/TITLE**
	X	Jimmie McKenzie, Archaeologist

Rationale: The proposed action does 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).

Section 1.12 Noxious and Non-Native Invasive Species

12. Does the proposed action 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)?		
YES	**NO**	**REVIEWER/TITLE**
	X	Christina Cimiluca, NRS

Rationale: No known infestations of noxious weeds are present in the Project Area. Incidences of noxious or non-native invasive species would be controlled by the applicant.