

CATEGORICAL EXCLUSION DOCUMENTATION

CX No. DOI-BLM-ID-B020-2014-0004-CX

A. BACKGROUND

BLM Office: Bruneau Field Office

Lease/Serial/Case File No.: GRN 1104450

Proposed Action Title/Type: Temporary water haul sites in East Castle Creek Pasture 12

Location of Proposed Action: The Proposed Action involves the East Castle Creek Allotment, located near Grand View, Idaho, 50 miles south of Boise. Township 8 S., Range 1 E., B.M, including several sections of public and State land. Pasture 12 trends from northeast to southwest, is located in the foothills of the Owyhee Mountains, and includes elevations ranging from 4,400 feet to 6,700 feet. The pasture is bisected by Poison Creek and Mud Flat Road and is managed as a riparian pasture to improve conditions primarily along the creek. Mud Flat Road is a designated Backcountry Byway and has one developed recreation site within the affected pasture. The road also forms the boundary of the Little Jacks Creek Wilderness in the lower part of the pasture near the recreation site.

Description of Proposed Action: The Proposed Action is to authorize Gilbert King, East Castle Creek permittee, to place and haul water to temporary troughs at two locations along the Mud Flat Road right of way and at one location at a turnaround point along Lone Juniper Road within Pasture 12 of the East Castle Creek Allotment. Specific locations are displayed on the attached map. This action would be authorized as follows:

- Up to six temporary troughs would be placed at each authorized location on or after May 21, 2014, either within the Mud Flat Road right of way or flat areas adjacent to the roads.
- Water hauling to the temporary troughs would be authorized between May 21, 2014, and June 7, 2014.
- Temporary troughs would be drained and removed within 5 days after the authorized period of use, or no later than June 12, 2014.
- Bird ladders would be placed in each temporary trough to allow escape of any animals that fall in.
- No road construction or other ground-disturbing activities would occur during placement or removal of the troughs.

The proposed locations of the temporary troughs provide an alternate source of clean water to the small amounts of natural water within ¼ mile of the proposed locations. Mud Flat Road is accessible by larger water trucks, while a hill on the Lone Juniper Road would only be accessible by a smaller truck.

B. LAND USE PLAN CONFORMANCE

This proposed Action is subject to the following land use plan: Bruneau MFP

Date Plan Approved: June 1983

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): RM-1, RM-1.1, RM-1.4, WS-1, WS-1.1, WS-1.2, WL-2, WL-2.1, WL-4, WL-4.3, WL-4.4, WL-6, WL-6.1.

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 D(2).

Category Description:

Placement and use of temporary (not to exceed one month) portable corrals and water troughs, providing no new road construction is needed.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances that would introduce potential effects that may significantly affect the environment. Two of the proposed locations are already along a maintained road that is subject to periodic clearing and disturbance along the road margins and are at locations where existing cattle trails cross Poison Creek into the surrounding uplands and up side gulches. In addition, practically all authorized livestock trailing already occurs within a few feet of Mud Flat Road. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

The following list of Extraordinary Circumstances (516 DM 2, Appendix 2) was considered:

1. Have significant impacts on public health or safety.

Comments/Explanation: The Proposed Action would not have any significant impacts on public health or safety. When cattle are in this pasture, they are commonly found along Mud Flat Road, necessitating caution by drivers. Visibility to motorists on Mud Flat Road was a consideration in authorizing the sites on Mud Flat Road. The Lone Juniper Site is off the main Mud Flat Road and is a slow speed two-track road. Livestock grazing is a recognized and authorized use, as identified in the Bruneau MFP (1983).

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, 5/1/2014

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.

Specialist Signature/Date: /s/ *Bruce C. Schoeberl*, Wildlife Biologist, 4/28/14

Comments/Explanation: With the exception of slightly more concentrated cattle use in a few areas along Mud Flat Road (compared to more diffuse use with more water in Poison Creek), there will be no changes in management, so previous assessments specifying no significant impacts or omission of significant impacts are still valid (migratory birds, ecologically significant critical areas).

Specialist Signature/Date: /s/ *Holly Beck*, Botanist, 4/30/14

Comments/Explanation: No unique botanical resources would be impacted by the trough placement. The botanical resources in the affected area are typical of the Owyhee Uplands and are not considered unique or critical.

Specialist Signature/Date: /s/ *Kari Koleini*, Ecologist, 4/29/14

Comments/Explanation: Authorization would not directly affect wetlands because proposed trough locations support no aquatic flora or fauna under normal circumstances. Authorization would indirectly affect riparian areas associated with Poison Creek to the extent that it facilitates livestock grazing. The effects of livestock grazing along Poison Creek are expected to be insignificant because neither the number of animals, nor the season of use would substantially differ from those analyzed in EA ID-120-2008-EA45. As such, the associated Final Decision and Finding of No Significant Impact also apply to this proposal.

Although the haul sites may be located within the 100-year floodplains of Poison Creek and Lone Juniper Creek, the action would not increase flood risk, nor impede the ability of the associated floodplains to provide beneficial values because this year's peak flows will not access the 100-year floodplain and the proposed action would cease no later than June 12.

Specialist Signature/Date: *Lois Palmgren*, Archaeologist, 4/28/2014

Comments/Explanation: SEE Number 7 below.

Specialist Signature/Date: /s/ *David Draheim*, Outdoor Recreation Planner, 4/30/14

Comments/Explanation: There would be no impacts to wild and scenic rivers as they do not occur in this pasture. There would be no change or impacts to visual resources or wilderness as a result of this activity compared to other years when grazing occurs along Poison Creek.

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

Comments/Explanation: This action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)]. Time and impacts upon resources in Pasture 12 are limited not only by the current grazing authorizations but by conformance to AICs that are measured at several points along Poison Creek. At present, none of these points have any surface water, but some have some partially accessible green herbaceous vegetation. This action would draw impacts away from any areas that currently do have surface water to more hardened sites where disturbance already occurs. Use in uplands that these watering sites would serve would be dispersed over relatively large areas of still green vegetation. All known conflicts and controversial effects (such as climate change and OHV/livestock grazing) would continue to be managed under the Bruneau MFP and within the grazing permit terms and conditions.

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, 5/1/2014

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

Comments/Explanation: This action would not have highly uncertain or potentially significant environmental effects, nor would it involve unique or unknown environmental risks. Environmental effects would be similar in nature to livestock use without the water troughs, but the severity of impacts would be higher and more concentrated in area. These effects include vegetation trampling, plant removal, willow browsing, and soil compaction. While the degree of impact is higher, the effects are neither unknown nor potentially significant to the system as a whole.

Specialist Signature/Date: /s/ *Holly Beck*, Botanist, 4/30/14

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

Comments/Explanation: This 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 allow for continued use in response to fluctuation in forage and water availability and greenness, as identified in the Bruneau MFP and in the existing permit terms and conditions. Future actions would not be affected or set by this action, as points where cattle access or cross the Poison Creek channel are already in place and no changes to stocking rate, season of use, length of season, AICs, or flexibility in livestock movements are being proposed or implemented through this action.

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, 5/1/2014

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

Comments/Explanation: This action does not have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects. Temporary impacts around the troughs would be in lieu of impacts to stream channels, meadows, and springs where cattle would otherwise seek water and would be of short duration under the existing authorizations for 2014. The impacts of livestock grazing 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 permitted actions that were analyzed under the February 20, 2009, Final EA and in the October 27, 2009, DNA for the 'Motion and Stipulation to Dismiss Appeals'.

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, 5/1/2014

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.

Comments/Explanation: The project area of potential effect (APE) was surveyed previously for cultural resources (Palmgren 2013). There is one historic mining site, 100E-3848 in the vicinity, upslope of proposed trough # 6. The site is eligible for listing on the National Register of Historic Places. 100E-3848 will not be affected by locating the troughs nearby. There would be no effect

to historic properties as a result of this action. I recommend that the troughs be placed as proposed, between May 21 - June 7, 2014.

Specialist Signature/Date: /s/ *Jois Palmgren*, Archaeologist, 4/28/2014

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 Specialist Signature/Date: /s/ *Holly Beck*, Botanist, 4/30/14

Comments/Explanation: No special status plants or habitat would be impacted by this action. Special status plant surveys were conducted and the district database was searched for records with no special status plants identified. Suitable habitat is not found at the trough locations.

Wildlife Specialist Signature/Date: /s/ *Bruce C. Schoeberl*, Wildlife Biologist, 4/28/14

Comments/Explanation: The status of greater sage-grouse changed during 2010 from Type 2 to Type 1 (Candidate for Federal Listing), and no other changes have occurred to Special Status wildlife species found in this allotment. With the exception of slightly more concentrated cattle use in a few areas along Mud Flat Road (compared to more diffuse use with more water in Poison Creek), there will be no changes in management relative to the 2009 Decision for this allotment. The actions associated with hauling water to these sites would result in no change in any effects on threatened, endangered, proposed, or candidate species under ESA, as well as other Special Status wildlife species analyzed in the 2009 Final Decision that included an assessment of impacts to greater sage-grouse.

Aquatics Specialist Signature/Date: /s/ *Kari Koleini*, Ecologist, 4/29/14

Comments/Explanation: No fish species designated as threatened, endangered, or proposed for listing or their critical habitat are found on the allotment or near the water haul sites.

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

Comments/Explanation: This action does not violate any Federal, State, local or tribal laws or requirements imposed for the protection of the environment.

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, 5/1/2014

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

Comments/Explanation: This action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). Low income or minority visitors to the area would not be affected any differently by the proposed activity than any other visitor.

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, 5/1/2014

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).

Comments/Explanation: This 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) because grazing and associated activities do not restrict access to public land.

Specialist Signature/Date: /s/ *Michael Boltz*, Rangeland Management Specialist, *5/1/2014*

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).

Comments/Explanation: The noxious weed species whitetop (*Cardaria draba*) occurs in various locations along Mud Flat Road, including at or near two of the proposed waterhaul sites. These whitetop locations were chemically treated on April 29th. The herbicide application will inhibit seed production and thus the likelihood of noxious weed spread.

Specialist Signature/Date: /s/ *Louise Huter*, Noxious Weed Specialist *4/30/2014*

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: Date: 5/13/2014

Tanya M. Thrift
Field Manager
Bruneau Field Office

Signature /s/ *Tanya M Thrift*, Bruneau Field Manager

Prepared By/Contact Person: Michael Boltz (208) 384-3346