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

CATEGORICAL EXCLUSION
ENVIRONMENTAL REVIEW AND APPROVAL

Project Lead: Katrina Leavitt
Field Office: Sierra Front
Lead Office: Sierra Front
Case File/Project Number: N/A
Applicable Categorical Exclusion: G. Transportation (2) "Installation of routine signs, markers, culberts, ditches, waterbars, gates or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plans." J. Other (9) "Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas."

NEPA Number: DOI-BLM-NV-C020-2015-0007-CX

Project Name: Sunrise Allotment Riparian Enclosures

Project Description: The proposal is to construct fencing around four small riparian areas. The purpose of the enclosure fencing is to limit the amount of time livestock and wild horses are utilizing the small springs and meadows, to improve riparian functionality and land health. Approximately 1.5 miles of barbwire fence would be constructed to enclose approximately 27 acres. The fencing would consist of three strands of barbed wire and one smooth bottom wire in accordance with BLM wildlife friendly fence standards (type B antelope). The wire spacing for the wildlife standard is 16 inches, 22 inches, 30 inches and 42 inches and 16.5 feet spacing between T-posts. Gates would be installed on each of the four enclosures. Two cattle guards would be installed on the existing Sunrise Pass Road which would enable motorized traffic to drive through the Camp Spring enclosure. Sage-grouse fence markers would be installed on the top fence wire to alert wildlife and horses to the new fence location. This is a joint project between BLM and the holder of the grazing permit. It is anticipated that fence construction would be completed prior to May 2015.

Repairs to an existing spring development are occurring concurrently with the fence construction to ensure animals have access to water outside of the enclosures.

On October 28, 2013, the U.S. Fish and Wildlife Service (USFWS) proposed critical habitat for the Bi-State sage-grouse (*Centrocercus urophasianus*). All four of the proposed riparian enclosures occur in proposed critical habitat. Telemetry data from the USGS shows sage-grouse use areas near the four riparian areas, but there are no telemetry points at the riparian areas. The riparian areas occur in the general travel corridor used by sage-grouse that runs roughly in a north-south direction along the Pine Nut crest. Sage-grouse could stop at the riparian areas for

water and forage, but telemetry data indicates they move south through the area and do not appear to use it for an extended period of time. Fence markers for sage-grouse would be installed on the top fence wires of the four enclosures at approximately three-foot intervals. Fence marking using vinyl undersill trim is an effective and practical approach to increasing wire fence visibility and reducing potential sage-grouse collisions. Preliminary research indicates that risk of collision is highest for fences near sage-grouse leks located on sites with gentle terrain. The known active lek in the Mill Canyon area is more than eight miles north of the proposed enclosures. The recently discovered lek in the Bald Mountain area is more than 15 miles south of the proposed enclosures.

The BLM coordinated with the USFWS and has determined that constructing the four proposed riparian enclosures is "Not Likely to Adversely Affect" Bi-State sage-grouse or proposed critical habitat under Section 7 of the Endangered Species Act. Per Nevada IM No. NV-2014-008 *Conferencing with U.S. Fish and Wildlife Service on Activities Potentially Affecting Species and Their Habitats Proposed for Federal Listing*, BLM policy is to confer on all discretionary actions that are determined to "May Effect, Likely to Adversely Affect." The BLM's policy is not to conference on actions determined "Not Likely to Adversely Affect." Based on the IM, BLM has determined that there is no need to conference with the USFWS for this proposed fencing project. Therefore the BLM has determined that extraordinary circumstance question #8 (below) would not be met (answered affirmatively) and a categorical exclusion is the appropriate level of compliance for this action.

Does the project include new surface disturbing activities? ☒Yes ☐No

Is the project located within preliminary general habitat for sage-grouse? ☐Yes ☒No
Is the project located within preliminary priority habitat for sage-grouse? ☐Yes ☒No
Is the project located within proposed critical habitat for bi-state sage-grouse? ☒Yes ☐No
Is the project located within critical habitat for Webber's Ivesia? ☐Yes ☒No

Applicant Name: BLM & Richard Huntsberger
Project Location (include Township/Range, County): T14N, R22E Section 13; T14N, R23E Section, 18 MDBM in Douglas County.
BLM Acres for the Project Area: Approximately 27 acres.
Land Use Plan Conformance (cite reference/page number): the following sections of the Consolidated Resource Management Plan are applicable to this project:

- LSG DO 1. Maintain or improve the condition of the public rangelands.

- LSG SOP 3. Construction of fencing will minimize impacts to wildlife, wild horses, recreation and visual resources.

- LSG SOP 4 The clearing of vegetation from project sites will be restricted to the minimum amount necessary.

- RIP-2 ILD 1. Implement and evaluate livestock grazing management systems prior to initiating extensive fencing. Riparian and fisheries habitat protection measures will involve fencing of some specific areas to prevent over-utilization and trampling.

- WHB-4 SOP 2. New fences will be marked to make fencing more visible to horses.

- WLD-2 DO 5. Maintain or improve the habitat condition of meadow and aquatic areas.

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:

If any question is answered 'yes' an EA or EIS must be prepared.	**YES**	**NO**
1. Would the Proposed Action have significant impacts on public health or safety?		**X**
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?		**X**
3. Would the Proposed Action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA 102(2)(E)]?		**X**
4. Would the Proposed Action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		**X**
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?		**X**
6. Would the Proposed Action have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects?		**X**
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?		**X**
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?		**X**
9. Would the Proposed Action violate federal law, or a State, local or tribal law or requirement imposed for the protection of the environment?		**X**
10. Would the Proposed Action have a disproportionately high and adverse effect on low income or minority populations (EA 12898)?		**X**
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)?		**X**
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)?		**X**

CONCLUSION: Based upon the review of this Proposed Action, I have determined that the above-described project is a categorical exclusion, in conformance with the LUP, and does not require an EA or EIS.

Approved by:

Leon Thomas
Field Manager
Sierra Front Field Office

10-31-14
(date)

Does this CX constitute the decision document for this Proposed Action? ☐Yes ☒ No (see attached Decision Record)