# Categorical Exclusion Review

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Twin Falls District
Jarbidge Field Office
2536 Kimberly Road
Twin Falls, ID 83301

**Water Storage Tank Wildlife Exclosure Fence**

**NEPA No. DOI-BLM-ID-T010-2015-0008-CX**

## A. BACKGROUND

**BLM Office:** Jarbidge Field Office

**Lease/Serial/Case File No.:** RIPS# TBD

**Proposed Action Title/Type:** The Proposed Action is the construction of an exclosure fence surrounding an open-top water storage tank known as the "Hamburger" Tank.

**Location of Proposed Action:** The water storage tank is located within the Juniper Pasture of the Coonskin AMP Allotment (#01123) in T 10 S, R 11 E, Section 33 at UTM 650319 4708313.

**Description of Proposed Action:** The Proposed Action is construction of a wildlife exclosure fence surrounding an open-top water storage tank. This fence will be constructed around the storage tank to prevent and/or limit game animal mortality and will be built in accordance with BLM standards. The tank will be bermed with dirt and a fence will be installed at the base of the berm, within the existing area of disturbance. The fence will be no taller than 8 feet to allow for aviation safety when using the storage tank as a dip site and will include a gate to allow for personnel ingress and egress. The maximum area of disturbance will be less than 0.25 acres and the maximum length of the fence would be less than 325 feet total.

## B. LAND USE PLAN CONFORMANCE

**Land Use Plan Name:** Jarbidge Resource Management Plan (RMP)
**Date Approved/Amended:** March 23, 1987

**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 Jarbidge RMP Record of Decision states that "Wildlife habitat will be managed to maintain or increase wildlife numbers over the long term, and the total acres of unsatisfactory crucial habitat will be reduced over the long term. Localized adverse impacts will be avoided or reduced through interdisciplinary project planning and wildlife input into the development of allotment management plans and other specific resource activity plans…" (page II-5).

## 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 (A)7.**

**Category description:** "Installation of devices on existing facilities to protect animal life, such as raptor electrocution prevention devices."

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 fence location lies within a previously disturbed area surrounding the water storage tank. The construction of the exclosure fence will prevent and/or limit game animal mortality. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 516 DM 6 apply.

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

**1. Have significant impacts on public health or safety.**

Yes ☐ No ☑

*Comments/Explanation*: The construction of the wildlife exclosure fence would not have any impacts on public health or safety. In addition to excluding game animals, the fence would provide extra protection to the public by restricting free access to the water tanks and secure the site from unauthorized access from the general public.

**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.**

Yes ☐ No ☑

*Comments/Explanation*: The proposed fence location lies within a previously disturbed area surrounding the water storage tank and does not affect any of the resources listed above.

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

Yes ☐ No ☑

*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)]. The fence will be constructed in such a manner to prevent and/or limit game animal mortality while allowing access by fire suppression personnel, both air and ground, to the water within the storage tank.

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

Yes ☐ No ☑

*Comments/Explanation*: This action would not have highly uncertain or potentially significant environmental effects, nor would it involve unique or unknown environmental risks. The proposed location of the fence is a previously disturbed area and will not affect other uses of the surrounding area.

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

Yes ☐ No ☑

*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 the construction of the wildlife exclosure fence in a specific location and built to a specific standards, with no future actions being affected or authorized by this action.

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

Yes ☐ No ☑

*Comments/Explanation*: This action does not have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects. The proposed exclosure fence is located within a previously disturbed area, so no new disturbance will occur. Additionally, the small area to be fenced would not affect the multiple uses that occur in proximity to the project area.

**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.**

Yes ☐ No ☑

*Comments/Explanation*: No known listed or eligible National Register properties would be significantly affected by the Proposed Action.

**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.**

Yes ☐ No ☑

Plants - *Comments/Explanation*: No known federally listed, candidate, or BLM special status plant species would be significantly impacted by the Proposed Action.

Wildlife - *Comments/Explanation*: No known federally listed, candidate, or BLM special status

wildlife species would be significantly impacted by the Proposed Action.

Aquatics - *Comments/Explanation*: No known federally listed, candidate, or BLM special status aquatic species would be significantly impacted by the Proposed Action.

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

Yes ☐ No ☑

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

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

Yes ☐ No ☑

*Comments/Explanation*: The Proposed Action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). There are no known low income or minority populations in the area of the Proposed Action. Low income or minority visitors to the area would not be affected any differently by the proposed activity than any other visitor.

**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).**

Yes ☐ No ☑

*Comments/Explanation*: There are no known ceremonial and/or sacred sites on public land in this allotment. However if sites were to be discovered in the future, the Proposed Action would not limit access for ceremonial use of Indian sacred sites by Indian religious practitioners; nor would there be adverse effects to the physical integrity of sacred sites.

**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).**

Yes ☐ No ☑

*Comments/Explanation*: The proposed fence exclosure is located within a previously disturbed location. According to the BLM, Twin Falls District noxious weed program information, no noxious weed species occur at this location. The Proposed Action would allow existing activities to continue and is not expected to cause additional influences to non-native invasive species or existing noxious weeds in the vicinity.

**BLM Interdisciplinary Team Authors and Reviewers are as follows:**

| Name | Title | Area(s) of Participation | Initials |
|---|---|---|---|
| Andrea J. Cox | Rangeland Management Specialist | Project Lead, Range Management | AJC |
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| Krystle Wengreen | NEPA Coordinator | NEPA | KW |

## D. SIGNATURE

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

Authorizing Official: /s/ Elliot Traher Date: May 5, 2015
Name: Elliot Traher
Title: Field Manager

**Contact Person**
For additional information concerning this CX review, contact Jim Klott, Wildlife Biologist, 736-2366 or Andrea J. Cox, Rangeland Management Specialist, 736-2365, 2536 Kimberly Road, Twin Falls, Idaho 83301.