

**Categorical Exclusion Review**  
U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
Boise District Office  
Bruneau and Owyhee Field Offices

**Owyhee Canyonlands Wilderness Kiosks**

CE No.: DOI-BLM-ID-B030-2010-0020-CX

Lease/Serial/Case File No.:

**Purpose and Need for Action:** On March 30, 2009, the Omnibus Public Lands Management Act of 2009 was signed into law. The act designated over 500,000 acres of public lands administered by the Bureau of Land Management (BLM) as wilderness in Owyhee County. The 1964 Wilderness Act states "...these [areas] shall be administered for the use and enjoyment of the American people... and so as to provide... for the gathering and dissemination of information regarding their use and enjoyment as wilderness." BLM is proposing to install kiosks at several locations on public lands outside of the Big Jacks, Little Jacks, North Fork Owyhee, and Owyhee River Wilderness Areas to provide visitor information regarding these wilderness areas.

**Description of Proposed Action:** BLM is proposing to permanently install up to 17 roadside kiosks to serve as information points for the public visiting wilderness areas managed by the Boise District. The kiosks would provide visitors with a regional map, current location, interpretation of the wilderness resource, prohibited acts, and Leave No Trace principles. The kiosks will be installed in previously disturbed areas along main access roads where vehicles can safely and easily pull out. Two holes for each kiosk would be dug and concrete would be used for a secure and permanent installation.

**Stipulations:**

1. All construction and maintenance activities including access by vehicles and the project installation itself shall stay within the cleared area of the pull outs and existing roads.
2. All construction, operation, and use activities shall be conducted in a manner that would avoid or minimize degradation of air, land and water quality. Toxic or hazardous materials shall not be released in violation of any environmental laws, rules or regulations. All construction work and subsequent use shall be consistent with applicable Federal, state and local laws and regulations relating to safety, water quality, and public health.
3. All waste caused by the installation and maintenance shall be promptly removed and disposed of in an authorized disposal area. The term "waste" as used herein means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, petroleum products, ashes, rocks, vegetation, vehicles and equipment.
4. Any cultural and/or paleontological resource (fossil(s) or historic or prehistoric site or object) discovered during installation activities on Federal land shall be immediately reported to the authorized representatives of the State of Idaho and the Bureau of Land Management. At that time all operations in the immediate area of such discovery shall be suspended until written authorization to proceed is issued by the authorized representative. An evaluation of the discovery will be made by the Federal or State representative to determine appropriate values.

**Project Location:** (see overview map)

Township 8 South, Range 4 West, Sections 33 and 35

Township 9 South, Range 6 West, Section 36

Township 10 South, Range 3 West, Section 7  
 Township 10 South, Range 2 West, Section 6  
 Township 8 South, Range 2 East, Section 2  
 Township 8 South, Range 3 East, Sections 9 and 27  
 Township 10 South, Range 4 East, Section 3  
 Township 11 South, Range 3 East, Section 22  
 Township 9 South, Range 2 East, Section 19  
 Township 12 South, Range 5 West, Section 35  
 Township 13 South, Range 5 West, Section 25  
 Township 13 South, Range 3 West, Section 27  
 Township 14 South, Range 2 East, Section 12

**Applicant** (if any):  
 BLM, Boise District Office

**Part I – Plan Conformance Review**

**This proposed Action is subject to the following land use plan:** Bruneau Management Framework Plan (MFP) and Owyhee Resource Management Plan (RMP)  
**Date Plan Approved:** 1983 and 1999, respectively

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):

“Objective R-1: Provide high-quality, varied recreation opportunities commensurate with public demand, placing emphasis on managing dispersed-type opportunities. Develop facilities as needed to control visitors, protect resources, and accommodate public use (Bruneau MFP, 1983).”

“Objective RECT 4: Provide for high quality recreational opportunities and experiences at developed and undeveloped recreation sites by maintaining existing amenities (roaded natural, urban and semi-primitive motorized settings) and by providing new recreation sites for the public’s enjoyment, with emphasis on roaded natural and semiprimitive motorized settings (Owyhee RMP, 1999).”

Remarks: The Wilderness Act clearly states that the wilderness resource is established for the use and enjoyment of the people. Consistent with the intent of the Act, BLM is proposing to provide visitor information along main access routes to these wilderness areas.

**Part II – NEPA Review**

- A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.9 G. Transportation (4) Placement of recreational, special designation, or information signs, visitor registers, kiosks, and portable sanitation devices.
- B. Exceptions Review (Departmental List of Extraordinary Circumstances Review): Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents **MUST BE PREPARED** for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

**List of Exceptions**

1. Have significant impacts on public health or safety.

Yes  No  Specialist Signature/Date: /s/ *Maile Adler* 5/14/10

<i>Comments/Explanation:</i> The proposed action of installing kiosks would not have any significant impacts on public health or safety. However, there may be an improvement of public safety as a result of providing the public with relevant information regarding their visit. Information presented would include a detailed map showing current location, emergency contact numbers, Leave No Trace principles, interpretation of the resources, and prohibited acts.		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> Although the purpose of the kiosks is to provide visitor information regarding the Big Jacks, Little Jacks, North Fork Owyhee, and Owyhee River Wilderness Areas, none of the proposed locations are within the wilderness boundaries. The proposed locations lie outside nationally designated parks, recreation areas, refuges, wilderness areas, wild and scenic river corridors, monuments and national landmarks. There are no unique geographic characteristics or floodplains present. It has been determined that there are no significant cultural and historic resources that need to be avoided. The sites are not a sole or principal drinking water aquifer. The area is not prime farmland. The proposed kiosk locations do not contain wetland habitats. Migratory birds would not be negatively affected by the proposed action.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. This action would be conducted along existing roads in previously disturbed areas.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> The BLM has installed multiple kiosks to provide visitor information over many years. The potential impacts are well known and considered negligible.		
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> Proposed actions similar to this are evaluated on a case by case basis. Authorization for this action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> Other human-related activities occurring in the area include livestock grazing and casual recreation use. A recent NEPA analysis on livestock grazing (ID-120-2008-EA-45) addressed cumulative impacts in the area and determined that grazing, in conjunction with casual recreation use would not have significant impacts on the resources present.		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Lois Palmgren</i> 6/16/10 /s/ <i>Brian McCabe</i> 12/14/10
<i>Comments/Explanation:</i>		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date for Plants: /s/ <i>Beth Corbin</i> 6/7/10 /s/ <i>Holly Jt. Beck</i> 6/7/10 Specialist Signature/Date for Wildlife: /s/ <i>Bruce C. Schoeberl</i> 5/26/10 /s/ <i>Jason Sutter</i> 6/3/10 Specialist Signature/Date for Aquatics: /s/ <i>Bruce C. Schoeberl</i> 5/26/10 /s/ <i>Jason Sutter</i> 6/3/10
Plants <i>Comments/Explanation:</i> No known special status plants occur at proposed kiosk locations in the Owyhee or Bruneau Field Offices. Some, but not all, of the locations have been previously surveyed. Given the very limited area of disturbance expected, and the previously disturbed nature of the sites (roadside), no significant impacts to special status plants are expected from the installation of these kiosks.		
Wildlife <i>Comments/Explanation:</i> Installing these kiosks will not measurably change existing wildlife habitat or the allowable use in the areas proposed. Given the short stature of these structures and their sparse nature across the landscape, they will also not measurably enhance raptor/raven perch opportunities. Consequently, installing these structures will have no significant impacts to wildlife species.		
Aquatics <i>Comments/Explanation:</i> Given the inclusion of Stipulation #3 (Disposal of Generated Waste), there will be no contribution of materials from installation to any of the nearby streams or water bodies so there will be no significant impacts to aquatic species.		
9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> The proposed action would be in compliance with all laws and requirements that pertain to environmental protection in the area.		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Maile Adler</i> 5/14/10
<i>Comments/Explanation:</i> 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.		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: /s/ <i>Brian McCabe</i> 12/14/10
<i>Comments/Explanation:</i>		
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 <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: Lonnie Huter May 28, 2010
<i>Comments/Explanation:</i> The limited disturbance due to this activity does not pose a risk to the introduction, existence or spread of noxious or non-native invasive species.		

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.  
Remarks:

Authorizing Officials:

Date: 1-27-11

*Steven Jink Acting Owyhee Field Manager*

*Arnold L Pike 1/27/11*

Names: Buddy W. Green, Arnold Pike

Titles: Owyhee Field Manager, Bruneau Field Manager

**Part III – Decision**

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures either identified below or with the stipulation(s) described above.

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at the [your FO name and address]. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St. Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

To file a petition for stay pursuant to 43 CFR part 4.21(b), it must accompany your notice of appeal and must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons, and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Field Solicitor-U.S. Department of the Interior, University Plaza, 960 Broadway Avenue, Suite 400, Boise, Idaho 83706, not later than 15 days after filing the document with the authorized officer and/or IBLA.

Mitigation Measures/Other Remarks:

Remarks:

Authorizing Officials:

Date: 1/27/11

*Steven Jink Acting Owyhee Field Manager*

*Arnold L Pike 1/27/11*

Names: Buddy W. Green, Arnold Pike

Titles: Owyhee Field Manager, Bruneau Field Manager