

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
UPPER SNAKE FIELD OFFICE  
Categorical Exclusion  
Bureau of Land Management Free-Use Permit  
DOI-BLM-ID-I010-2015-0025-CX**

**Applicant:** Bureau of Land Management

**Project/Serial No.:** IDI-38063

**Project Lead:** Joe Larsen, Geologist/BLM Upper Snake Field Office

**Proposed Action:** The proposed action is to issue a mineral material Free-Use Permit to the Bureau of Land Management for removal of 20,000 cubic yards of volcanic cinders. The contract would be issued with a term of ten years. Under 43 CFR 3602, Bureau of Land Management submitted a request for the removal of the material on March 5, 2015. The application area is located within Power County, Idaho in the SE¼ SW¼ of Section 32; Township 4 South, Range 29 East, Boise Meridian. Both the surface and mineral estate are under the jurisdiction of the BLM. Under the contract, the cinder would be removed from the source only by BLM and BLM's contractors for the purpose of maintaining the fuel breaks in the area as part of BLM's efforts to protect sage grouse habitat.

The following conditions of approval would be attached to the contract:

1. Pursuant to 43 CFR 10.4(b), If any unidentified cultural resources or paleontological resources are discovered during proposed activities, operations in the immediate area of the discovery would be halted. The discovery would be reported to the BLM Archeologist, and the Archeologist would document and evaluate the discovery, and would be allowed time for the determination and implementation of actions necessary to prevent or mitigate the loss of important cultural values in consultation with the Idaho State Historic Preservation Office (SHPO).
2. For production verification, BLM and its contractors will maintain tally sheets that will be recorded at the BLM Upper Snake Field Office.
3. Seasonal use and timing stipulations will be added to the permit to protect sage grouse during strutting, nesting, and broad rearing in the area.

**Consultation and Coordination:** The Upper Snake Field Office will maintain a publicly available record of this Categorical Exclusion (CX) Documentation. Following the decision, notice to the public will be posted in Idaho BLM's NEPA database which is accessed via Idaho BLM's public website.

The Upper Snake Field Office consulted with the following individuals:

Marissa Guenther, Archeologist, BLM Upper Snake Field Office  
Scott Minnie, Range Specialist, BLM Upper Snake Field Office  
Devin Englestead, Wildlife Biologist, BLM Upper Snake Field Office  
Glenn Guenther, Assistant Field Manger BLM Upper Snake Field Office  
Joe Larsen, Geologist, BLM Upper Snake Field Office  
Ben Dyer, Fire Ecologist, BLM Upper Snake Field Office

**Land Use Plan Conformance Statement:**

Land Use Plan Name: Big Desert Management Framework Plan (MFP)

Date Approved/Amended: October 10, 1981

The proposed action is in conformance with the MFP, even though it is not specifically provided for, because it is clearly consistent with the following MFP decision(s) (objectives, terms, and conditions):

Objective M3 states that mineral material will be made available to meet market demand and to allow the exploration and development of saleable mineral resources.

Objective M3.1 states that all public lands and lands with reserved public estates should remain open to exploration and development of saleable minerals under the appropriate laws; specifically listing cinders.

Under the Multiple Use Analysis timing stipulations are stated for sage grouse as restricting activities between February 1 and June 15 of each year. There is also specific guidance for various lands with special designations; this parcel does not lie within any of those lands.

**Finding or Recommendation:** The proposed action is categorically excluded as outlined in 516 DM 11.9 J (8): 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. None of the extraordinary circumstances described in 516 DM 2, Appendix 2 apply.

/s/ Joe Larsen  
Preparer signature

Date: 9/8/2015

/s/ Marissa Guenther  
NEPA Reviewer signature

Date: 9/8/2015

**Decision and Rationale for the Decision:**

My decision is to approve mineral material noncompetitive contract IDI-38063. The Free-Use Permit will be issued for a term of 10 years. This decision is within the scope of provisions for mineral material disposal under the Categorical Exclusion list contained in Departmental Manual 516 DM 6, Appendix 5, Section 5.4, F (10) and no extraordinary circumstances exist that would require further NEPA analysis.

/s/ Jeremy Casterson  
Field Manager

Date: 9/10/2015

**Appeals Information:**

Appeals information can be found in parts 4 and 1840 of 43 CFR.

## Extraordinary Circumstances Requiring Preparation of an EA or EIS

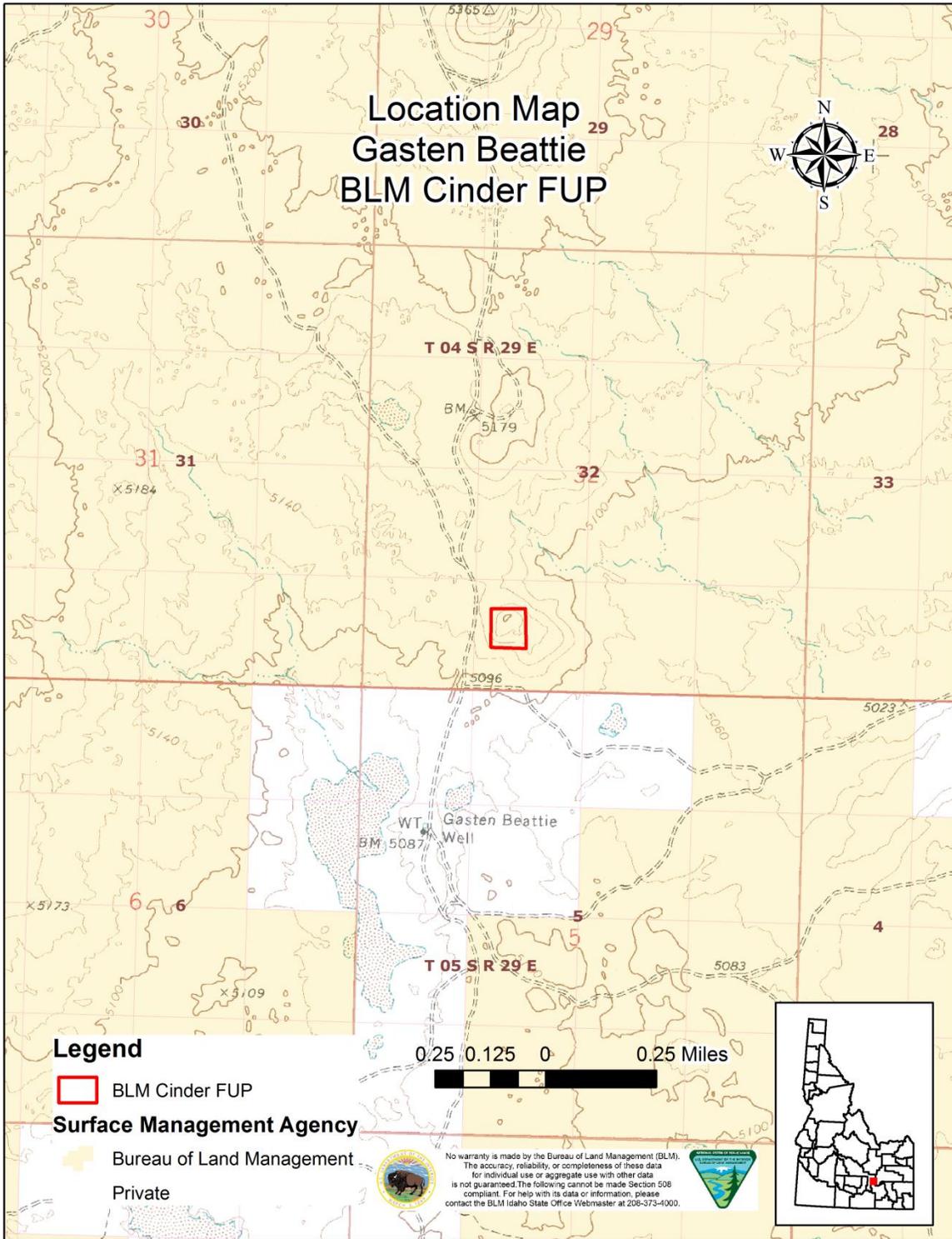
The action described in categorical exclusion DOI-BLM-ID-I010-2015-0025-CX has been reviewed to determine if any of the following extraordinary circumstances listed below apply, as listed in the Departmental NEPA regulations (43 CFR 46.215). A rationale for why the circumstance does not apply is included below:

Extraordinary Circumstances	
1.	Have significant impacts on public health or safety. <i>The area will be maintained in a neat and tidy order. BLM will maintain jurisdiction over the operation of the pit. The pit will be operated using current BMPs and will follow current mining safety procedures.</i>
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; and other ecologically significant or critical areas. <i>The application area involves privately owned surface estate and does not occur within any designated parks, recreation areas, refuge lands, wilderness areas, wild or scenic rivers, floodplains, sole or principal drinking water aquifers, prime farm lands, wetlands, national monuments, or other ecologically significant or critical areas. The proposed action would not have significant impacts on migratory birds. Timing stipulations will be added to the permit in order to avoid disturbing the birds.</i> <i>A Class III cultural resource inventory was conducted on August 25, 2015. No historic properties were identified in the project area.</i>
3.	Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)]. <i>No highly controversial environmental effects or potential unresolved conflicts concerning alternative uses or available resources have been identified.</i>
4.	Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <i>There are no known highly uncertain or potentially significant environmental effects associated with the proposed action. There are also no unique or unknown environmental risks associated with the proposed action.</i>
5.	Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <i>The proposed action would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. Mineral material noncompetitive contract applications are evaluated on a case by case basis.</i>
6.	Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <i>The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.</i>
7.	Have significant impacts on properties listed or eligible for listing on the National

**Extraordinary Circumstances**

	Register of Historic Places as determined by either the bureau or office. <i>A Class III cultural resource inventory was conducted on August 25, 2015. No historic properties were identified in the project area.</i>
8.	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. <i>Greater Sage –Grouse are within the area. Timing stipulations will be added to the permit in order to avoid disturbing the bird.</i>
9.	Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <i>The proposed action would not violate any Federal, State, local, or tribal law or requirement imposed for the protection of the environment.</i>
10.	Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). <i>The proposed action would not affect low income or minority populations.</i>
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). <i>There are no known Indian sacred sites within the project area.</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). <i>BLM will control of noxious weeds within the pit area utilizing its own weed crew.</i>

# Location Map Gasten Beattie BLM Cinder FUP



### Legend

 BLM Cinder FUP

### Surface Management Agency

 Bureau of Land Management

 Private

0.25 0.125 0 0.25 Miles



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