

**United States Department of the Interior
Bureau of Land Management**

**Categorical Exclusion Not Established By Statute
DOI-BLM-UT-Y010-2016-0015-CX**

April 2016

National Wind Erosion Research Network Site

Location: T. 25 S., R. 19 E., sec 6

Applicant/Address: United States Geological Survey/ Mike Duniway

Moab Field Office
82 East Dogwood Avenue
Moab, Utah 84532
Phone: 435-259-2100
Fax: 435-259-2106



CATEGORICAL EXCLUSION DOCUMENTATION FORMAT WHEN USING CATEGORICAL EXCLUSIONS NOT ESTABLISHED BY STATUTE

A. Background

BLM Office: Moab Field Office

Lease/Serial/Case File No: UTU-91429

Proposed Action Title/Type: National Wind Erosion Research Network Site

Location of Proposed Action: T. 25 S., R. 19 E., sec 6, SE¼SW¼ (map attached)

Description of Proposed Action:

Michael Duniway, on behalf of USGS, filed right-of-way (ROW) application UTU-91429 for a wind erosion research site. The proposed project would involve the installation of wind monitoring equipment as part of a national wind erosion research study.

A 100 meter by 100 meter range fence would be constructed to BLM standards around the proposed 2.5 acre study site. One foot path, no more than 2' wide, would extend from the designated road to the study site, and would be used for all access during and after the construction phase. The path would be marked on both sides using pin flags. All equipment and supplies would be hand carried from the designated road to the project site.

A 3 foot wide by 3 foot long by 3 foot deep concrete pad would be constructed within the fenced area. Tools and materials would be brought in with wheelbarrows. A 33 foot tower would be installed on the concrete pad, with instrumentation to measure dust and other pertinent parameters. Installation of the tower would be done by hand (using guide wires) and no motorized equipment would be used for this work. The lattice framework tower would consist of non-reflective metal. Any equipment left on site, not including the tower, would be painted per BLM recommendations.

Within the study site, twenty seven sediment samplers would be installed, each with a footprint of 1 square inch. Twenty seven soil samples would be collected at the initiation of the project after equipment installation.

The study site is planned for at least 5 years and may be extended over a longer period of time depending on available funds. When the study is complete, all materials would be removed from the site and reclamation would be conducted as needed per BLM recommendations.

B. Land Use Plan Conformance

Land Use Plan Name: Moab Field Office RMP, Approved October 2008

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

Page 65 of the Moab Field Office RMP reads as follows: "Meet public needs for use authorizations such as rights-of-way, alternative energy sources, and permits while minimizing adverse impacts to resource values."

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with DOI Departmental Manual Part 516 Chapter 11.9 (J-3 and J-9) which states..."Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas".

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 action has been reviewed, and none of the extraordinary circumstances described in 43 CFR part 46.215 apply.

D: Signature

Authorizing Official:  Date: 4/5/16
Pamela Jarnecke/ Acting Field Manager

Contact Person

For additional information concerning this CX review, contact

Jan Denney, Realty Specialist
BLM Moab Field Office
82 East Dogwood Lane
Moab UT 84532
435-259-2100

Exceptions to Categorical Exclusion Documentation

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:

Extraordinary Circumstances		
1. Have significant impacts on public health or safety.		
Yes	No	Rationale:
	X	Public exposure would be limited because of the rural location of the project area. Construction operations would take place during daylight hours, presenting no hazards from nighttime activity and is not likely to result in significant impacts to public health and safety.
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.		
Yes	No	Rationale:
	X	These resources are either not present in the ROW project area. See the resource checklist compiled by the Moab Field Office. Therefore, the proposed action will not have an adverse effect on unique geographical features.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No	Rationale:
	X	The project would be limited in scope and duration. Installation of the wind erosion study site would not alter existing and alternative uses of the land. Therefore, the proposed action will not result in highly controversial environmental effects.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No	Rationale:
	X	The effects of constructing and operating a wind erosion study site are well-established and predictable. Therefore, the proposed action will not result in highly uncertain environmental effects or involve unique or unknown environmental risk.
5. Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		

Extraordinary Circumstances

Yes	No	Rationale:
	X	Installation and operation of a wind erosion study site is not considered an action that is connected to other actions that would require further environmental analysis.

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

Yes	No	Rationale:
	X	Constructing this wind study site is not likely to have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

Yes	No	Rationale:
	X	A survey was completed by a BLM Archaeologist and no sites were found at the proposed location.

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.

Yes	No	Rationale:
	X	Individuals of species, or proposed to be listed, on the List of Endangered or Threatened Species do not occur within the project area.

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

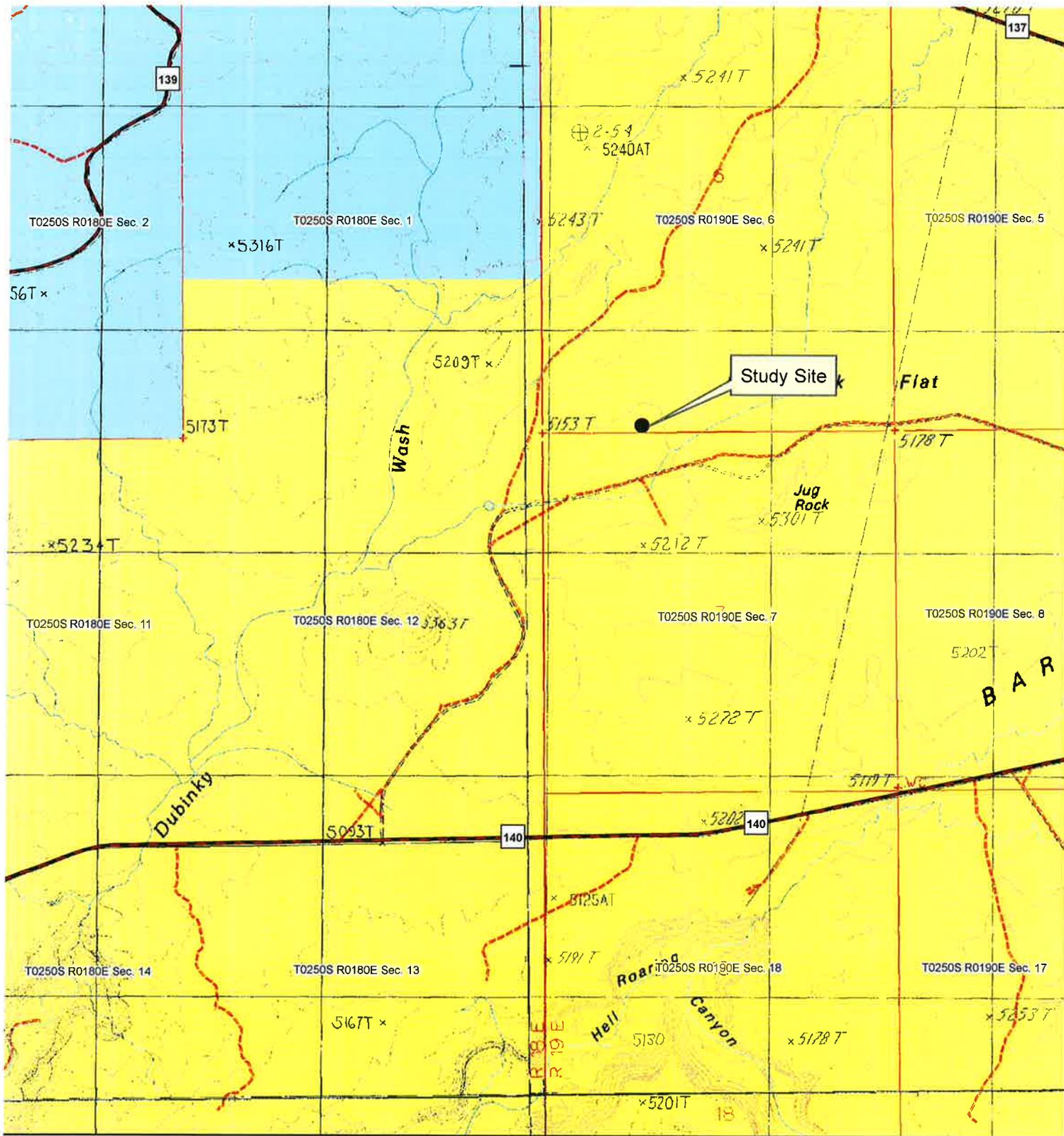
Yes	No	Rationale:
	X	No federal, state, local or tribal laws would be broken.

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

Extraordinary Circumstances		
Yes	No	Rationale:
	X	Constructing this wind study site would not have an adverse effect on low income of minority populations.
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	Rationale:
	X	There are no known Indian ceremonial or sacred sites within the area.
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	Rationale:
	X	Constructing this wind erosion study site should not result in introduction or spread of noxious weeds. The Applicant would be responsible to control any invasive, nonnative weeds it introduces as a result of construction operations.

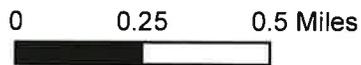
Attachments:

1. Map
2. Categorical Exclusion Review Record



Legend

-  B Roads (Maintained)
-  D Roads (Unmaintained)



Land Status

ut_lgd

-  Bureau of Land Management (BLM)
-  Private
-  State

Right-of-way UTU-91429
 USGS
 Wind Erosion Site

**Categorical Exclusion Review Record
 DOI-BLM-UT-Y010-2016-0015-CX
 USGS Wind Erosion Research
 Right-of-way UTU-91429**

The following elements are not present in the Moab Field Office and have been removed from the checklist:
 Farmlands (Prime or Unique), Wild Horses and Burros.

Resource	Yes/No*	Assigned Specialist Signature	Date
Air Quality	No	<i>Am Abo</i>	10-27-15
Floodplains	No	<i>Am Abo</i>	10-27-15
Water Quality (drinking or ground)	No	<i>Am Abo</i>	10-27-15
Wetlands / Riparian Zones	No	<i>Mark Frank</i>	3/9/16
Areas of Critical Environmental Concern	No	<i>K Stevens</i>	3/21/16
Wild and Scenic Rivers	No	<i>K Stevens</i>	3/21/16
Wilderness	No	<i>M Stevens</i>	10-27-15
Native American Religious Concerns	No	<i>D White</i>	3/9/16
Cultural Resources	No	<i>D White</i>	3/9/16
Environmental Justice	No	<i>D Stevens</i>	10-27-15
Wastes (hazardous or solid)	No	<i>A Dr</i>	10-27-15
Threatened, Endangered, or Candidate Animal Species	No	<i>D White</i>	11/12/15
Migratory Birds	No	<i>D White</i>	11/12/15
Threatened, Endangered, or Candidate Plant Species	No	<i>D White</i>	10-27-15
Invasive Species/Noxious Weeds	No	<i>John Davis</i>	3/9/16
Other: <i>Rang study site @ D</i>	<i>No</i>	<i>John Davis</i>	10-27-15

*Extraordinary Circumstances apply.

Environmental Coordinator *K C Stevens* Date: *3/21/16*

Approval and Decision

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed wind erosion study site is in conformance with the Moab Field Office RMP, approved October 2008, and that no further environmental analysis is required.

It is my decision to grant right-of-way (ROW) UTU-91429 to USGS of Moab, Utah pursuant to the authority of Section 302(b) of P.L. 579, October 21, 1976 (43 U.S.C. 1732). The ROW will authorize the construction, operation and termination of a wind erosion research network site on public lands in Grand County described below and shown on the attached map.

SLM,
T. 25 S., R. 19 E., sec. 6, SE $\frac{1}{4}$ SW $\frac{1}{4}$

Rationale:

The proposed action is not within a WSA or an area that requires additional NEPA analysis. The proposed action would not result in unnecessary or undue environmental degradation.

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay. 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 82 East Dogwood, Moab, Utah. 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. If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall 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 irreparable harm to the appellant or resources 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 copy of the 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 Regional Solicitor, U.S. Department of the Interior, 6201 Federal Building, 125 South State Street, Salt Lake City, Utah 84138-1180, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.


Pamela Jarnecke, Acting Field Manager

Date: 4/13/16