

# Categorical Exclusion

## DOI-BLM-ORWA-L050-2016-0005-CX

### A. Background

**BLM Office:** Lakeview District, Lakeview Resource Area

**Lease/Serial/Case File No.:** \_\_\_\_\_

**Proposed Action Title/Type:** Verley Well Pump House

**Location of Proposed Action:** Fisher Lake Allotment T.38S., R25E. Section 32NWSE (see Map1)

**Description of Proposed Action:** Construct a Small Pump House to protect existing well head and pump, the new structure will be 7 Feet by 9 Feet and 8 Feet Tall and replace the existing wooden structure. (see Figure 1).

### B. Land Use Plan Conformance

**Land Use Plan Name:** Lakeview Resource Management Plan/Record of Decision

**Date Approved/Amended:** November 2003, as maintained

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

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

The Operation and Maintenance section (page 100), states that routine operation and maintenance actions including maintenance of wells, pipelines and other similar facilities would be performed over time as the plan is implemented.

**Land Use Plan Name:** Record of Decision and Oregon Greater Sage-Grouse Approved Resource Management Plan Amendment

**Date Approved/Amended:** September 2015

This project is outside of sage-grouse habitat and, therefore, this plan does not apply.

### 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 2, Appendix 1, 1.7, Routine and continuing governmental business, including such things as supervision, administration, operations, maintenance, renovations and replacement activities having limited context and intensity (e.g., limited size and magnitude or short term effects).

**Extraordinary Circumstances** – The proposal has been reviewed by an inter-disciplinary team of resource specialists to determine if any of the following extraordinary circumstances apply to the proposed action (*see 516 DM 2, Appendix 2*). The following section documents the results of this review.

1. Would the proposed action have significant impacts on public health or safety (*40 CFR 1508.27(b)(2)*)? Yes \_\_\_ No X

Rationale: There are no known hazardous waste sites or public surface drinking water sources located in the area. The proposed action would result in no measureable impacts to air quality within or surrounding the area.

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, designated 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 (*ie. significant caves, ACECs, ONAs, and RNAs*) (*40 CFR 1508.27(b)(3)*)? Yes \_\_\_ No X

Rationale: There are no prime or unique farmlands, park or refuge lands, national natural landmarks, national monuments, significant caves, wild and scenic rivers, drinking water aquifers, wetlands, floodplains, ACEC/RNA/ONAs, designated wilderness areas, wilderness study areas, or lands with wilderness character located in the area.

There would be no effects on migratory birds or their habitat.

Historic and cultural resources are addressed in paragraph 7 below.

3. Would the proposed action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (*NEPA Section 102(2)E and 40 CFR 1508.27(b)(4)*)? Yes \_\_\_ No X

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing management actions such as the proposed action. The potential impacts of the proposed action on other resource values are minor. The nature of these impacts are not highly controversial, nor has there been substantial dispute within the scientific community regarding the nature of these effects.

Further, there are no unresolved conflicts concerning alternative uses of available resources. The proposed action is for routine replacement of an existing protection structure for a well that supports livestock use. At the resource area scale, resource conflicts were resolved during the land use planning process. The proposal falls within an area that is allotted or open to livestock grazing use. As described in Section B above, the proposal conforms with all existing, applicable management direction, including the current land use plan.

4. Would the proposed action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks (*40 CFR 1508.27(b)(5)*)? Yes \_\_\_ No X

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing management actions such as the proposed action. The potential impacts on other resource values are limited in spatial extent, minor and insignificant. For these reasons, there are no highly uncertain or potentially significant environmental effects or unique or unknown environmental risks likely to result from the proposed action.

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 (*CFR 1508.27(b)(6)*)? Yes \_\_\_ No X

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing management actions such as the proposed action. Implementation represents a routine management

action that would replace an existing protection structure and would not set precedence for future management actions or represent a decision in principle about future actions with potentially significant environmental effects. As discussed in paragraphs 1-4 and 6-8, the proposed action is limited in spatial extent and not likely to have any potentially significant environmental effects.

6. Would the proposed action have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects (*40 CFR 1508.7 and 1508.25(a)*)?

Yes \_\_\_ No X

Rationale: The proposed action represents a small component of implementing the management direction contained within the Lakeview Resource Management Plan and Record of Decision (2003). While implementation of the proposed action does not have any known direct significant effects (refer to paragraphs 1-4 and 6-8), when added with the effects of other on-going resource management activities across the resource area there may be the potential for significant cumulative environmental effects to occur. However, the cumulative effects of the all resource management programs have already been addressed across the entire Lakeview Resource Area in Chapter 4 of the Lakeview Proposed Resource Management Plan and Final Environmental Impact Statement (2003). For this reason, the effects of the proposed action, when combined with other management actions, would not cause significant cumulative effects beyond those that have already been analyzed within an environmental impact statement.

7. Would the proposed action 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 (*40 CFR 1508.27(b)(8)*)?

Yes \_\_\_ No X

Rationale: The area is located within a broader landscape that was used historically by native Americans. However, there are no designated Traditional Cultural Properties or national register eligible sites known to occur within the project area.

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? (*Endangered Species Act*) (*Note: When a Federally listed species or its habitat is encountered, a Biological Evaluation (BE) shall document the effect on the species and should be cross-referenced within the CX form to document that effects to the species would, in fact, not be significant*) Yes \_\_\_ No X

Rationale: Surveys have been conducted and no Federally listed or BLM special status species or their habitat occur in the area

9. Would the proposed action violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. (*Note: non-Federal requirements generally must be consistent with, or not attempt to supercede Federal requirements. This requirement could include discussion of compliance with the Clean Air Act (air quality standards), Clean Water Act (state water quality standards), Wild Horse and Burro Act, or other laws not already addressed elsewhere in this form*). Yes \_\_\_ No X

Rationale: This document provides the rationale as to why the proposed action is categorically excluded from the requirements of the National Environmental Policy Act of 1969. Compliance with the Federal Land Policy and Management Act is discussed in detail in Section B above. Compliance

with the Clean Air Act and the Clean Water Act is addressed in paragraph 1 above. Compliance with the Endangered Species Act is addressed in paragraph 8 above.

10. Would the proposed action have a disproportionately high and adverse effect on low income or minority populations (*Executive Order 12898*)? Yes \_\_\_ No X

Rationale: The proposed action would not have a disproportionately high or adverse effect on low income or minority populations as such populations do not live within or adjacent to the project area.

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 (*Executive Order 13007*)? Yes \_\_\_ No X

Rationale: The project area is located within a broader landscape that was used historically by native Americans. However, there are no important plant collecting sites, or religious or sacred sites known to occur within the area.

12. Would the proposed action contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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 X No \_\_\_

Currently there are two noxious weed species present at and near the building site. Halogeton (*Halogeton glomerantus*) and hoary cress (*Lepidium draba*). This project could have the ability to spread weeds and disturbed ground which could lead to additional noxious weeds in the future. Both of the existing noxious weeds will be dormant during the building of the pump house, however seed spread could still occur thorough vehicles and equipment.

**Finding** - This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances (516 DM 2) potentially having effects that may significantly affect the environment apply (see checklist above).

I considered, visual resources and to mitigate potential impacts the pump house structure will be painted a light tan color so as to blend in with the surrounding landscape.

To mitigate the spread of noxious weeds during this construction project the following best management practices should be used:

- Wash all equipment and vehicles prior to entering the BLM administered lands to prevent new noxious weeds from establishing.
- Avoid staging equipment and vehicles in areas were noxious weeds exist.
- Wash you equipment after leaving known weed sites to prevent spreading noxious weeds.

**D: Signature**

Authorizing Official:  Date: 11/10/15  
(Signature)

Name: Todd Forbes

Title: Field Manager, Lakeview Resource Area

**E: Contact Person**

For additional information concerning this CX review, contact, Les Boothe, RMS, Lakeview Resource Area, Bureau of Land Management, 1301 South G Street, Lakeview, OR 97630; phone: 541-947-2177).