

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

**Categorical Exclusion Not Established By Statute
DOI-BLM-UT-W020-2015-0010-CX**

March 2015

Rodney Carter Buried Utility Line

Location: SLM, T. 23 S., R. 19 W.,
section 16, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
section 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Applicant/Address: Carter Cattle Family Partnership
P.O. Box 47
Minersville, Utah 84752

Fillmore Field Office
95 East 500 North
Fillmore, UT 84631
Phone: (435) 743-3100
Fax: (435) 743-3135



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

A. Background

BLM Office: Fillmore Field Office

Lease/Serial/Case File No: UTU-91052

Proposed Action Title/Type: Rodney Carter Buried Utility Line

Location of Proposed Action: Millard County, Utah
SLM, T. 23 S., R. 19 W.,
section 16, SW¹/₄NW¹/₄, (private)
section 17, NW¹/₄SW¹/₄, (private)
section 17, SE¹/₄NE¹/₄, NE¹/₄SE¹/₄, (BLM)

Description of Proposed Action: On October 24, 2014, Carter Cattle F.L.P. (Carter) submitted a right-of-way (ROW) application (the application was revised on December 1, 2014) to construct, operate, and maintain a buried water pipeline and buried power line across BLM public land in Snake Valley/Burbank, Utah. The purpose of the water pipeline and power line would be to provide water and power to a new pivot sprinkler on Carter's private property. The authorized agent for the Carter Cattle F.L.P. is Rodney Carter.

The proposed water pipeline would start at an existing water well on the Carter's private land and run 258 feet to BLM land, then run east, northeast for 1,440 feet across BLM public land, and then run 131 feet on Carter's private land to another existing well (see the attached map). At this location the proposed pipeline would connect to an existing water line running to a center pivot sprinkler. The total length of the proposed water pipeline would be 1,829 feet. The proposed ROW on BLM public land would be 20 feet wide (10 feet either side of centerline), by 1,440 feet long, for a total of 0.66 acres (1,440 X 20 ft. = 28,800 sq. ft. / 43,560 = 0.66 acres). No temporary work areas would be needed.

Equipment that may be used for construction includes the following: John Deere 555 tracked excavator, backhoe, and trackhoe. Construction would begin by clearing the greasewood (leaving the roots intact) from the 20 foot wide ROW. A trench, 2 feet wide by 3 feet deep, would be dug down the center of the ROW with the excavated dirt piled along the side of the trench. The 10-12 inch water pipeline would be put into the trench manually. The underground power line would then be laid approximately 30 inches below ground level in the bottom of the trench next to the water pipeline. Once the water pipeline and underground power line are in place, the dirt would be backfilled into the trench and then leveled. The construction of this project would be completed by the Carter's neighbor, Thomas Tinsen. He has all the equipment and experience necessary to complete the work.

Access to and along the construction project would be from a county maintained road, then along the ROW. All construction would be performed within the permitted ROW. Operations and maintenance of the pipeline and power line would be completed within the ROW. Access to the buried pipeline and power line would be required for the term of the ROW grant.

The Carter's would work to reclaim the site, as directed by the BLM.

Construction is expected to take three (3) weeks to complete. The Carter's plan is to complete construction as soon as weather permits, after the ROW grant is issued. The pipeline and power line would be used annually from April 1st through October 31st.

B. Land Use Plan Conformance

Land Use Plan Name: Warm Springs Resource Area Resource Management Plan

Date Approved/Amended: April 1987

The proposed action is in conformance with the Warm Springs Resource Area Resource Management Plan (WSRMP) and Record of Decision dated April 1987, as amended. The WSRMP, Chapter 2, Lands, Page 39, Goals and Objectives state: "1) Provide more effective public land management and to improve land use, productivity, and utility. 2) Accommodate community expansion and economic development needs. And 3) Authorize legitimate uses of public lands. These are accomplished by processing use authorizations (e.g. rights-of-way, leases, permits, and State land selections) in response to demonstrated public needs."

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, E. Realty (17) Grant of a short right-of-way for utility service or terminal access road to an individual residence, outbuilding, or water well.

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.

I considered the fact that this isolated parcel of BLM land provides the only alternative for Mr. Carter to construct this buried water pipeline and power line between his two parcels of private land to provide the water and power needed to operate his pivot sprinkler. The path across BLM land is short, with both utilities in one trench, making the minimum disturbance possible. The disturbance will be reclaimed as directed by BLM.

D: Signature

Authorizing Official: *Jill McCaig* Date: 11 March 2015
(Name) *Acting Field Manager*
(Title)

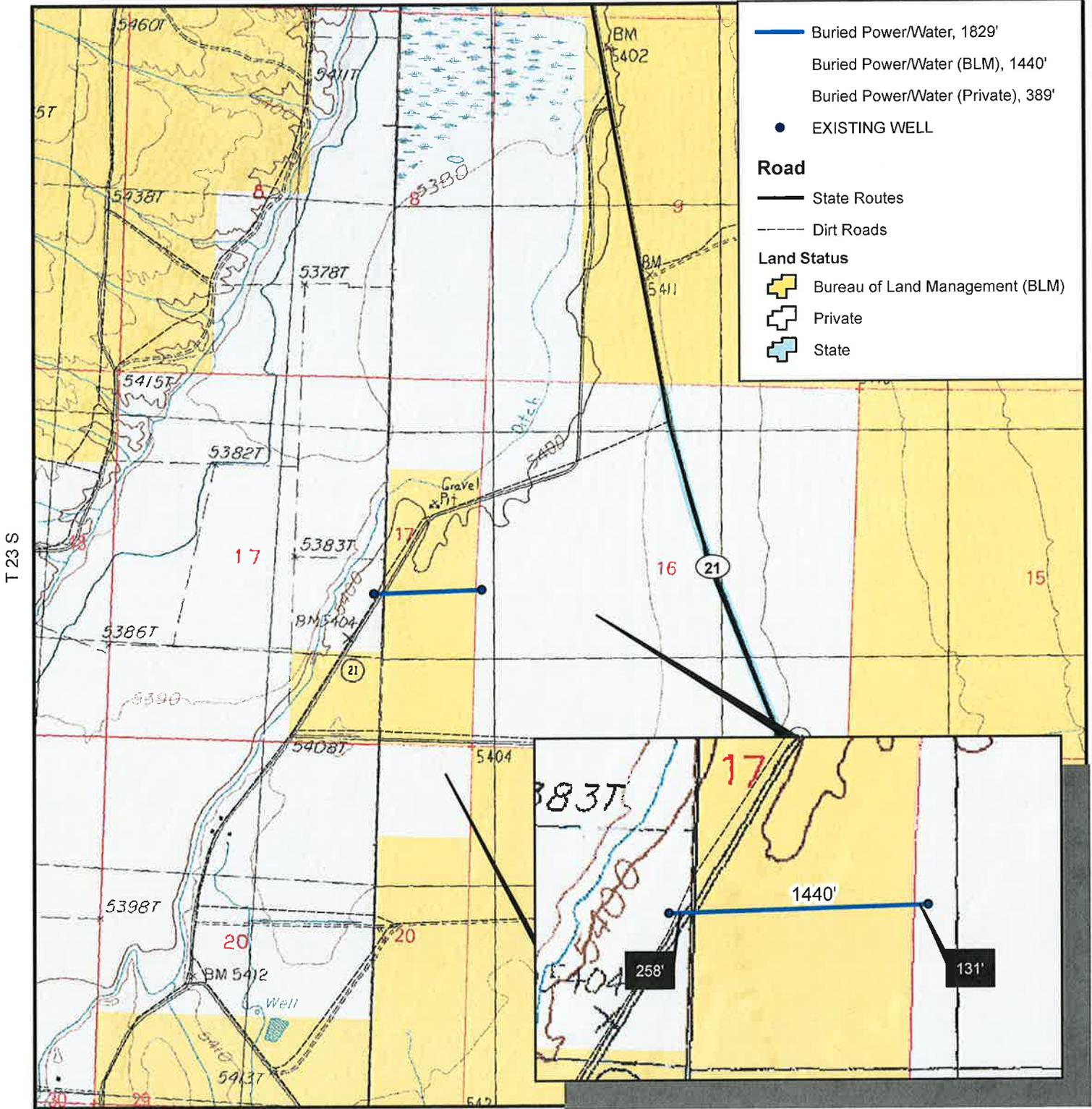
Contact Person

For additional information concerning this CX review, contact Clara Stevens, Realty Specialist, Fillmore Field Office, 95 East 500 North, Fillmore, Utah 84631.

Attachment: Map

Rodney Carter Buried Utility Line

R 19 W



T 23 S

Legend

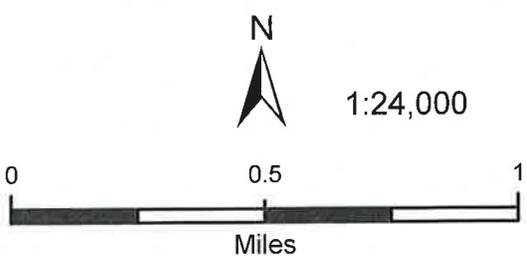
- Buried Power/Water, 1829'
- Buried Power/Water (BLM), 1440'
- Buried Power/Water (Private), 389'
- EXISTING WELL

Road

- State Routes
- - - - - Dirt Roads

Land Status

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



U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WEST DESERT DISTRICT



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.
triding@blm.gov 02/17/2015

Categorical Exclusion Review Record

Resource	Yes*/No	Assigned Specialist Signature	Date
Air Quality	No	/s/ Paul Caso	2/11/15
Areas of Critical Environmental Concern	No	/s/ SBonar	2/9/15
Cultural Resources	No	/s/ Joelle McCarthy	3-6-15
Environmental Justice	No	/s/ Cindy Ledbetter	2/9/2015
Farm Lands (prime or unique)	No	/s/ Bill Thompson	2/10/15
Floodplains	No	/s/ Paul Caso	2/11/15
Invasive Species/Noxious Weeds	No	/s/R.B. Probert	2/11/2015
Migratory Birds	No	/s/ Jim Priest	2/9/15
Native American Religious Concerns	No	/s/ Joelle McCarthy	3-6-15
Threatened, Endangered, or Candidate Species	No No	/s/ Jim Priest (wildlife) /s/ DWhitaker (plants)	2/9/15 2/10/15
Wastes (hazardous or solid)	No	/s/R.B. Probert	3/2/15
Water Quality (drinking or ground)	No	/s/ Paul Caso	2/11/15
Wetlands / Riparian Zones	No	/s/ Bill Thompson	2/10/15
Wild and Scenic Rivers	No	/s/SBonar	2/9/15
Wilderness	No	/s/SBonar	2/9/15
Other:			

*Extraordinary Circumstances apply.

Environmental Coordinator



Date: 3/9/2015

Extraordinary Circumstance to Categorical Exclusions

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: The proposed project would not have any significant impacts on public health and safety. Mr. Carter will work with the county road department for permission to trench across the road and will follow their requirements to ensure the safety of the 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; and other ecologically significant or critical areas.		
Yes	No √	Rationale: There would be no significant impacts to any natural resources or unique geographic characteristics such as historic or cultural resources. An interdisciplinary team (ID Team) has reviewed the resources of the human environment.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].		
Yes	No √	Rationale: There are no highly controversial environmental effects from the proposed activities and the lands would not be rendered any less suitable for other long-term alternative uses.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No √	Rationale: The results of this action are predictable and do not have the potential for substantial environmental effects. There are no known unique environmental risks for this area. Based on the ID Team review, new circumstances were not identified and the consequences of the proposal remain certain.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes	No √	Rationale: The proposed 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.		

Extraordinary Circumstances

Yes	No √	Rationale: This action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. The proposal is consistent with other land uses in the area.
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: BLM has determined that No Historic Properties will be Affected by this project, under the provisions of the Utah Protocol of the National Programmatic Agreement among the BLM, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers.
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: The proposal as stipulated will not affect any candidate or federally threatened or endangered species nor will it adversely modify critical habitat. No known Federally threatened or endangered species are known to occur within or reasonably near the proposed action.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No √	Rationale: This proposal is consistent with Millard County ordinances. The Applicant is responsible to acquire any additional required permits or authorizations. By authorizing this action, the BLM would not be in violation of any federal law, county ordinance, or state statute.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No √	Rationale: Health or environmental statutes would not be compromised. This action would not have a disproportionately high and adverse effect on low income or minority populations in Millard County or isolated ranches.
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: This ROW would not limit access to ceremonial use of sacred sites by Native American religious and traditional practitioners or significantly affect the physical integrity of such 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).		

Extraordinary Circumstances

Yes	No √	Rationale: The BLM has included the following mitigation measure to eliminate the spread of noxious weeds. "Vehicles and equipment would be cleaned prior to entering the proposed project area to minimize the introduction of noxious/invasive weed in other areas."
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