

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BURNS DISTRICT OFFICE

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

A. Background

Categorical Exclusion (CX) Number: DOI-BLM-2015-0043-CX

Date: 11/4/2015

Case File/Serial Number or Name: 715899

Preparer/Title: Rachel Beaubien, Rangeland Management Specialist

Title of Proposed Action: Coleman Creek Spring Maintenance

Description of Proposed Action and Project Design Elements (if applicable):

The proposed action is to reset or replace the headbox (consisting of a 1½-foot diameter galvanized steel culvert and drain rock), repair or replace the headbox enclosure, and build up the base around the water trough to prevent further erosion and trampling around the trough. This work will be completed using hand tools (shovels, etc.) when possible, or a rubber-tired backhoe if necessary. If necessary, rock would be hauled in and placed around the trough to reduce hoof damage around the trough. Maintenance activities would be limited to the area of original disturbance. The spring development is currently only gathering a portion of the available water and has reached a point where it needs to be maintained to remain functional as a source of water. The headbox enclosure will be repaired or replaced as necessary to remain functional to protect the spring and headbox. This project supplies water to wildlife and livestock in the Coleman Creek Allotment.

Legal Description (attach location map): T. 2 S., R. 36 E., Sec. 33, NW 1/4

B. Conformance with Land Use Plan (LUP)

LUP Name and Date Approved/Amended: Three Rivers Resource Management Plan (RMP) Record of Decision (ROD), 1992.

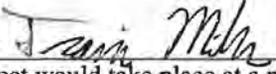
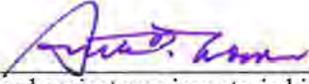
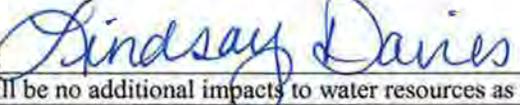
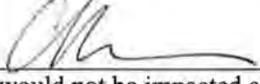
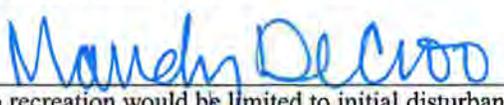
The proposed action is in conformance with the applicable LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s):

Grazing Management (GM) 1.3 page 2-36, "Utilize rangeland improvements, as needed, to support achievement of multiple-use management objectives for each allotment as shown in Appendix 9: Range improvements will be constrained by the Standard Procedures and Design Elements shown in Appendix 12." Appendix 12: Standard Procedures and Design Elements for Range Improvements, page 179.

C. Compliance with the National Environmental Policy Act (of 1969) (NEPA)

Department of the Interior (DOI) Categorical Exclusion (CX) Reference (516 DM 2, Appendix 1): "Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity."

Screening for Exceptions: The following extraordinary circumstances (516 DM 2, Appendix 2) may apply to individual actions within the CXs. The indicated specialist recommends the proposed action does *not*:

CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	
2.1	Have significant impacts on public health or safety.
Specialist: John Petty, District Safety Officer	
Signature and Date:	 11/10/15
Rationale: No significant impact on public health or safety.	
2.2	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); flood plains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
<u>Migratory Birds</u>	
Specialist: Travis Miller, Wildlife Biologist	
Signature and Date:	 11/12/15
Rationale: The project would take place at a previously disturbed area. Maintenance activities and disturbances would be confined to a relatively small area (spring site, pipeline, trough), and would be completed in less than a week. There would be no impacts to migratory bird habitat and repairs to the development would create a protected wetland enclosure from livestock and would provide foraging resources and water for birds.	
<u>Historic and Cultural Resources</u>	
Specialist: Scott Thomas, District Archaeologist	
Signature and Date:	 11/16/15
Rationale: The proposed project was inventoried in 2002 and no historic or cultural resources were found. Therefore, the proposed project would not affect these resources.	
<u>Areas of Critical Environmental Concern (ACEC)/Research Natural Areas (RNA)</u>	
Specialist: Caryn Burri, Natural Resource Specialist (NRS) – Botany	
Signature and Date:	 11/16/15
Rationale: There are no ACECs/RNAs within the proposed project area.	
<u>Water Resources/Flood Plains</u>	
Specialist: Lindsay Davies, Fisheries Biologist	
Signature and Date:	 11/9/2015
Rationale: There will be no additional impacts to water resources as a result of the proposed action.	
<u>Soils, Biological Soil Crust (BSC), Prime Farmlands</u>	
Specialist: Caryn Burri, NRS - Botany	
Signature and Date:	 11/16/15
Rationale: Soils and BSCs would not be impacted as a result of the spring maintenance due to the fact that all work would occur within the currently disturbed area of the project site. There are no prime farmlands within the proposed project area.	
<u>Recreation/Visual Resources</u>	
Specialist: Mandy DeCroo, Outdoor Recreation Planner	
Signature and Date:	 11/16/15
Rationale: Impacts to recreation would be limited to initial disturbance only. The proposed project is in a Visual Resource Management (VRM) Class IV area where the objective is to provide for activities that require major modification of the landscape. The level of change to the landscape can be high and management activities may dominate the view and be the major focus of attention.	

Wilderness/Wild and Scenic River (WSR) Resources

Specialist: Tom Wilcox, Wilderness Specialist

Signature and Date:  11/18/2015

Rationale: There are no Wilderness Study Areas (WSA), Wilderness, WSRs, or Lands with Wilderness Characteristics in the project area.

2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2) (E)).

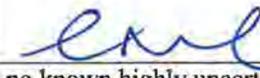
Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature and Date:  Nov. 9, 2015

Rationale: There are no known highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources.

2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

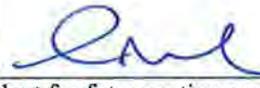
Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature and Date:  Nov. 9, 2015

Rationale: There are no known highly uncertain and potentially significant environmental effects of unique or unknown environmental risks. Reconstruction of spring developments is a common practice.

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

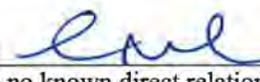
Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature and Date:  Nov. 9, 2015

Rationale: No precedent for future action or decision in principle about future actions with potentially significant environmental effects would occur as reconstruction of springs is a common practice.

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

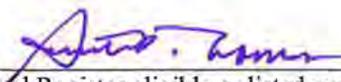
Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature and Date:  Nov. 9, 2015

Rationale: There are no known direct relationships to other actions with individually insignificant but cumulatively significant environmental effects.

2.7 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.

Specialist: Scott Thomas, District Archaeologist

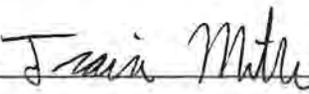
Signature and Date:  11-16-15

Rationale: No National Register eligible or listed properties were found in the project area when it was inventoried in 2002.

2.8 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.

Endangered or Threatened Species - Fauna

Specialist: Travis Miller, Wildlife Biologist

Signature and Date:  11/12/15
3

Rationale: There are no federally listed species or designated critical habitat present in the project area, and none would be affected off-site by the proposed activities. Greater Sage-Grouse are a candidate species for listing but do not occur near the project area. The short duration of the work proposed and previously disturbed nature of the project site would not impact this species. Repair of the enclosure would reduce the likelihood of livestock trampling and utilization of riparian vegetation in the runoff area.

Endangered or Threatened Species - Aquatic

Specialist: Lindsay Davies, Fish Biologist

Signature and Date:

Lindsay Davies 11/9/2015

Rationale: There are no aquatic federally listed species or designated critical habitat present in the project area, and none would be affected off-site by the proposed activities.

Endangered or Threatened Species - Flora

Specialist: Caryn Burri, NRS - Botany

Signature and Date:

CB 11/10/15

Rationale: There are no documented threatened and endangered (T & E) or Special Status plant species, nor designated critical habitat, within the proposed project area.

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

Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature and Date:

E Erwin Nov. 9, 2015

Rationale: No known law or requirement imposed for the protection of the environment would be violated.

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

Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature and Date:

E Erwin Nov. 23, 2015

Rationale: Implementation would not result in a disproportionately adverse effect on minority or economically disadvantaged populations as such populations do not occur in or near the project area.

2.11 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).

Specialist: Scott Thomas, District Archeologist

Signature and Date:

Scott Thomas 11/10/15

Rationale: No Indian sacred sites are known to be located in the project area. As a result, no Indian sacred sites or access to sacred sites would be affected by the proposed project.

2.12 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).

Specialist: Lesley Richman, District Weed Coordinator

Signature and Date:

Lesley Richman 11/23/2015

Rationale: Noxious weeds are known to be present and in close proximity to this area. Treatments are on-going. The weeds are not present in sufficient quantity to be considered a significant impact at this time.

D. Signatures

Additional review (As determined by the authorized officer):

Specialist: Stacy Fenton, Geographic Information Specialist

Signature: Stacy Fenton Date: 12/8/15

RMP conformance and CX review confirmation:

Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature: eml Date: Nov. 9, 2015

Management Determination: Based upon review of this proposal, I have determined the proposed action is in conformance with the LUP, qualifies as a CX and does not require further NEPA analysis.

Authorized Officer: Richard Roy, Three Rivers Resource Area Field Manager

Signature: Richard Roy Date: 12-8-15

E. Contact Person

For additional information concerning this CX review, contact the Planning and Environmental Coordinator, BLM, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, (541) 541-4400.

Note: The signed conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this CX is subject to protest or appeal under 43 CFR 4 and the program-specific regulations.

Decision: It is my proposed decision to implement the proposed action with project design elements (if applicable) as described above.

Protest and Appeal Procedures:

Any applicant, permittee, lessee, or other interested public may protest (appeal) a proposed decision under 43 Code of Federal Regulations (CFR) 4160.1 and 4160.2, in person or in writing, to Richard Roy, Field Manager, Three Rivers Resource Area, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) why the proposed decision is in error.

A protest electronically transmitted (e.g., email, facsimile, or social media) will not be accepted; a protest must be printed or typed on paper and submitted in person or by certified mail.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided in the proposed decision.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal of the decision. An appellant may also file a petition for stay of the decision pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The petition for a stay and a copy of the appeal must also be filed with the Office of Hearings and Appeals at the following address:

United States Department of the Interior
Office of Hearings and Appeals
351 South West Temple, Suite 6.300
Salt Lake City, Utah 84101

The appeal must be in writing and shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and also must comply with the provisions of 43 CFR 4.470. The appellant must also serve a copy of the appeal by certified mail on the Office of the Solicitor, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205, and on any person(s) named (43 CFR 4.421(h)) in the Copies sent to: section of this decision.

Standards for obtaining a stay—except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards (43 CFR 4.21(b)):

- (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.

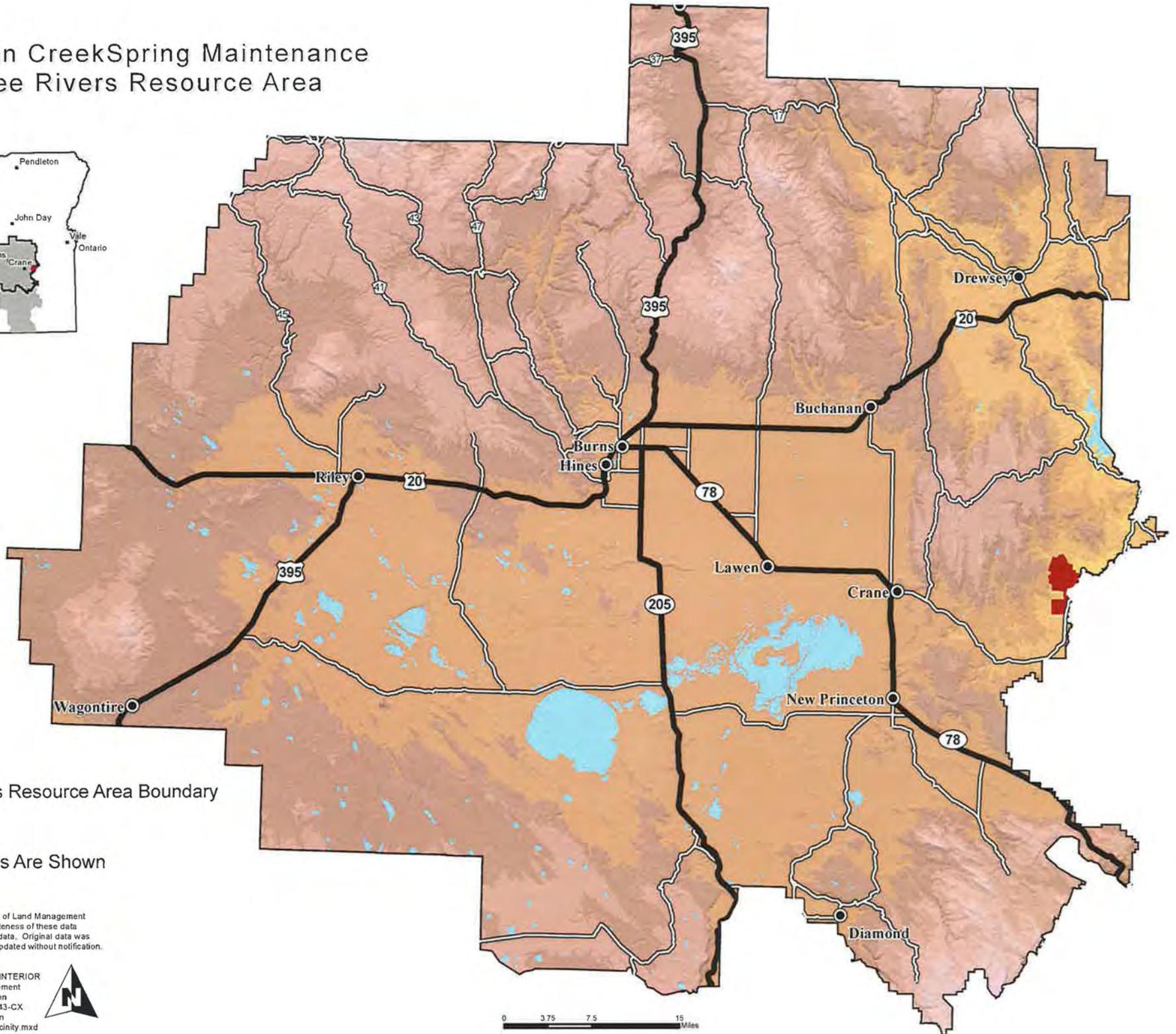
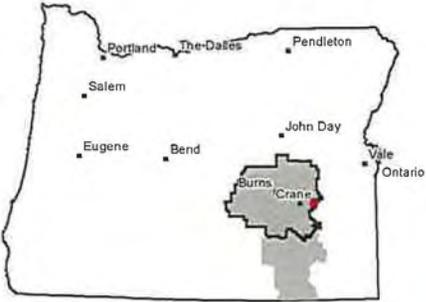
As noted above, the petition for stay must be filed in the office of the authorized officer, must be written or typed on paper, and must be served in person or by certified mail at the same time the notice of appeal is served.

Authorized Officer: Richard Roy, Three Rivers Resource Area Field Manager

Signature: Richard Roy

Date: 12-8-15

Coleman Creek Spring Maintenance Three Rivers Resource Area

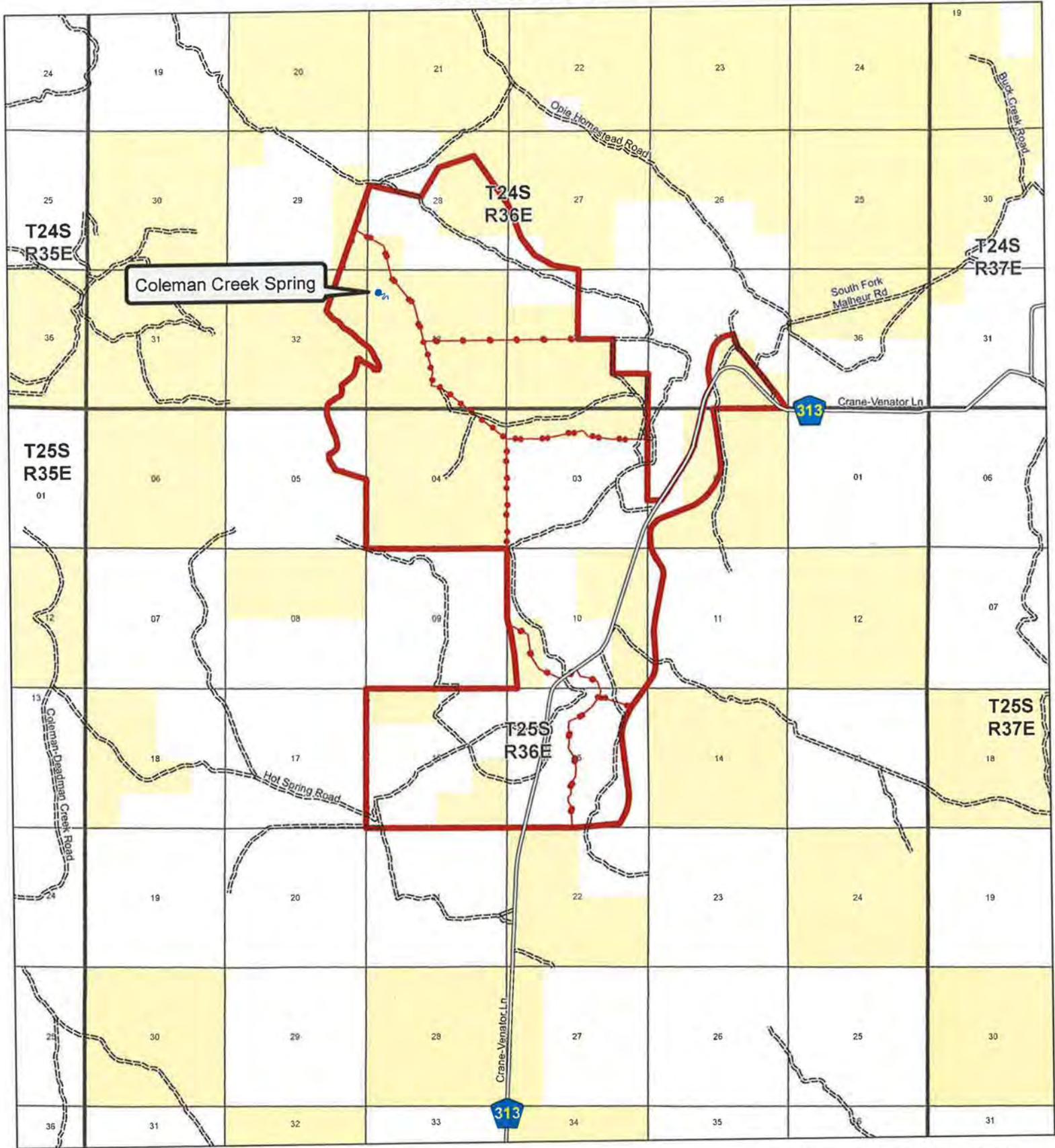


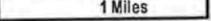
- Allotment
- Three Rivers Resource Area Boundary
- Highways
- Not All Roads Are Shown

Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.



Coleman Creek Allotment/Spring Location



-  Spring Development
 -  Bureau of Land Management
 -  Non-Paved Improved Road
 -  Allotments
 -  Private/Unknown
 -  Primitive/Unknown Surface
 -  Pastures
-  1 Miles



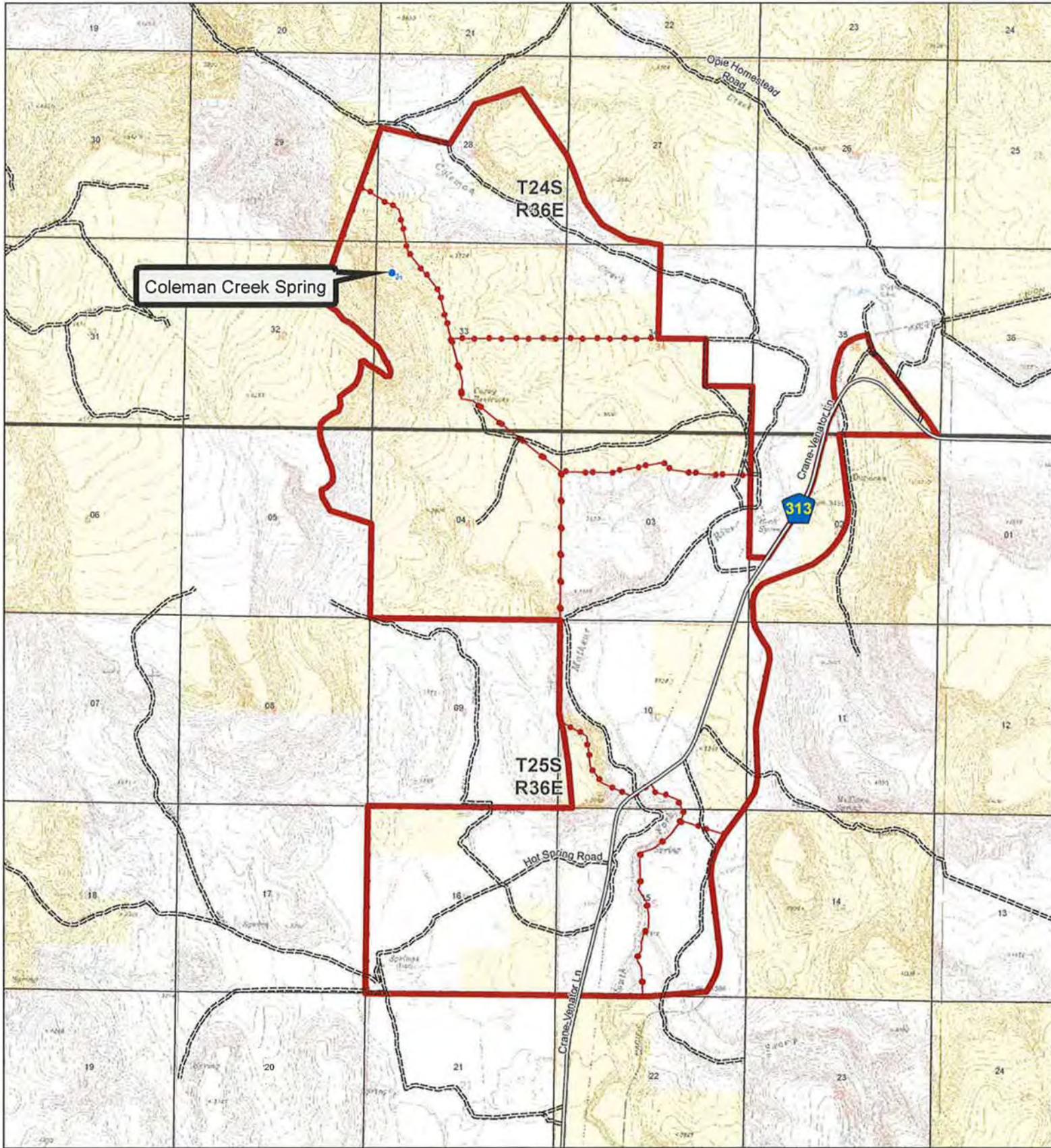
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 US DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 Burns District, Oregon

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Coleman Creek Spring Maintenance Location



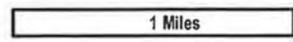
Coleman Creek Spring

T24S
R36E

T25S
R36E

313

-  Spring Development
-  Allotments
-  Pastures
-  Bureau of Land Management
-  Private/Unknown
-  Non-Paved Improved Road
-  Primitive/Unknown Surface



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US DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District, Oregon

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