

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Twin Falls District
Burley Field Office
15 East, 200 South
Burley, ID 83318

CATEGORICAL EXCLUSION REVIEW SHEET
NEPA No. DOI-BLM-ID-T020-2016-0007-CX

Project Description

The Buhl Highway District has proposed to mine 45,000 Cubic Yards (CY) of pit run gravel material from the Lucerne Pit. Operations would include a front end loader or dozer scraping off topsoil and exposing the deposit, then stockpiling the topsoil for use in reclamation. Then gravel would be mined directly from the exposed deposit and loaded onto haul trucks to be taken to road maintenance project sites.

The Lucerne pit has been in operation since late 1977, the pit was originally developed as a source of pit run gravel material for the maintenance of roads in the Buhl area. The pit would be used by the Buhl Highway District to mine pit run gravel material that would then be transported off-site for use in road maintenance. Work on-site would be year round, but sporadic, depending on the needs of the highway district. The site would be reclaimed, sloped and seeded when it is no longer needed.

Consideration of Extraordinary Circumstances (CER):

This CER Sheet documents the review of the Proposed Action to determine if any of the extraordinary circumstances described in 43 Code of Federal Regulations (CFR) 46.215 apply. If any of the extraordinary circumstances apply to the Proposed Action, then an Environmental Assessment or Environmental Impact Statement/EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the Proposed Action.

1. The Proposed Action would not have significant impacts on public health or safety.

The Proposed Action would not have significant impacts on public health or safety, the pit is located in an isolated area and any steep walls would be sloped to increase slope stability.

2. The Proposed Action would not 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.

There have been no historic or cultural resources (see #7 below); park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds (see #9 below); or other ecologically significant or critical areas identified at the site.

3. The Proposed Action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].

Gravel pits and mineral materials sites are common in the Burley Field Office on both private lands and public lands. Many mineral material sites that include sand and gravel pits have been authorized in the past on public lands.

4. The Proposed Action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

The impacts for mining pit run gravel material are not significant and are not uncertain. Many mineral materials sites that mine fill material, sand, and gravel have been authorized in the past on public lands with little environmental effect. This site has been used for over 25 years.

5. 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.

This Proposed Action does not establish a precedent for any future actions. All future actions will be analyzed for significant environmental effects individually and without regard to this action.

6. The Proposed Action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

This action will authorize three acres of new disturbance mining in an existing gravel pit and does not have a direct relationship with other actions that would cumulatively result in significant environmental effects.

7. The Proposed Action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.

The Proposed Action would have no impacts on properties listed or eligible for listing on the National Register of Historic Places based on a cultural survey conducted for the site and no cultural resources were found in the area.

If there are any future or inadvertent historic, cultural or paleontological property discoveries made during project operation, there will be an immediate cessation of project activities and the Burley Field Manager and Archaeologist will be contacted for further investigation (see also 36 CFR 800.11 and SPA). In the event that American Indian human remains, unassociated funerary

objects, or grave goods are encountered, work in the immediate vicinity of the discovery will cease, and BLM shall comply with Native American Graves Protection and Repatriation Act as outlined in 43 CFR 10 by consulting with the State Historic Preservation Officer and implementing appropriate mitigation.

8. The Proposed Action would not 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.

There are no listed or proposed to be listed species (on the List of Endangered or Threatened Species), nor critical habitat, occurring in the project area or potentially affected by this project.

9. The Proposed Action would not violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.

Migratory birds could be present and nest in the area, however, a stipulation which requires operations to avoid surface disturbing activities during the migratory bird nesting season from March 1 to July 31 would protect nesting migratory birds. The Twin Falls MFP also restricts surface mining activities within this time frame within one half mile of the Salmon Falls Creek Canyon. This stipulation also meets the intent of this restriction.

Subsequent to the initial clearing of vegetation, in future operating years, there is potential to disturb nesting migratory birds. If nests are active, operations at this gravel pit must cease until the nests are no longer active.

If the previously stated stipulations are included, the Proposed Action would not violate any laws or requirements imposed for the protection of the environment.

10. The Proposed Action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).

The Proposed Action will have no adverse impact on low income or minority populations, or any population.

11. The Proposed Action would not 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).

The project will not limit any access either to the project area, or any outlying areas. In addition, no Indian sacred sites have been identified in the area.

12. The Proposed Action would not 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).

The Proposed Action, when authorized, will be required to follow stipulations that include prevention of the spread of Idaho's official list of 57 species of noxious weeds and other non-native invasive species and require the extermination of the same if encountered on site.