

Categorical Exclusion

DOI-BLM-ORWA-L050-2016-0009-CX

A. Background

BLM Office: Lakeview District, Lakeview Resource Area

Lease/Serial/Case File No.: _____

Proposed Action Title/Type: Beaty Butte Wild Horse Training Facility

Location of Proposed Action: Adel, OR; T39S., R24E, Sec. 21and 28 (see attached map(s))

Description of Proposed Action: A proposed horse training facility (corral) would be built on private property in Adel, Oregon, that would be partially funded through an assistance agreement using BLM funds. The agreement would support organizations in the capture, transportation, PZP administration, training, and adoption of excess wild horses from the BLM Beaty Butte Herd Management Area (HMA). The BLM would support the cooperator in ground-based gathers, in providing a quality holding and training facility, in providing high quality training to captured horses, and in the adoption process. BLM assistance would increase the number of adopted horses, reduce or remove the need for future large gathers, assist in keeping horses in the HMA within the appropriate management level (AML), and ultimately reduce the overall costs of managing the Beaty Butte HMA.

B. Land Use Plan Conformance

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

Date Approved/Amended: November 2003, as maintained

X 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):

Management Goals and Objectives

Maintain and manage wild horse herds in established herd management areas at appropriate management levels to ensure a thriving natural ecological balance between wild horse populations, wildlife, livestock, vegetation resources, and other resource values. (P.55 as maintained)

Management Direction

Wild horse population levels will be adjusted in accordance with the results of monitoring studies, allotment evaluations, and rangeland health assessments, when needed, in order to achieve and maintain objectives for a thriving natural ecological balance and multiple use relationships in each herd management area. Gathering of wild horses will continue, as necessary, to adjust wild horse populations. P.55 as maintained)

Conformance

The training facility will give BLM an outlet for gathered Beaty Butte horses giving BLM the opportunity manage the herd management area keeping it within the appropriate management level.

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

Date Approved/Amended: September 2015

X 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):

Management Goals and Objectives

The ARMPA contains an overall habitat management objective that “[i]n all Sagebrush Focal Areas and Priority Habitat Management Areas, the desired condition is to maintain all lands ecologically capable of producing sagebrush (but no less than 70 percent) with a minimum of 15 percent sagebrush canopy cover, consistent with specific ecological site conditions.” To move toward this goal, the ARMPA specifies GRSG habitat objectives to be incorporated into land management programs, including wild horses and burros (WHBs), grazing, and habitat restoration. (p. 1-24)

Management Direction

Wild Horses and Burros—To address the localized threat due to negative influences of grazing by free roaming WHBs, the BLM will focus on maintaining WHB herd management areas in GRSG habitat in established AML ranges. This is to achieve and maintain GRSG habitat objectives. (p. 1-25)

Conformance

The training facility will give BLM an outlet for gathered Beaty Butte horses giving BLM the opportunity manage the herd management area keeping it within the appropriate management level.

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, D. Rangeland Management, 2 – Placement and use of temporary corrals....516 DM 11.9, D. Rangeland Management, 5 – Processing (transporting, sorting, providing veterinary care, vaccinating, testing for communicable diseases, training, gelding, marketing, maintaining, feeding, and trimming hooves of) excess wild horses and burros, and 516 DM 11.9, J. Other, 9 – Construction of small protective enclosures....

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, ACEC/RNA/ONAs, designated wilderness areas, wilderness study areas, wetlands/floodplains/riparian areas, migratory birds and their habitat or lands with wilderness character located in the area.

Historic and cultural resources are addressed in paragraph 7 below.

While drinking wells may be located on private lands in the surrounding area, sole or principal drinking water aquifers would not be significantly impacted by the proposed action.

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. At the resource area scale, resource conflicts were resolved during the land use planning process. The proposed action is for the building of a horse training facility (corral) on private property in Adel, Oregon, that would be partially funded through an assistance agreement using BLM funds. 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 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 be the building of a horse training facility (corral) on private property in Adel, Oregon, that would be partially funded through an assistance agreement using BLM funds 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 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) and Record of Decision for Oregon Greater Sage-Grouse ARMPA. 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) and Oregon Greater Sage-Grouse Proposed Plan Amendment and Final Environmental Impact Statement. 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: Under Oregon BLM-Oregon SHPO State Protocol Appendix E, Range Management Program #3 the undertaking is exempt from cultural resource survey. The undertaking will be a corral located on previously disturbed private land for which the BLM CRS specialist has determined that new disturbances are not likely to affect undetected cultural resources.

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: The wild horse training facility is proposed to be constructed on private land. This project is within, but on the very edge of, identified mule deer winter range. There are 5 raptor nests within a mile of the project area. It is unknown if the nests are presently active. The project area has previously been developed, via surface disturbance, and is being used as a parking lot. This area provides little to no functional habitat to wildlife; however, increased traffic and human activity may result in some disturbance to wildlife occurring/wandering in the area. No threatened or endangered wildlife, special status species, or locally important species populations or their habitat would be impacted negatively from this project.

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 is addressed in paragraph 1 above. Compliance with the Endangered Species Act is addressed in paragraph 8 above. The proposed action is in compliance with the Clean Water Act.

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 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 ___ No X

Rationale: Implementation of the Proposed Action would not have any effect on the current vegetation because the site has been disturbed to such a large extent. Due to the lack of current vegetation and extensive amount of bare ground, the Proposed Action would not decrease the site potential or current vegetation any further. A significant amount of restoration would have to take place for any native vegetation to establish. There has been a significant amount of disturbance and seed dispersal agents (cattle, birds, etc.) in the past to provide the niche for noxious weed species, including previous use of a feedlot for horses. Because of the previous use there is a very low likelihood that the Proposed Action would increase that risk.

Finding - I find that 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).

D: Signature

Authorizing Official: _____

Acting for:

Name: Todd Forbes

Title: Field Manager, Lakeview Resource Area

Paul Whitman
(Signature)

Date: _____

2/16/2016

E: Contact Person

For additional information concerning this CX review, contact James Price, Wild Horse and Burro specialist, Lakeview Resource Area, Bureau of Land Management, 1301 South G Street, Lakeview, OR 97630; phone: 541-947-6184).