

**U.S. Department of the Interior
Bureau of Land Management**

**Categorical Exclusion
Burnt Creek Temporary Pipeline**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
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Categorical Exclusion Worksheet

Burnt Creek Temporary Pipeline

A. Background

NEPA ID No: DOI-BLM-NV-E030-2016-0019-CX

BLM Office: Wells Field Office NV - Wells FO

LLNVE03000

Prepared by: Jeff Moore

Lease/Serial/Case File No.: N/A

Type of Action (Subject Code): Example: 4130

Project Name: Burnt Creek Temporary Pipeline

Location of Proposed Action: Burnt Creek Pasture, HD Allotment, Sections 14, 23,24, and 25, T43N, R65E, MDB&M

Applicant: Winecup Gamble Inc.

Description of Proposed Action: In the fall of 2015, BLM reseeded 1,500 acres of the 2007 Eccles Ranch fire upon which previous rehabilitation efforts failed. BLM is in the process of constructing a temporary fence to close the reseeded area to grazing until establishment criteria are met. This fence will close off many of the water sources in the Burnt Creek Pasture. Winecup Gamble Ranch has filed a Section 4 Range Improvement Permit to lay approximately two miles of temporary above ground pipeline from a spring source on their private land (11T 701341 4608804) to a storage tank and troughs to be located at the above referenced coordinates (11T 703674 4606877). The pipeline is proposed to be laid on the ground surface directly adjacent to an existing road for its entire length. The storage tanks and troughs are to be located in an existing road junction and corral site. The pipeline would be in service for a maximum of thirty days (approximately 9/11/2016-10/10/2016). Note the kind of trough the applicant proposes for use in their application will not be approved or used as it does not meet the “temporary or easily removable” standard for projects built under Section 4 Range Improvement Permit applications.

The following Required Design Features must be implemented during the construction, operation, and removal of the improvement in order to be in compliance with the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment:

Load and unload all equipment on existing roads to minimize disturbance to vegetation and soil.

Outfit all reservoirs, pits, tanks, troughs or similar features with appropriate type and number of wildlife escape ramps.

To reduce predator perching in GRS habitat, limit the construction of vertical facilities and fences to the minimum number and amount needed and install anti-perch devices where applicable.

Instruct all construction employees to avoid harassment and disturbance of wildlife, especially during GRSG breeding (e.g., courtship and nesting) season. In addition, pets shall not be permitted on site during construction.

Implement project site-cleaning practices to preclude the accumulation of debris, solid waste, putrescible wastes, and other potential anthropogenic subsidies for predators of GRSG.

Control the spread and effects of nonnative, invasive plant species (e.g. by washing vehicles and equipment, minimize unnecessary surface disturbance; Evangelista et al. 2011). All projects would be required to have a noxious weed management plan in place prior to construction and operations.

Equip temporary and permanent above ground facilities with structures or devices that discourage nesting and perching of raptors, corvids, and other predators.

B. Land Use Plan Conformance

Land Use Plan Name: NV - Wells RMP

Date Approved/Amended: 19 July 1985

Land Use Plan Name: Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment

Date Approved/Amended: 21 September 2015

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s): The Wells RMP provided for construction of various range improvement projects across the Wells Resource Area (now Field Office), including pipelines. The Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment further allows for range improvement projects, provided they are constructed in conformance with applicable Required Design Features and other requirements imposed by the Amendment.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with BLM Categorical Exclusion pursuant to 516 DM 11.9.

D. Rangeland Management

2. Placement and use of temporary (not to exceed one month) portable corrals and water troughs, providing no new road construction is needed.

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 516 DM 2 apply.

E. Realty

18. Temporary placement of a pipeline above ground.

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 516 DM 2 apply.

D. Conclusion and Signature

Based upon this review, I have determined that the Proposed Action, as described, is in conformance with the land use plan and meets the criteria for the selected CX. There is no potential for significant impacts. Therefore, the action is excluded from further environmental analysis and documentation.

/s/ Melanie Mitchell 6/27/2016

Acting Wells Field Office Manager	Date
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Contact Information

For additional information concerning this CX review, contact:

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* NOTE A separate decision document must be prepared for the action covered by the CX.

Screening for Extraordinary Circumstances

Burnt Creek Temporary Pipeline

Each of the following questions must be answered negatively, with concurrence from all resource specialists participating on the interdisciplinary team (IDT), before this CX may be approved (516 DM).

Table 1. Screening for Extraordinary Circumstances

Resource Concerns	Yes	No
1. Will this project have significant adverse effects on public health or safety?		X
2. Will this project adversely affect such unique geographic characteristics as: (a) historic or cultural resources; (b) park, recreation or refuge lands, wilderness areas, wild or scenic rivers; (c) sole or principal drinking water aquifers; (d) prime farmlands, wetlands, flood plains, or (e) ecologically significant or critical areas, including those listed on the Department of the Interior’s National Register of Natural Landmarks?		(a) X
		(b) X
		(c) X
		(d) X
		(e) X
3. Will this project have highly controversial environmental effects?		X
4. Will this project have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X
5. Will this project establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X
6. Will this project be related to other actions with individually insignificant but cumulatively significant environmental effects?		X
7. Will this project have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?		X
8. Will this project have adverse effects on species listed or proposed for listing on the Threatened or Endangered Species List, or have adverse effects on designated Critical Habitat for these species?		X
9. Will this project require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?		X
10. Will this project threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?		X
11. Will this project 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— Sacred Sites)		X
12. Will this project contribute to the introduction, continued existence, or spread of noxious weeds or non-native species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species?		X

Table 2. Reviewer Comments and Concurrence

Resource	Specialist Name	Comments	Initials	Date
AFM- Non-Renewables	E. Puentes	None	/s/ ELP	6/27/16
AFM- Renewables	M. Mitchell	None	/s/ MLM	6/27/2016
Air/Hydrology/Soils	R. Hegemann	None	/s/ RFH	6/17/2016
Archaeology	W. Allen	No Issues	/s/ GWA	6/23/16
Cultural Resources	W. Allen	No Issues	/s/ GWA	6/23/16
Environmental Justice	T. Dobis	No Issues	/s/ TKD	6/27/16
Fisheries	B. Wood	None	/s/ BW	6/21/2016
Health and Safety	H. Gordon	None	/s/ HG	6-22-16
Native American Concerns	R. Adkins	None	/s/ RA	6-23-16
NEPA	T. Dobis	No Issues	/s/ TKD	6/27/16
Range Management/ Grazing	J. Moore	None	/s/ JDM	17 June 16
Realty- Land Use	J. Tilton	No Issues	/s/ JT	6-23-16
Recreation	K. Dedolph	No Issues	/s/ KMD	6-17-16
Weeds	S. Cisney	See below	/s/ SC	6/23/16
Wildlife	C. Collins	None	/s/ CPC	6/21/16

Weed comments: avoid staging in weed infestations.

Stipulations and Documentation

Stipulations

Documentation

Applicable Management Decisions, Record of Decision of the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment:

MD SSS 1 (C): Authorized/permitted activities are implemented by adhering to the RDFs described in Appendix C, consistent with applicable law. At the site-specific scale, if an RDF is not implemented, at least one of the following must be demonstrated in the NEPA analysis associated with the project/activity:

- A specific RDF is documented to not be applicable to the site-specific conditions of the project/activity (e.g. due to site limitations or engineering considerations). Economic considerations, such as increased costs, do not necessarily require that an RDF be varied or rendered inapplicable;
- An alternative RDF is determined to provide equal or better protection for GRSG or its habitat;
- A specific RDF will provide no additional protection to GRSG or its habitat.

MD SSS 12: When developing or modifying water developments on BLM-administered lands in PHMAs, GHMAs, and OHMAs and in accordance with state water law and subject to valid existing rights, use applicable RDFs consistent with applicable law to mitigate potential impacts from West Nile virus. Bring existing water developments into compliance as opportunities arise.

MD VEG 1: Review Objective SSS 4 and apply MDs SSS1 through SSS4 when reviewing and analyzing projects and activities proposed in GRSG habitat.

MD LG 1: For range improvement projects, review Objective SSS 4 and apply MDs SSS 1 through SSS 4 when reviewing and analyzing projects and activities proposed in GRSG habitat.

RDF analysis for the Burnt Creek Temporary Pipeline CX:

RDF Gen 1, 2, 3, 4, 5, 6, 9, 10, 14, 15, 16, 17, and 18 are not applicable to the proposed project: No new roads or development of existing roads are being proposed; roads for accessing the site are unmaintained 2-tracks requiring lower speeds for safety and prudent driving; no permanent structures will create movement; there is no need for temporary housing; and no interim reclamation, mulching to expedite reclamation, restoration of pre-disturbance landforms, or the use of vegetation and soil reclamation standards is required.

RDF Gen 7: Require dust abatement practices when authorizing use on roads.

- This RDF will not provide additional protection to GRSG or its habitat: traffic from the implementation of this project would be minimal (1-2 vehicles with trailers, 2-3 trips per day) on existing 2-track roads, at low speeds (less than 20 mph) and most likely occur over a period of 1-2 weeks during the installation and removal of the improvement; traffic for the life of the project would be a rancher visiting the area periodically to inspect and maintain the range improvement and tending livestock.

RDF Gen 11: Equip temporary and permanent above ground facilities with structures or devices that discourage nesting and perching of raptors, corvids, and other predators.

- This is a design feature incorporated into the proposed action.

RDF Gen 12: Control the spread and effects of nonnative, invasive plant species (e.g. by washing vehicles and equipment, minimize unnecessary surface disturbance; Evangelista et al. 2011). All projects would be required to have a noxious weed management plan in place prior to construction and operations.

- This is a design feature incorporated into the proposed action.

RDF Gen 13: Implement project site-cleaning practices to preclude the accumulation of debris, solid waste, putrescible wastes, and other potential anthropogenic subsidies for predators of GRSG.

- This is a design feature incorporated into the proposed action.

RDF Gen 19: Instruct all construction employees to avoid harassment and disturbance of wildlife, especially during GRSG breeding (e.g., courtship and nesting) season. In addition, pets shall not be permitted on site during construction (BLM 2005b).

- This is a design feature incorporated into the proposed action.

RDF Gen 20: To reduce predator perching in GRSG habitat, limit the construction of vertical facilities and fences to the minimum number and amount needed and install anti-perch devices where applicable.

- This is a design feature incorporated into the proposed action.

RDF Gen 21: Outfit all reservoirs, pits, tanks, troughs or similar features with appropriate type and number of wildlife escape ramps (BLM 1990; Taylor and Tuttle 2007).

- This is a design feature incorporated into the proposed action.

RDF Gen 22: Load and unload all equipment on existing roads to minimize disturbance to vegetation and soil.

- This is a design feature incorporated into the proposed action.