
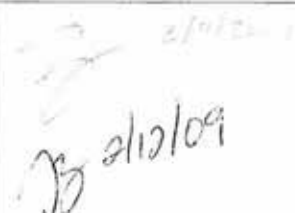
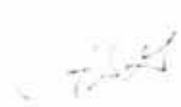


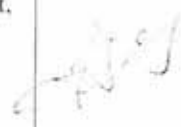


Categorical Exclusion Review
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Boise District Office
Bruneau Field Office

Meyers Clay Mineral Material Sale

CE No.: ID-120-2008-CE-360	Lease/Serial/Case File No.: IDI-35777
Purpose and Need for Action: Mr. Meyers has requested a mineral material sale for clay minerals.	
Description of Proposed Action: Surface mining of clay minerals from an open pit under 5 acres of total disturbance.	
Project Location: SENWSE Section 13, T. 6 S., R. 4 E. South of Highway 78 approximately 7 miles northwest of Bruneau, Idaho.	
(Applicant (if any): Ray Meyers	
Part I – Plan Conformance Review	
This proposed Action is subject to the following land use plan: Date Plan Approved:	
The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): Bruneau Management Framework Plan signed in 1983. Multiple Use Recommendation M-4.1 states that "Where economically feasible limit the development of new sources and where practical and economic allow private sales from same sources. If not feasible designate community pit for private sale areas." Clay is not specifically mentioned.	
Remarks:	
Part II – NEPA Review	
A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 11.9.F(10) Disposal of mineral materials, such as sand, stone, gravel, pumice, pumicite, cinders, and clay, in amounts not exceeding 50,000 cubic yards or disturbing more than 5 acres, except in riparian areas. Category description: Sale of clay mineral material in amount not exceed 50,000 cubic yards or exceed 5 acres of surface disturbance.	
B. Exceptions Review (Departmental List of Extraordinary Circumstances Review): Review the 12 exceptions which apply to individual actions within categorical exclusion. Environmental documents (EA or EIS) must be prepared for any actions involving these exceptions. (The following Departmental List of Extraordinary Circumstances apply to individual actions. Departmental instructions mandate that environmental documents MUST BE PREPARED for actions which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.))	

List of Exceptions	Specialist Signature/Date	Comments/Explanation
1. Have significant impacts on public health or safety.		No significant impacts on public health anticipated. Removal of clay from hill side, allowed to dry, then loaded into trucks for transport to milling facility. The clay material does not readily break down to dust sized particles unless milled. Dust will not be a hazard.
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; or ecologically significant or critical areas, or is not in compliance with the Fish and Wildlife Coordination Act.		The Oregon National Historic trail passes approximately within one mile to the north of the site. It will be visible from the Trail, but this threshold is within the policy of the Boise District Oregon Trail Management Plan. None of the other items listed will be affected by this action.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		No highly controversial environmental effects or unresolved conflicts concerning alternative uses of resources was identified.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		Quarrying of clay does not involve potentially significant environmental effects or unknown environmental risks. Removal and stockpiling of topsoil and overburden for use in reclamation, quarrying of the clay with bulldozer, loading into trucks for transport involve relatively routine, known actions that do not present any significant effect.
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		No precedents are being set with this action that could affect the environment significantly.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		There is a community pit for clay approximately two miles northwest of this site. There are three sand and gravel pits within ten miles west of this site, there is a gravel pit approximately seven miles north of this site, and another clay pit ten miles

		north of this site. There are a further three gravel pits between six and ten miles south of the site. All of these sites are limited to less than five acres of surface disturbance. This accounts for a cumulative 45 acres disturbed out of an excess of 100 square miles.
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.	<i>[Handwritten initials]</i>	The Oregon National Historic trail passes approximately within one mile to the north of the site. It will be visible from the Trail, but this threshold is within the policy of the Boise District Oregon Trail Management Plan.
8. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or on designated Critical Habitat for these species.	Plants /s/ Holly Beck <i>2/19/09</i>	No special status plant species or suitable habitat will be adversely impacted as result of this project.
	Wildlife /s/ Helen Ulmschneider	No special status animal species or suitable habitat will be adversely impacted as result of this project.
	Aquatics <i>PD 3/3/9</i>	<i>No special status aquatic species or suitable habitat will be adversely impacted as a result of this project.</i>
9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.	<i>[Handwritten initials]</i>	<i>No federal, state, local or tribal law protecting the environment will be impacted by this project.</i>
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	<i>[Handwritten initials]</i>	<i>This action will have no effect on low income or minority populations.</i>
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).	<i>[Handwritten initials]</i>	This action was presented to the Shoshone-Paiute Tribes during Wings and Roots consultation meetings. The Tribes had no comments on the sale as presented. <i>Presented at Nov 5, 2003 meeting.</i>
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).	<i>[Handwritten initials]</i>	Part of the stipulations of the sale contract will be that the permittee will be responsible for controlling noxious weeds in the area. Will be monitored during annual compliance inspections held by BLM personnel.

I certify that none of the Departmental exceptions (Extraordinary Circumstances) listed in the above Part II (516 DM 2, Appendix 2) apply to this action; therefore, this categorical exclusion is appropriate for this situation.

Remarks:

Authorizing Official: 

Date: 4/3/09

Name: Arnold Pike
Title: Bruneau Field Office Manager

Part III - Decision


I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project as described above, with the following stipulations:

1. The permittee will be required to post a reclamation bond sufficient to correct any disturbance until reclamation is complete and accepted by BLM.
2. All top soil and overburden will be stockpiled on site for use in reclamation. Top soil will be seeded with an approved seed mix to prevent erosion.
3. Noxious weed infestation will be the responsibility of the permittee to control. Control efforts will be part of the required annual monitoring performed by BLM. Any infestations noted will be brought to the attention of the permittee for prompt remediation.
4. Reclamation will consist of re-contouring the land to a natural land form using the stockpiled overburden and topsoil. Once the re-contouring is complete, an approved seed mix will be planted to successful germination.
5. At the completion of the permit, a close out inspection will be conducted by BLM to ensure that reclamation has been completed to BLM specifications. Once a successful close out inspection is obtained, the reclamation bond will be released to the permittee.

Remarks: This site is previously disturbed through a trespass action, case file # IDI-36077. Operator was misinformed of land ownership status. Once it was brought to his attention that he was on federally managed land, he voluntarily informed BLM of his action.

Appeals.

Except as provided in §§3101.7-3(b), 3120.1-3, 3165.4, and 3427.2 of this title, any party adversely affected by a decision of the authorized officer made pursuant to the provisions of Group 3000 or Group 3100 of this title shall have a right of appeal pursuant to part 4 of this title.

Authorizing Official: 

Date: 4/3/09

Name: Arnold Pike
Title: Bruneau Field Office Manager