

**U.S. Department of the Interior  
U.S. FISH AND WILDLIFE SERVICE**

**ENVIRONMENTAL ACTION STATEMENT**

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA; 40 CFR 1500-1508), and other statutes, rulings, orders, and policies to ensure environmental factors are weighted equally when compared to other factors in the decision making process, I have established the following administrative record and have determined that the proposed action of Perscribed burning on Chase Lake WPA in Stutsman Co.

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- is a categorical exclusion as provided by 516 DM 8.5 and/or [43 CFR 46.210] (see attached documentation).
- is found not to have significant environmental effects as determined by the attached Finding of No Significant Impact and Environmental Assessment.
- is found to have special environmental conditions as described in the attached environmental assessment. The attached Finding of No Significant Impact will not be final nor any actions taken pending a 30-day period for public review [40 CFR 1501.4(e)(2)].
- is found to have significant effects and, therefore, a notice of intent will be published in the Federal Register to prepare an environmental impact statement before the project is considered further.
- is denied because of environmental damage, Service policy, or mandate.
- is an emergency situation. Only those actions necessary to control the immediate impacts of the emergency will be taken [40 CFR 46.150] (see attached documentation). Other related actions remain subject to NEPA review.

Other Supporting Document(s) (list):

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**Agency Administrator**

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**Date**

**U.S. Department of the Interior  
U.S. FISH AND WILDLIFE SERVICE  
Wildland Fire Management**

**ENVIRONMENTAL ACTION STATEMENT  
For Documenting Project NEPA Compliance and/or Categorical Exclusion (CE) Use**

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA; 40 CFR 1500-1508), and other statutes, rulings, orders, and policies to ensure environmental factors are weighted equally when compared to other factors in the decision making process, I have established the following administrative record and have determined that the proposed action is Categorically Excluded (CE) from EA or EIS documentation requirements consistent with [40 CFR 1508.4]; [43 CFR 46.150]; [43 CFR 46.210]; [43 CFR 46.215]; 516 DM 2.3A; 516 DM 2.8; and 516 DM 8.5.

<b>Treatment Information</b>				
Treatment Name: Chase Lake WPA			Treatment Location: Stutsman County	
NFPORS Project # (if applicable)	Planned Start Date:	Planned Completion Date:	Estimated Duration:	Estimated Costs \$
<b>Project Coordinator:</b>		Phone No:		
		E-Mail:		
<p><b>Categorical Exclusion(s) (CE) for this treatment:</b> <i>(check all that apply)</i></p> <p><b>516 DM 8.5</b>     <u>  X  </u>     Note: 516 DM 8.5 are Service specific CEs;</p> <p><b>43 CFR 46.210</b>     _____     Note: 43 CFR 46.210 are DOI specific CEs and includes Hazardous Fuel Reduction and Burned Area Rehab;</p> <p><b>43 CFR 46.150</b>     _____     Note: 43 CFR 46.150 addresses Emergency Responses (such as Emergency Stabilization).</p>				

**1. Proposed Action and Alternatives:**

<p><i>a.) Briefly describe the proposed action and any alternatives explored.</i></p> <p><i>b.) Describe and/or list pertinent facts, such as land description, statutory citations (i.e. applicable laws that require you to do this action), to tie this action to the ground.</i></p> <p><i>c.) Briefly discuss why the proposed action was selected and/or why other alternatives were not selected.</i></p>
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## 2. Management Plan Conformance

- a.) *State that the proposed action is consistent with land and/or resource management plans and cite the area of the plan(s) that this will address.*
- b.) *Describe how the proposed action was designed in conformance with FWS standards and specific desired conditions.*
- c.) *Insert findings for other applicable laws or new ruling approved since the signing of the land management plan. Document no impact to current management plans.*

## 3. Compliance with the National Environmental Policy Act

This is for all Programmatic NEPA and CEs, including the Service's CEs and DOI Hazardous Fuels Reduction (HFR) or Burned Area Rehabilitation (BAR), and Emergency Stabilization (ES) CE use:

- a.) *Quote the specific NEPA documents (EA, EIS, or other NEPA utilized), and/or Categorical Exclusion(s) that are being used for the action.*
- b.) *Explain why the action fits the NEPA documents and/or CE(s) selected.*
- c.) *State that the action does not present any Extraordinary Circumstances (see checklist below).*
- d.) *If extraordinary circumstances do (or appear to) exist relative to the action, discuss circumstances and explain why the action is still categorically excluded.*

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***If 43 CFR 46.210 (k) [Hazardous Fuels Reduction] or 43 CFR 46.210 (l) [Burned Area Rehabilitation] used:*** *State that the Proposed Action is categorically excluded from further documentation under NEPA in accordance with 43 CFR 46.210 (k) or (l), or both.*

***If 43 CFR 46.150 used for Emergency Stabilization (ES):***

- a.) *State that the Proposed Action is an emergency action not having significant environmental impacts in accordance with 43 CFR 46.150 and 516 DM 2.8. and insert any reasons.*
- b.) *Insert any pertinent situations that were brought up during the design of the activities to explain why there is no potential for significant impacts.*
- c.) *State that the emergency stabilization action is appropriate in this situation because there are no significant impacts and that the action is funded as an emergency stabilization project under the [Incident Name].*

**4. Permits/Approvals**

*Discuss any permits/approvals needed before the proposed action can be implemented.*

**5. Public Involvement/Interagency Coordination:**

*a.) List the public, other agencies, and/or States or Tribes that have been involved with the proposed action.*

*b.) Describe the extent of their participation.*

**6. Supporting Documents**

*Collect supporting documents for the determination. Include relevant office file material and put together a document list to include the key references.*

## Extraordinary Circumstances (43 CFR 46.215)

*Any action that is normally categorically excluded must be evaluated to determine whether it meets any of the extraordinary circumstances in section 46.215; if it does, further analysis and environmental documents must be prepared for the action. [43 CFR 46.205 (c)(1)].*

*Below are the Extraordinary Circumstances from [43 CFR 46.215].*

*Check Yes or No for each item.*

- Yes \_\_\_ No X 1. The proposed action will have significant adverse affects on public health.
- Yes \_\_\_ No X 2. The proposed action will 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 (EO 11990); floodplains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
- Yes \_\_\_ No X 3. The proposed action will have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].
- Yes \_\_\_ No X 4. The proposed action will have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
- Yes \_\_\_ No X 5. The proposed action will establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
- Yes \_\_\_ No X 6. The proposed action will have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.
- Yes \_\_\_ No X 7. The proposed action will have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.
- Yes \_\_\_ No X 8. The proposed action will 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.
- Yes \_\_\_ No X 9. The proposed action will violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
- Yes \_\_\_ No X 10. The proposed action will have a disproportionately high and adverse effect on low income or minority populations (EO 12898).
- Yes \_\_\_ No X 11. The proposed action will 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 (EO 13007).
- Yes \_\_\_ No X 12. The proposed action will 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 EO 13112).