

**WYOMING STATE PROTOCOL
APPENDIX B
UNDERTAKINGS EXEMPT FROM SHPO CONSULTATION**

Pursuant to Section V.B.ii of the State Protocol, the BLM cultural resource specialist will, after determining information needed to identify and evaluate cultural properties, determine if specific projects or activities should be exempted from SHPO consultation and in most cases do not require Class III inventory. **In certain circumstances, even though an action may be listed here as exempt from SHPO consultation, the Field Manager, at the recommendation of the cultural resource specialist, may have justification to require SHPO consultation and an inventory and evaluation of cultural resources.** Appropriate CRMTracker documentation must be completed for these exemptions. The following actions are, in most circumstances, exempt:

1. Activities which involve no more than two square meters of cumulative surface disturbance and no more than one square meter of contiguous disturbance in any given location, unless within the boundaries of a known historic property or an unevaluated cultural resource.
2. Issuing leases, easements, rights-of-way and permits (not including grazing permits) that do not authorize surface disturbance.
3. Acquiring lands and easements.
4. Transferring lands or interest in lands to other Federal agencies where future management will be subject to the Section 106 process.
5. Issuing rights-of-way for existing developments or renewal of existing rights-of-way except where operation, maintenance, or abandonment activities might result in new surface disturbance.
6. Issuing rights-of-way renewals for overhead lines with no pole, tower, or other surface disturbance on BLM-administered lands.
7. Authorizing new lines on existing overhead structures when there is no change in pole or tower configuration and no new surface disturbance.
8. Issuing special land use designations which do not authorize surface-disturbing projects such as Research Natural Areas, Areas of Critical Environmental Concern (ACEC), and Wilderness Areas.
9. Minor, routine, or preventive operations and maintenance activities on BLM facilities, lands, and resource developments requiring no new surface disturbance and where facilities being maintained are not historic properties (does not include wildfire rehabilitation).
10. Installing signs and markers adjacent to existing roads, or placing recreational, special designation or information signs, or visitor registers, unless within known historic properties. Disturbance cannot exceed the exemption allowed in Item 1 above.

11. Temporary road closures.
12. Designating areas closed to vehicles or areas limited to travel only on existing roads and trails.
13. Maintenance of crowned or ditched roads that does not widen or otherwise extend surface disturbance, unless archaeological features which have not been evaluated are exposed.
14. Dispersed non-commercial recreational activities such as Christmas tree cutting.
15. Issuing special recreation permits along rivers, trails, and other specified areas where use is similar to previous permits and which would not increase the level of use and where there will be no new surface disturbance. This exemption does not include recreation permits for outfitter camps.
16. Activities limited within stream channels, not including terraces and cut banks.
17. Personal use firewood permits which are not specific in size and do not concentrate use.
18. Removing modern materials and trash scatters less than 50 years old and not associated with a larger eligible entity. Abandoned motor vehicles (regardless of antiquity) and modern trash dumps are included in this class.
19. Cadastral survey.
20. Animal traps and corrals in use for three days or less. Case-by-case review by the field office cultural resource specialist may be needed to assess potential effects prior to the undertaking.
21. Authorizing or installing devices to protect human or animal life (such as raptor electrocution prevention devices) that do not involve new surface disturbance.
22. Continued development of borrow sources which have previously removed all Holocene and Pleistocene sediments and will not extend into any area which contains Holocene and Pleistocene sediments.
23. Herbicide application where it would be unlikely to affect archaeological sites and features, rock art or traditional Native American plant gathering areas. Decisions will be consistent with and informed by the 2007 *Vegetative Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement*.
24. Stock or wildlife water lines laid on the surface that do not require excavation or other surface disturbance and do not cross known historic properties or previously recorded unevaluated cultural resources.
25. Maintenance or replacement of existing fence lines that do not require disturbance beyond replacement of posts or wire and will not result in new concentrations of animals or creation of new two track trails from vehicles.

26. Renewal or transfer of grazing leases/permits and other permit administrative actions where types of animals do not change, numbers of animal unit months (AUMs) do not increase or seasons of use do not change.

27. Annual authorization of livestock trailing where types of animals and seasons do not change, and the numbers of animals do not exceed the maximum numbers authorized by the grazing permits

28. Any undertaking that is proposed to occur in an APE that has been previously and completely disturbed by mechanical means to the extent and depth where no cultural resources exist and there are no indirect effects to extant cultural resources.