

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

Union Fire Monitoring Plots

CE No.: DOI-BLM-ID-B011-2012-0003-CX	Lease/Serial/Case File No.:
Purpose and Need for Action: The purpose of the annual monitoring plots is to identify and record the overall success of the Idaho Army National Guard's (IDARNG) post-fire seeding (Union Fire) relative to the adjacent unseeded burned areas, as well as adjacent seeded areas conducted by the state. This information is needed for two reasons: First, the data will be used to make future decisions on seeding methods and species use relative to future burns in the area. Second, the data will be used to identify post-burn species type and diversity in an area. The area is associated with <i>Lepidium papilliferum</i> (LEPA) habitat and occupied slickspots. As such, they type and diversity of species associated with post-burn conditions could affect residual LEPA populations. In particular, we would monitor the amount of invasive species, as well as key non-native species used for reseeding on state lands. In particular we would monitor the presence and distribution over time of Forage Kochia (<i>Bassia prostrata</i>).	
Description of Proposed Action: The IDARNG intends to set up three stratified random monitoring plots and one monitoring control plot on BLM managed lands within the boundaries of the Union Fire in order to identify the overall seeding success (Map 1). The data from these plots will be used in conjunction with five other monitoring/control plots set up on adjacent state lands. In total there will be five monitoring plots and four controls (within the fire boundary but outside the seeded areas). Each 100 meter monitoring plot would be located in an area based on the historic community type, i.e. shrub vs. annual grass, and have an adjacent control plot. All plots will be randomly selected within a pre-designated community type, with an associated random azimuth. Each plot will consist of photo plots with Duabenmire frames. From the randomized point, a 100 meter tape will be pulled based on the random azimuth. Monitoring azimuths will be confined within the seeded areas and controls will be confined to unseeded areas. A five-decimeter long, 4-millimeter wide metal pin will be placed in the ground at the 0, 25, 50, 75, and 100 meter points along the tape. A landscape photo with plot details will be taken at the 0-point, with point information, aerial photos, and vegetation data (list of species and % at each) associated with each Duabenmire frame using the pins as reference points for annual monitoring. The data will be read the first year in the fall with all subsequent readings in May or June. The data and photos will be recorded in a database and shared with the Idaho Department of Lands and BLM annually.	
Project Location: The project area is located in Township-1S, Range-3E, on the eastern boundary of Section 33, and western boundary of section 34 (Attachment 1).	
Applicant (if any): Idaho Army National Guard	

Part I – Plan Conformance Review

This proposed Action is subject to the following land use plan: Morley Nelson Snake River Birds of Prey National Conservation Area (NCA) Resource Management Plan (RMP) and the 1983 Kuna Management Framework Plan (MFP).

Date Plans Approved:

- NCA-RMP: September 30, 2008
- Kuna MFP: March 14, 1983

2008 NCA-RMP: 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): Specifically, it meets the objective to designate of up to 5,000 acres for research purposes (2-10) and would provide monitoring data to integrate into the Adaptive Management Framework specified in the RMP (3-2). This project would be an expansion of an existing monitoring program and would be conducted in a manner that complies with management actions identified in the NCA RMP.

1983 Kuna MFP: The proposed action is in conformance with the MFP, even though it is not specifically provided for, because it is clearly consistent with the following MFP decision(s) (objectives, terms, and conditions):

Objective WL-5.2: Manage the Snake River Birds of Prey Area as outlined by PLO 577 for the wellbeing of raptors and for other compatible uses, with the following goals:

- c. Coordinate and conduct studies to support management needs.
- d. Make knowledge gained from management and research activities available to the public, other agencies, and to the scientific community.

Part II – NEPA Review

- A. Categorical Exclusion Review: This proposed action qualifies as a categorical exclusion under 516 DM 2, Appendix 1
Category description: 1.6 Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.
- B. Departmental List of Extraordinary Circumstances Review: Before any non-Energy Act CX is used, you must conduct sufficient review to determine if any of the following extraordinary circumstances apply (516 DM 2, Appendix 2). If any of the extraordinary circumstances are applicable to the action being considered, either an EA or an EIS must be prepared for the action. Part 516 of the Departmental Manual (516 DM 2, Appendix 2) states that extraordinary circumstances exist for individual actions within CXs which may: (Mark applicable answer for each item. If "yes", prepare an EA/EIS and append this form to it.)

List of Extraordinary Circumstances

1. Have significant impacts on public health or safety.

Yes	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford</i> , Restoration Ecologist 11/19/2011
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Comments/Explanation: The proposed action is passive monitoring only; as such, there would be no effect on public health or safety. In addition, no water supply, either sole or communal is located in the vicinity of these research sites. Additionally, there would be no use of potentially dangerous equipment or hazardous materials during field data collection.

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.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford</i> , Restoration Ecologist 11/19/2011
<i>Comments/Explanation:</i> This study would in no way impact nesting birds of prey, or any other members of the local ecosystem due to the scale and nature of this research project. The study sites would not involve ground disturbing activities and would not be located in slickspots. The monitoring sites would encompass only a small areas (<0.0075 acres) and no equipment would be left on-site. Second, the site would be occupied for only a short period of time due to the relatively short duration of sample collection.		
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford</i> , Restoration Ecologist 11/19/2011
<i>Comments/Explanation:</i> Sample collection would have negligible environmental impact and would not promote conflict regarding such impacts. The utilization of public resources at the site would be limited to occupation of public recreation area at a small spatial and temporal scale. No other site resources would be required for completion of the study objectives. The impacts associated with vegetation monitoring are well understood and not controversial in the scientific community.		
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford</i> , Restoration Ecologist 11/19/2011
<i>Comments/Explanation:</i> There would be virtually no uncertainty regarding the environmental impact of this study. Vegetation sampling would be non-destructive.		
5. Establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford</i> , Restoration Ecologist 11/19/2011
<i>Comments/Explanation:</i> No alternative use of public resources within the proposed project area would be motivated or promoted by this study. Vehicle use would be constrained to roadways that are already established and care would be taken to ensure that there would be no disturbance to local biota beyond the specific sample sites. The impacts associated with the proposed action are associated with passive monitoring program already established in the area. As such, the program is well understood and would not be precedent setting.		
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant environmental effects.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford</i> , Restoration Ecologist 11/19/2011
<i>Comments/Explanation:</i> The impacts associated with data collection would be inconsequential both spatially and temporally; therefore, they would not be expected to overlap with other actions that could have similar impacts.		
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.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Dean Shaw</i> , Archaeologist 11/21/2011
<i>Comments/Explanation:</i> The IDARNG Cultural Resource Manager has reviewed the proposed plot locations, and will have cultural staff present during plot establishment to ensure that the project has no effect on cultural resources.		

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.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date for Plants: <i>Mark E. Steiger 11/21/11</i> Specialist Signature/Date for Wildlife: <i>Jill Holderman 12/14/2011</i> Specialist Signature/Date for Aquatics: N/A
Plants <i>Comments/Explanation:</i> Site clearances will be conducted by IDARNG environmental staff as each plot is established. In the event that a species is observed, it will be recorded and submitted to BLM. As the nature of the monitoring is to track changes in vegetative, the plot will be relocated only if it poses a threat to the species. Therefore, there would be no adverse affect on any T&E species.		
Wildlife <i>Comments/Explanation:</i> Several special status raptors, songbirds, and reptiles occur in the area. None are listed under the Endangered Species Act. Field data collection would occur after most avian species have fledged their young. Reptiles would generally be active above ground. The limited spatial and temporal disturbances associated with the proposed data collection would have minimal impacts to special status wildlife species.		
Aquatics <i>Comments/Explanation:</i> There are no aquatic ecosystems within 1 mile of the project area.		
9. Violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Dean Shaw, Archaeologist 11/21/2011</i>
<i>Comments/Explanation:</i> The proposed action would be in compliance with laws associated with the protection of the environment.		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford, Restoration Ecologist 11/19/2011</i>
<i>Comments/Explanation:</i> There are no low income or minority populations living in the project area. Low income or minority visitors to the area would not be affected any differently by the proposed activities than any other visitor.		
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).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Dean Shaw, Archaeologist 11/21/2011</i>
<i>Comments/Explanation:</i> There would be no identified or expected locations within the project area that have been identified as sacred sites, or used by Indian religious practitioners. In addition, the action would not result in any access restrictions.		
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).		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Specialist Signature/Date: <i>Anne Halford, Restoration Ecologist 11/19/2011</i>
<i>Comments/Explanation:</i> Non-native invasive plants are common in some portions of the study area. Because of the limited surface disturbance associated with the project, it would not be expected to alter their present distribution relative to current and future conditions. This research project directly supports efforts to reclaim sagebrush steppe ecosystems and buffer known LEPA habitat from non-native species after a wildfire event in southwestern Idaho. Isolated occurrences of whitetop and Canada thistle have been identified and treated in the area before or during 2011. This action would not be expected to facilitate the spread of these occurrences. There is a known slickspot peppergrass EO in the area; however, all plots would be located away from known sites and would be established in such a way as to minimize any potential impacts from sampling to the EOs or LEPA habitat.		

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: /s/ Patricia Roller

Date: 12/20/2011

Name: Patricia Roller

Title: BOP NCA Manager, Four Rivers Field Office

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, with the mitigation measures either identified below or with the stipulation(s) described above.

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a notice of appeal must be filed in the office of the authorized officer at the Four Rivers Field Office, Boise District, 3948 Development Ave, Boise, ID 83705. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St. Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the authorized officer.

To file a petition for stay pursuant to 43 CFR part 4.21(b), it must accompany your notice of appeal and must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the authorized officer.

A copy of the notice of appeal, any statement of reasons, and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the *Office of the Solicitor, Field Solicitor-U.S. Department of the Interior, University Plaza, 960 Broadway Avenue, Suite 400, Boise, Idaho 83706*, not later than 15 days after filing the document with the authorized officer and/or IBLA.

Mitigation Measures/Other Remarks:

Remarks:

Authorizing Official: /s/ Patricia Roller

Date: 12/20/2011

Name: Patricia Roller

Title: BOP NCA Office Manager, Four Rivers Field Office