

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BURNS DISTRICT OFFICE

CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL

CX Number: DOI-BLM-OR-B070-2014-0005-CX

Date: 11/25/13

File Code (Project/Serial Number):

Preparer: Louis E Clayburn

Applicant: BLM

Title of Proposed Action: House Creek Fire Emergency Stabilization and Rehabilitation Seeding

Description of Proposed Action and Project Design Elements (if applicable):

The BLM proposed action is to aerial seed 556 acres (see map) of the House Creek fire that burned within BLM administered lands, using aircraft (fixed wing or helicopter). Seeding would occur between December 2013 and the beginning of April 2014. Hycrest Crested Wheatgrass would be aerielly seeded at a rate of 12 pounds per acre.

The fire burned across Wyoming big sagebrush (*Artemisia tridentata ssp. wyomingensis*) plant communities with understories composed of various species of perennial grasses and forbs. The invasive annual grasses medusahead rye (*Taeniatherum caput-medusae*) and cheatgrass (*Bromus tectorum*) were present immediately adjacent to the drier Wyoming big sagebrush plant communities. Due to the presence of these annual grasses prior to the burn, it is expected these plant communities would not recover naturally with desired perennial vegetation.

The purpose and need for the action is to establish a ground cover of desirable perennial vegetation in areas unlikely to recover naturally to:

- a. Compete with medusahead rye and cheatgrass for available site resources to reduce the likelihood of the burned areas converting to invasive annual grass dominance.
- b. Stabilize soils after the first growing season and reduce the potential for accelerated soil erosion associated with invasive annual grass communities.
- c. Reduce the likelihood of these areas experiencing a reduced fire return interval associated with invasive annual grass communities.
- d. Coexist with and promote reestablishment of native vegetation such as Wyoming big sagebrush.
- e. Reduce the likelihood of new weed establishment or expansion of existing weed infestations.

All vehicles and equipment would be clean of weed seeds and mud prior to arriving at the project site. During the seeding operation, vehicles and equipment would be cleaned off as necessary using compressed air prior to leaving the site. Should they become covered in mud, vehicles and equipment would be washed off upon returning to Burns/Hines, either at the Truck Stop or at the car wash.

Legal Description (attach Location Map): See attached maps

B. Conformance with Land Use Plan (LUP) (name):

Date Approved/Amended

The proposed action is conformance with the Steens Cooperative Management Protection Area RMP, August 2005.

Soils and Biological Soil Crusts 1: Manage soils on public lands to maintain, restore, or improve soil erosion classes, watershed health, and areas of fragile soils.

Rangelands: Goal 1:- Maintain, restore or improve the integrity of desirable vegetation communities including perennial, native and desirable introduced plant species. Provide for their continued existence and normal function in nutrient, water and energy cycles. Objectives 1, 2, 3 and 4. Page 30.

Noxious Weeds: Goal 1: – Control the introduction and proliferation of noxious weeds and reduce the extent and density of established populations to acceptable levels. Objectives 1, 2 and 3, Page 32.

Wildland Fire Management: Goal 2: – Restore and maintain the integrity of ecosystems consistent with appropriate fire regimes and land uses; Objective 2. Assess burned areas for appropriate biological and physical rehabilitation activities Objectives 1 and 2 Page 56.

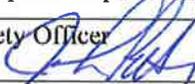
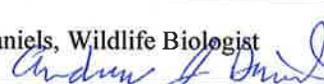
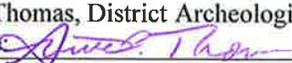
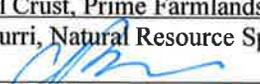
Fish and Wildlife: Goal 1: – Provide diverse, structured, resilient, and connected habitat on a landscape level to support viable and sustainable populations of wildlife....; Objective 1. Maintain, restore, or improve habitat Page 33.

BLM Categorical Exclusion Reference (516 DM, Chapter 11): I.1 Emergency Stabilization which states, "Planned actions in response to wildfires, floods, weather events, earthquakes, or landslips that threaten public health or safety, property, and/or natural and cultural resources, and that are necessary to repair or improve lands unlikely to recover to a management-approved condition as a result of the event. Such activities shall be limited to: repair and installation of essential erosion control structures; replacement or repair of existing culverts, roads, trails, fences, and minor facilities; construction of protection fences; planting, seeding, and mulching; and removal of hazard trees, rocks, soil, and other mobile debris from, on, or along roads, trails, campgrounds, and watercourses. These activities:

- a. Shall be completed within one year following the event;
- b. Shall not include the use of herbicides or pesticides;
- c. Shall not include the construction of new roads or other new permanent infrastructure;
- d. Shall not exceed 4,200 acres; and
- e. May include temporary roads which are defined as roads authorized by contract, permit, lease, other written authorization, or emergency operation not intended to be part of the BLM transportation system and not necessary for long-term resource management. Temporary roads shall be designed to standards appropriate for the intended uses, considering safety, cost of transportation, and impacts on land and resources; and
- f. Shall require the treatment of temporary roads constructed or used so as to permit the reestablishment by artificial or natural means or vegetative cover on the roadway and areas where the vegetative cover was disturbed by the construction or use of the road, as necessary to minimize erosion from the disturbed area. Such treatment shall be designed to reestablish vegetative cover as soon as practicable, but at least within 10 years after the termination of the contract."

DOI Categorical Exclusion Reference (516 DM 2, Appendix 1): None

Screening for Exceptions: The following extraordinary circumstances (516 DM 2, Appendix 2) may apply to individual actions within the categorical exceptions. The indicated specialist recommends the proposed action does *not*:

CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION	
2.1	Have significant impacts on public health or safety.
Specialist -- John Petty, Safety Officer	
Signature and Date:	 12/13/13
Rationale:	No significant impacts on public health or safety.
2.2	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); flood plains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
<u>Migratory Birds</u>	
Specialist -- Andrew Daniels, Wildlife Biologist	
Signature and Date:	 12/13/13
Rationale:	Aerial seeding of grass species would benefit grassland species of migratory birds while maintaining desirable grass communities that would compete with undesirable invasive grasses. Maintenance of desirable grasses could allow for the reestablishment of Wyoming big sagebrush in the future which would benefit sagebrush dependent bird species. There would be no disturbance to migratory birds from the aerial seeding since seeding would occur when migratory birds are not present.
<u>Historic and Cultural Resources</u>	
Specialist -- Scott Thomas, District Archeologist	
Signature and Date:	 12-13-13
Rationale:	No cultural and historical resources would be affected by this project.
<u>Areas of Critical Environmental Concern/Research Natural Areas</u>	
Specialist -- Caryn Burri, Natural Resource Specialist (Botany)	
Signature and Date:	 12-16-13
Rationale:	There are no ACEC/RNAs within the proposed seeding area.
<u>Water Resources/Flood Plains</u>	
Specialist -- Daryl Bingham, Natural Resource Specialist (Riparian and Fisheries)	
Signature and Date:	 13 DEC 2013
Rationale:	Water resources would not be affected by the Proposed Action. Floodplains are not present.
<u>Soils, Biological Soil Crust, Prime Farmlands</u>	
Specialist -- Caryn Burri, Natural Resource Specialist (Botany)	
Signature and Date:	 12-16-13

Rationale: Aerial seeding would cause no disturbance to soils or biological soil crusts; however, seeding with crested wheatgrass would establish desirable vegetation that would stabilize the soils and allow biological soil crusts to re-establish and/or expand while preventing the expansion of non-desirable non-native, invasive grasses. There are no prime farmlands within the proposed project area.

Recreation/ Visual Resources

Specialist – Eric Haakenson, Outdoor Recreation Specialist

Signature and Date: *Eric Haakenson*

12/16/13

Rationale: Recreation: The proposed action would have no effect on recreational activities in the area. The treatment area is classified as VRM Class II. There would be a visual effect to the area temporally, but the area to be treated would continue to meet VRM Class II standards.

Wilderness/Wild and Scenic River Resources

Specialist – Tom Wilcox, Outdoor Recreation Specialist

Signature and Date: *Tom Wilcox*

12/13/2013

Rationale: There is no wilderness, WSA, WSR or Lands with Wilderness Characteristics within the project area.

2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2) (E)].

Specialist – Holly Orr, District Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 11/26/13

Rationale: There are no known highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resource as aerial seeding would not cause any ground disturbance.

2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

Specialist - Holly Orr, District Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 11/26/13

Rationale: There are no known highly uncertain or potentially significant environmental effects or unique or unknown environmental risks as aerial seeding would not cause any ground disturbance.

2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

Specialist – Holly Orr, District Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 11/26/13

Rationale: Implementation would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects. Seeding is a common practice on BLM-administered lands particularly following wildfire.

2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.

Specialist – Holly Orr, District Planning and Environmental Coordinator

Signature and Date: *Holly Orr* 11/26/13

Rationale: There are no known direct relationships to other actions with individually insignificant but cumulatively significant environmental effects as aerial seeding would not cause any ground disturbance.

2.7 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.

Specialist – Scott Thomas, District Archeologist

Signature and Date: *Scott Thomas* 12-13-13

Rationale: Eligible or listed National Register properties would not be affected by this project.

2.8 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.

Endangered or Threatened Species-Fauna

Specialist – Andrew Daniels, Wildlife Biologist

Signature and Date: *Andrew Daniels*

12/13/13

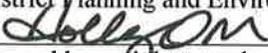
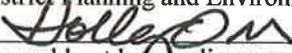
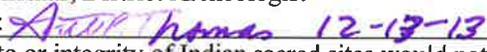
Rationale: There are no known federally listed Endangered, Threatened, or proposed to be listed species, or designated critical habitat for listed species in the area of this project. Therefore, there are no effects to any federally listed Endangered, Threatened, or proposed to be listed species, or designated critical habitat for listed species.

Endangered or Threatened Species-Aquatic

Specialist – Daryl Bingham, Natural Resource Specialists (Riparian and Fisheries)

Signature and Date: *Daryl Bingham* 13 JAN 2014 13 DEC 2013

Rationale: There are no known T&E aquatic species present in the proposed project area.

Endangered or Threatened Species-Flora	
Specialist – Caryn Burri, Natural Resource Specialist (Botany)	
Signature and Date:  12.16.13	
Rationale: There is no documented T and E or special status plant species or designated critical habitat within the proposed seeding area.	
2.9 Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.	
Specialist – Holly Orr, District Planning and Environmental Coordinator	
Signature and Date:  11/26/13	
Rationale: Implementation would not violate any known law or requirement imposed for the protection of the environment as aerial seeding would not cause any surface disturbance.	
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	
Specialist – Holly Orr, District Planning and Environmental Coordinator	
Signature and Date:  11/26/13	
Rationale: Implementation would not have a disproportionately high or adverse effect on low income or minority populations as such populations do not exist within the project area.	
2.11 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).	
Specialist – Scott Thomas, District Archeologist	
Signature and Date:  12-13-13	
Rationale: Access to or integrity of Indian sacred sites would not be affected by this project.	
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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).	
Specialist – Lesley Richman, Natural Resource Specialist (Weeds)	
Signature and Date:  12/13/13	
Rationale: Noxious weeds are known to be present in and in close proximity to this area. Treatments are on-going. The weeds are not present in sufficient quantity to be considered a significant impact at this time.	

Additional review (As determined by the Authorized Officer): None

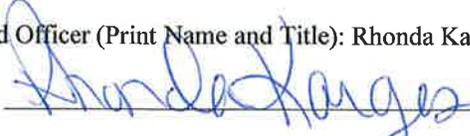
RMP conformance and CX review confirmation:

Specialist (Print Name and Title): Holly Orr, Planning and Environmental Coordinator

Signature:  Date: 12/16/13

Management Determination: Based upon review of this proposal, I have determined the Proposed Action is in conformance with the LUP, qualifies as a categorical exclusion and does not require further NEPA analysis.

Authorized Officer (Print Name and Title): Rhonda Karges, Andrews/Steens Field Manager

Signature:  Date: 12/14/13

Decision: It is my decision to implement the Proposed Action as described above.

Authority: Authority for this decision is found under 43 Code of Federal Regulations (CFR) 4190.1 (a), "...when BLM determines that vegetation, soil, or other resources on the public lands are ... at immediate risk of erosion or other damage due to wildlife, BLM may make a rangeland wildfire management decision effective immediately or on a date established in the decision. The effective date is date of authorized officer's signature. Wildfire management includes but is not limited to: ... (2) Projects to stabilize and rehabilitate lands affected by wildfire."

Appeal Procedures: This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be received by the Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days of receipt of the decision. The appellant has the burden of showing the decision appealed is in error.

A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for the appeal, it must be sent to the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

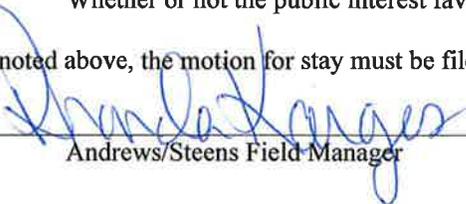
Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

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

As noted above, the motion for stay must be filed in the office of the authorized officer.

Signature: _____

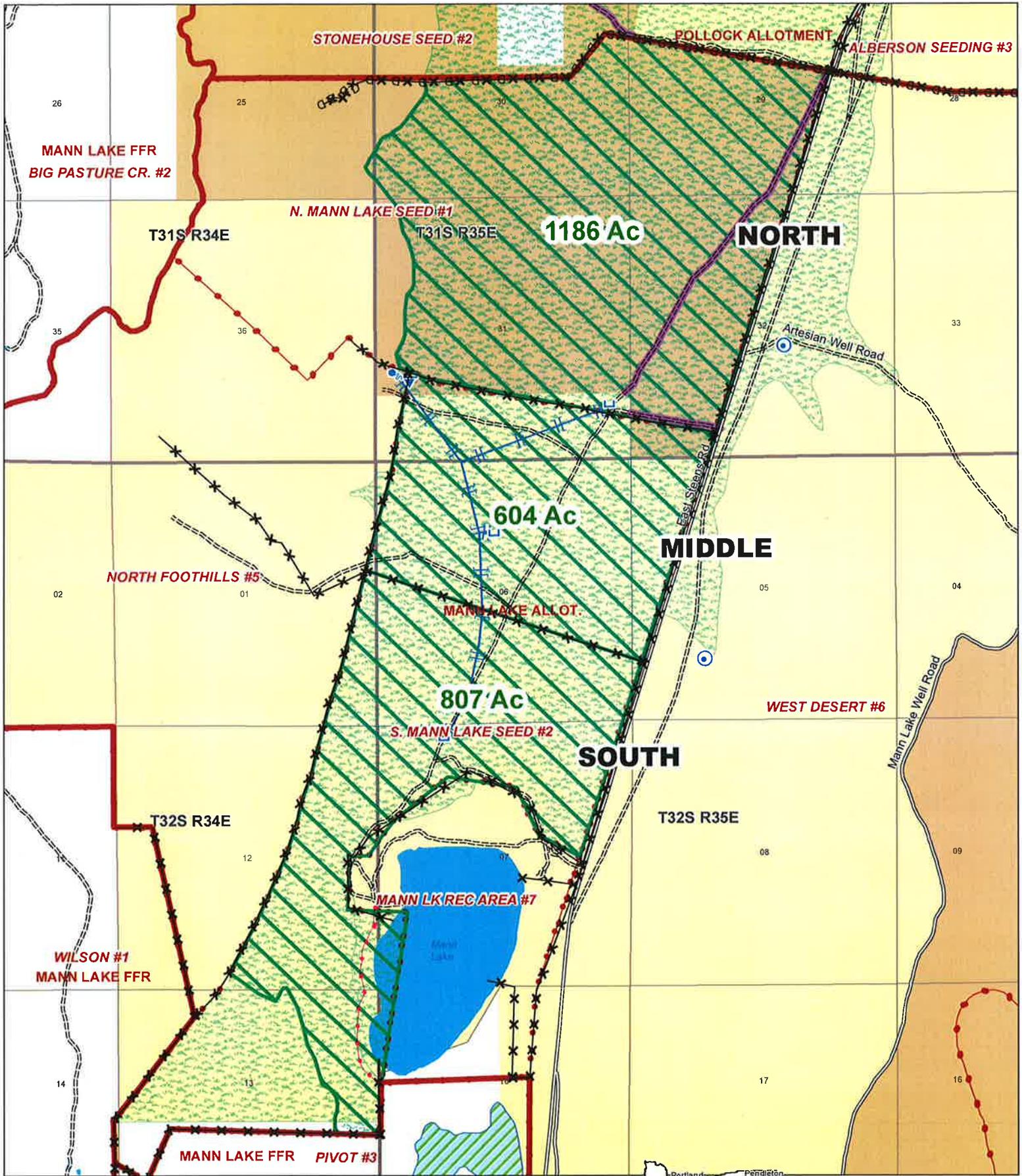


Andrews/Steens Field Manager

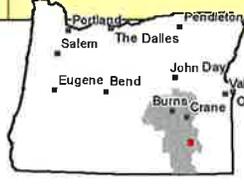
Date: _____

12/16/13

Mann Lake Seeding Maintenance



- | | | | |
|---------------------|--------------------|------------------------------|---------------------------|
| Seeding Maintenance | Waterhole | Pastures | BLM Wilderness Study Area |
| Previous Seedings | Spring Development | Allotments | Bureau of Land Management |
| Fence | Trough | Non-Paved Improved Road | Private/Unknown |
| Drift Fence | Water Pipeline | Natural/Unknown Road Surface | Perennial Lake |
| Reservoir | | Closed Roads | Intermittent Lake |
| | | Open WSA Ways | Marsh |



US DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Burns District, Oregon

Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.
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11/19/2013 eLenon