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

CATEGORICAL EXCLUSION REVIEW

OFFICE: Eugene BLM

TRACKING NUMBER: DOI-BLM-OR-E000-2014-0006-CX

CASEFILE/PROJECT NUMBER:

PROJECT NAME: Eugene District Native Seed Collection and Augmentation

LOCATION/LEGAL DESCRIPTION: The project is within selected areas throughout the Eugene District BLM.

APPLICANT (if any):

A. Description of Proposed Action and any applicable mitigation measures

The Eugene District BLM proposes to implement seed collection and/or seed augmentation (planting) projects throughout the Eugene District. The primary objective is to collect sufficient quantities of seed for projects including, but not limited to:

- Soil erosion control and stabilization projects
- Restoration projects within a variety of habitats and special areas
- Competitive exclusion to prevent invasive species occurrence and spread
- Common Garden and other genetic studies
- Seed increase projects
- Participation in the Seeds of Success Program

Native seed is collected from wild populations and can either be put directly back out on the ground in support of the above projects or the seed can be sent to a grower for “seed increase”.

These project design features are commonly used and have shown through past implementation to be effective in preventing undesired impacts:

Project Design Features

Collection
Native seed will be hand collected. Seed collected will be bagged and labeled with the species name, location, date, and collector. Collections may be completed one to several times during the year. No power equipment will be used for collection. Collections may be done by BLM personnel, partners, youth crews, purchase orders or contracts.

This CX does not cover seed collection for Threatened, Endangered (T&E), Candidate Plant Species or Bureau Sensitive plant species.

Augmentation (planting seed to augment existing native species populations)
Genetically appropriate native seed augmentation (as determined by a qualified specialist) will occur for any of the above listed projects. Most often seed will be spread manually or with hand applicators. It is possible for some seed augmentation to be done using a power seed drill, possibly tractor mounted. Drilling will not occur within habitats occupied by T&E plant species or Fender’s blue butterfly habitat. If occurring within spotted owl or marbled murrelet critical habitat, it would be subject

to seasonal stipulations. Augmentation of seed may take place along streams occupied by listed fish species. Seed augmentation generally occurs in the fall to early spring.

This CX does not cover seed augmentation in sites occupied by T&E plant species or Fender's blue butterfly habitat. It does cover seed augmentation in sites occupied by Bureau Sensitive plant species.

Northern Spotted Owl, Marbled Murrelet

SIUSLAW RA: No work requiring motorized equipment (specifically, seed drilling) would be done within 100 yards of 80+ old forest between 3/1 and 8/5. There will also be daily timing restrictions between 4/1 and 9/15 (no work until 2 hours after sunrise and work stops 2 hours before sunset), only within 100 yards of stands of 80+ years. The Area Biologist may waive certain restrictions based on specific stand conditions.

UPPER WILLAMETTE RA: No work requiring motorized equipment would be done within 65 yards of 80+ year old forest between the dates of 3/1 and 7/15 except within campgrounds and within the road prism of well-traveled roads. Campgrounds and the road prism of well-traveled roads have no seasonal restrictions for spotted owls. Seasonal restrictions may be waived by a wildlife biologist if the biologist determines the action would not adversely affect spotted owls.

Other Special Status Wildlife

In areas other than campgrounds or roads, area wildlife biologists will review projects where ground-disturbing activities are planned or where power equipment will be used to ensure compliance with the Bald Eagle Protection Act and BLM Special Status Species and/or Migratory Bird policies. Habitat modification at known sites will be designed to avoid or mitigate adverse impacts. Additionally, project activities using power equipment in locations with the potential for noise disruption (other than campgrounds and roads as indicated above) will be seasonally restricted during an appropriate portion of the breeding season (January 1 to September 30).

Special Status Plant Species

Botanists will review project areas to avoid damage to known Special Status plants. Treatments within and around Bureau Sensitive plant populations would occur after plant populations have senesced for the season and before plant growth starts (September – February). In any season, plants will be well-marked on the ground (flagging, flag-pins) so that they would not be damaged by crews and/or equipment, and a qualified specialist would be present to monitor implementation of the project.

Equipment Washing

Equipment shall also be washed prior to moving between project sites. The cutter heads, track or wheel systems, undercarriage, and other external components shall be thoroughly flushed. Washing shall occur at designated washing sites approved by the Government. All petroleum product residues shall be contained at wash sites and dealt with in accordance with DEQ standards.

Cultural Resources

Cultural reviews will be completed for ground-disturbing activities associated with native seed augmentation where it is associated with seed drilling or other ground disturbing techniques. Project leads must provide a map of the location for the archeological review:

- In the Siuslaw RA where seeding on sites that are 10% slope or less, in meadows or river terraces.
- In the Upper Willamette RA where seeding on sites that are 20% slope or less and in meadows and river terraces

If archaeological materials are found during seed drilling, the ground-disturbing work will stop and will be reported to the District Archeologist.

Any ground-disturbing seeding treatments within the prism (from the top of the cut to the toe of the fill) of an existing road are exempt from cultural reviews.

B. Land Use Plan (LUP) Conformance

LUP Name: Eugene District Record of Decision and Resource Management Plan (RMP), as amended. Date Approved: June 1995.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

"Protect, manage, and conserve Federal listed and Proposed species and their habitats to achieve their recovery in compliance with the Endangered Species Act, approved recovery plans, and Bureau Special Status species Policies." p.52

"Study, maintain, or restore community structure, species composition, and ecological processes of special status plant and animal habitat." p. 52

"Collect seed/fruit for cryogenic seed storage for all special status plant species for long-term protection of the species, guarding against catastrophic events." p. 55

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 A(5) "Routine augmentations, such as fish stocking, providing no new species are introduced," and 516 DM 11.9 C(5) "Disposal of small amounts of miscellaneous vegetation products outside established harvest areas, such as Christmas trees, wildings, floral products (ferns, boughs, etc.), cones, seeds, and personal use firewood".

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

I considered pertinent design features and incorporated them into the project design as described above. These project design features are commonly used and have shown through past implementation to be effective in preventing undesired impacts.

D. Signature

Signature of Project Lead:

/s/ Cheshire Mayrsohn Date: 3/17/14
Cheshire Mayrsohn, Botanist

Signature of NEPA Coordinator:

/s/ Francisca Paulete Date: 1/27/14
Francisca Paulete, District Planner

Signature of the Responsible Official:

/s/ Michael J. Korn Date: 3/20/14
Michael J. Korn, Siuslaw Field Manager

Signature of the Responsible Official:

/s/ William O'Sullivan Date: 3/19/14
William O'Sullivan, Upper Willamette Field Manager

Contact Person
For additional information concerning this Categorical Exclusion review, contact: Cheshire Mayrsohn, Botanist, cmayrsoh@blm.gov, 541.683.6407.

EXTRAORDINARY CIRCUMSTANCES CHECKLIST
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Eugene District Native Seed Collection and Augmentation

Review the proposed action against each of the 12 "extraordinary circumstances" listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Extraordinary Circumstances	YES	NO
1. Have significant impacts on public health or safety. Rationale: All proposed activities follow established Occupational Safety and Health Administration rules concerning health and safety.		X
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; and other ecologically significant or critical areas. Rationale: All proposed activities are designed to improve or prevent further degradation of sensitive resources. This action would comply with relevant protection measures under the Bald Eagle Protection Act and the Migratory Bird Treaty Act, and associated federal regulations and BLM policies (see project design features, appended).		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. Rationale: There are no predicted environmental effects from the proposed action which are considered to be highly controversial nor are there unresolved conflicts concerning alternative uses.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. Rationale: There are no predicted effects from the proposed action that are highly uncertain, potentially significant, unique, or unknown risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. Rationale: There is no evidence that this action will establish a precedent or decision for future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. Rationale: Native seed collection and/or augmentation has been conducted in the past with no significant negative effect. These actions are used to improve the integrity of plant populations and plant communities on the Eugene District.		X
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. Rationale: These projects will not have significant impacts to properties listed or eligible for listing on the National Register of Historic Places.		X
8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. Rationale: Some seed collection and/or augmentation may occur within critical habitat for the northern spotted owl or marbled murrelet, however, there would be no adverse effects to the species or their critical habitat from this action (See Design Features).		X

Extraordinary Circumstances	YES	NO
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. Rationale: The proposed action conforms to the direction given for the management of public lands in the Eugene District ROD/RMP, which complies with all applicable Federal, State, local and tribal laws.		X
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). Rationale: The collection and augmentation of seed would not affect low income or minority populations.		X
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). Rationale: Harvesting and planting of seed is not expected to limit use of or otherwise affect sacred sites. Previous scoping for these types of projects has not identified tribal concerns regarding Indian sacred sites.		X
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). Rationale: The action will limit establishment and spread of invasive plant species via competitive planting. Seed drilling equipment will be washed to minimize spread of invasive plant seed.		X

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CX-14-06
District Native Seed
Collection

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DECISION RECORD

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Eugene District Native Seed Collection and Augmentation

Decision
It is my decision to implement this action as described in the categorical exclusion documentation DOI-BLM-OR-E000-2014-0006-CX.

Decision Rationale
The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended). Based on the Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Administrative Remedies
Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205.

Signature of the Responsible Official:

/s/ Virginia Grilley
Virginia Grilley
District Manager
Eugene District Office

3/21/14
Date