



U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MEDFORD DISTRICT
3040 Biddle Rd.
Medford OR 97504

Categorical Exclusion Documentation and Decision Record

***Fritillaria gentneri* Population Augmentation**
NEPA Number: DOI-BLM-OR-M000-2011-0008-CX
Calendar years 2011 - 2016

A. Description of the Proposed Action

The BLM is proposing to implement part of the *Fritillaria gentneri* recovery plan over the next five years (2011 – 2016) by augmenting existing *Fritillaria gentneri* populations and creating new populations with bulblets collected from the Medford BLM. These efforts would meet Actions 2.43 and 2.44 in the *Recovery Plan for Fritillaria gentneri (Gentner's fritillary)* (USFWS 2003, p 43). The actions are to augment and monitor population numbers with the objective of reaching a minimum number of flowering plants for each of four recovery units (see map). Reaching these goals would allow for reclassification and eventually delisting of this species.

Bulblets are collected annually by the Oregon Department of Agriculture from known populations and grown in a greenhouse to produce more bulblets. Bulblets are collected from different populations to produce genetically diverse augmentation material that can be out-planted in each of the four recovery units. Bulbs are collected from populations containing several to many flowering plants. This increase will be out-planted to bolster plant numbers at existing populations or to create new populations at secure locations. Resource area botanists select sites for planting the bulbs by locating suitable habitat within the recovery units where there are no conflicts with timber production or other resource objectives. Typical *Fritillaria gentneri* habitat is oak woodlands and savannas, chaparral stands, or the ecotone between these plant communities and dry mixed hardwood-conifer forest stands.

The number of bulbs to be outplanted will vary from year to year, depending on bulb production and survival in the greenhouse. Bulbs would be planted in the fall in plots. Plot size and design would be determined by the monitoring objective for each site. Two examples would be 2m x 2m plots or a 1/100th acre circular plot. The number of bulblets planted in each plot would also vary, depending on the number available from production, but is expected to average 150 per plot. Ground disturbance is minimal as it would be limited to the area within the plots and hand tools would be used to plant the bulblets. The plots would be monitored annually to assess the success of the plantings.

B. Location and Land Use Allocation

The project is on BLM-owned lands located within the Medford District. The sites that would be planted are withdrawn from timber production, and are classified as non-commercial woodlands or low-site woodlands in the Timber Productivity Capability Classification. Plant communities would include oak woodlands, chaparral, oak savanna, and the ecotone between these plant communities and dry mixed hardwood-conifer forest stands.

C. Need / Rationale for the Proposed Action

F. gentneri is a perennial lily that was listed as federally endangered on December 10, 1999. A recovery plan for this species was signed on July 12, 2003. According to the recovery plan, each of the four recovery units (RUs) located in the Medford District BLM needs to maintain at least 1,000 flowering plants for a minimum of 15 years (USFWS 2003, p 41) in order to consider this plant for delisting. The BLM has annually monitored 57 of the 163 populations in the district. See Table 1 for the 2010 count of flowering plants by Recovery Unit and the range of flowering plants at the 57 populations being monitored. All RUs will require substantial increases in flowering plants in order to meet the 1,000 minimum per RU. This plant is not known to reproduce via seed and is reliant on asexual reproduction. Planting bulbs that have been grown *ex situ* is a way to expedite increasing populations.

Table 1. Flowering Plants at *Fritillaria gentneri* Populations by Recovery Unit

| Recovery Unit | 2010 Flowering Plants*/ Number of Sites | Range of Flowering Plants of 57 Monitored Sites Over 10 Year Period**/ Number of Sites |
|---|--|---|
| RU 1 – Ashland Resource Area/Applegate | 487 plants 65 sites | 220-860 plants 27 sites |
| RU 2 – Grants Pass Resource Area | 130 plants 5 sites | 68-424 plants 2 sites |
| RU 3 – Butte Falls Resource Area | 245 plants 57 sites | 8-52 plants 17 sites |
| RU 4 – Ashland Resource Area/Cascade-Siskiyou National Monument | 972 plants 36 sites | 69-1,047 plants 12 sites |

* GeoBob, 9/21/2011 (2011 population counts have not yet been entered)

**Draft monitoring report, Siskiyou BioSurvey, 9/9/2011, FRGE_flwr_summary.xls

D. Project Design Features

- If cultural artifacts are unearthed during this project, work would be stopped until a Resource Area Archeologist is contacted.
- When bulbs are planted within existing populations, they would be planted where no plants or leaves have been observed in order to avoid disturbance to extant *F. gentneri* plants.
- Plots will be located on land that is designated as Timber Productivity Capability Classification “Withdrawn,” (e.g., non-commercial or low-site woodlands).
- New locations for establishing *F. gentneri* populations shall be reviewed and approved by Resource Area Managers prior to planting.

E. Plan Conformance

The proposed action is in conformance with the following plans:

The BLM completed a revision of their Resource Management Plans for Western Oregon Districts in December 2008. The Secretary of the Interior administratively withdrew the 2008 Records Of Decision/Resource Management Plans (RODs/RMPs) in July, 2009 and the districts reverted to implementing the 1995 RMPs. On March 31, 2011, the United States District Court for the District of Columbia vacated and remanded the administrative withdrawal of the Western

Oregon BLM Districts' 2008 RODs/RMPs (Douglas Timber Operators et al. v. Salazar) and effectively reinstated the 2008 RODs/RMPs.

Given the current uncertainty surrounding planning in western Oregon, The Medford District will design projects to conform to both the 2008 ROD/RMP and the 1995 ROD/RMP. Consequently, projects will be consistent with the goals and objectives in both the 1995 RMP and 2008 RMP

- the *Final-Medford District Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS and RMP/ROD 2008);
- the *Final-Medford District Resource Management Plan/Environmental Impact Statement and Record of Decision* (EIS, 1994 and RMP/ROD, 1995);
- the *Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (Northwest Forest Plan FSEIS, 1994 and ROD, 1994);
- *Final SEIS for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2000), and the ROD and *Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001)
- the *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon* (FSEIS, 2004 and ROD, 2004);
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998)* and tiered to the *Northwest Area Noxious Weed Control Program* (EIS, 1985)
- *Recovery Plan for Fritillaria gentneri* (Gentner's fritillary) (US Fish and Wildlife Service 2003)

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010, and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement.

This project is consistent with the Medford District Resource Management Plan/Forest Land and Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

The 2011 Settlement Agreement states:

"For projects with signed Records of Decision, Decision Notices, or Decision Memoranda from December 17, 2009, through September 30, 2012, the Agencies will use either of the following Survey and Manage species lists:

a. The list of Survey and Manage species in the 2001 ROD (Table 1-1, Standards and Guidelines, pages 41-51).

b. The list of Survey and Manage species and associated species mitigation, Attachment 1 to the Settlement Agreement."

Project Consistency:

This project applies the Survey and Manage species list in the 2001 ROD (Table 1-1, Standards and Guidelines, pages 41-51) and thus meets the provisions of the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines*, as modified by the 2011 Settlement Agreement.

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

F. Citations

U.S. Fish and Wildlife Service. 2003. Recovery plan for *Fritillaria gentneri* (Gentner’s fritillary). U.S. Fish and Wildlife Service, Portland, OR.

G. Categorical Exclusion Determination

The Proposed Action qualifies as a categorical exclusion under Department 43 CFR 46.210 (e) Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities; and (f) Routine and continuing government business, including such things as supervision, administration, operations, maintenance, renovations, and replacement activities having limited context and intensity (e.g. , limited size and magnitude or short-term effects). It is also covered by BLM categorical exclusion 516 DM, 11.9, D (10) Vegetation management activities, such as seeding, planting, ...when the activity is necessary for the management of vegetation on public lands.

Extraordinary Circumstances Review

Title 43, Section 46.205(c) of the Code of Federal Regulations (CFR) requires the review of this action to determine if any of the following “extraordinary circumstances” (found at 46 CFR 46.215) would apply. If any of the extraordinary circumstances apply, then an otherwise categorically excluded action would require additional analysis and environmental documentation.

1) *Have significant impacts on public health or safety.*

Yes No

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.*

Yes No

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

Yes No

4) *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

Yes No

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

Yes No

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

Yes No

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 No

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.*

Yes No Remarks: This project will implement the Recovery Plan for *F. gentneri*. The project is within the range of *F. gentneri*. The planting will not occur within known populations of *F. gentneri*, therefore this project will have no effects on those populations. This project would not alter Critical Habitat for *F. gentneri* because here has been no Critical Habitat designated for this species. This project would not alter Critical habitat for *Lomatium cookii* because it is outside the range of *L. cookii* and there is no Critical habitat for that species in the project area.

9) *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

Yes No

10) *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

Yes No

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 No

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 No

Reviewers:

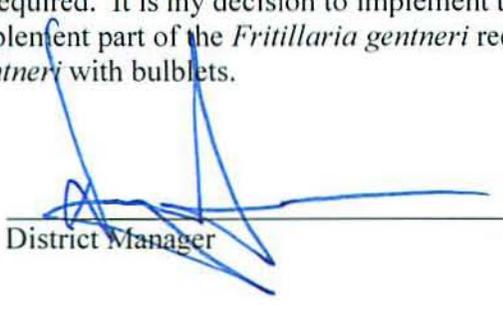
| | | | |
|--|------------------------|--|--------------------------|
| <u>Theresa F. ...</u> Silviculture | <u>9/28/11</u> Date | <u>...</u> Wildlife | <u>9/28/2011</u> Date |
| <u>Douglas ...</u> Botany / ACEC Values | <u>9-28-11</u> Date | <u>Laurie ...</u> Soils/Hydrology | <u>9/28/11</u> Date |
| <u>Mary ...</u> Cultural Resources | <u>9/28/11</u> Date | <u>J.M. ...</u> Visual Resources / Recreation | <u>9/28/11</u> Date |

...
Planning Coordinator/NEPA

9/29/11
Date

DECISION

I have reviewed this Categorical Exclusion Documentation, including the plan conformance, NEPA compliance review, and extraordinary circumstances review, and have determined the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required. It is my decision to implement the action as described and approve the proposal to implement part of the *Fritillaria gentneri* recovery plan by augmenting existing populations of *F. gentneri* with bulblets.



District Manager

09/29/11

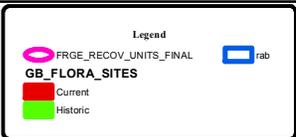
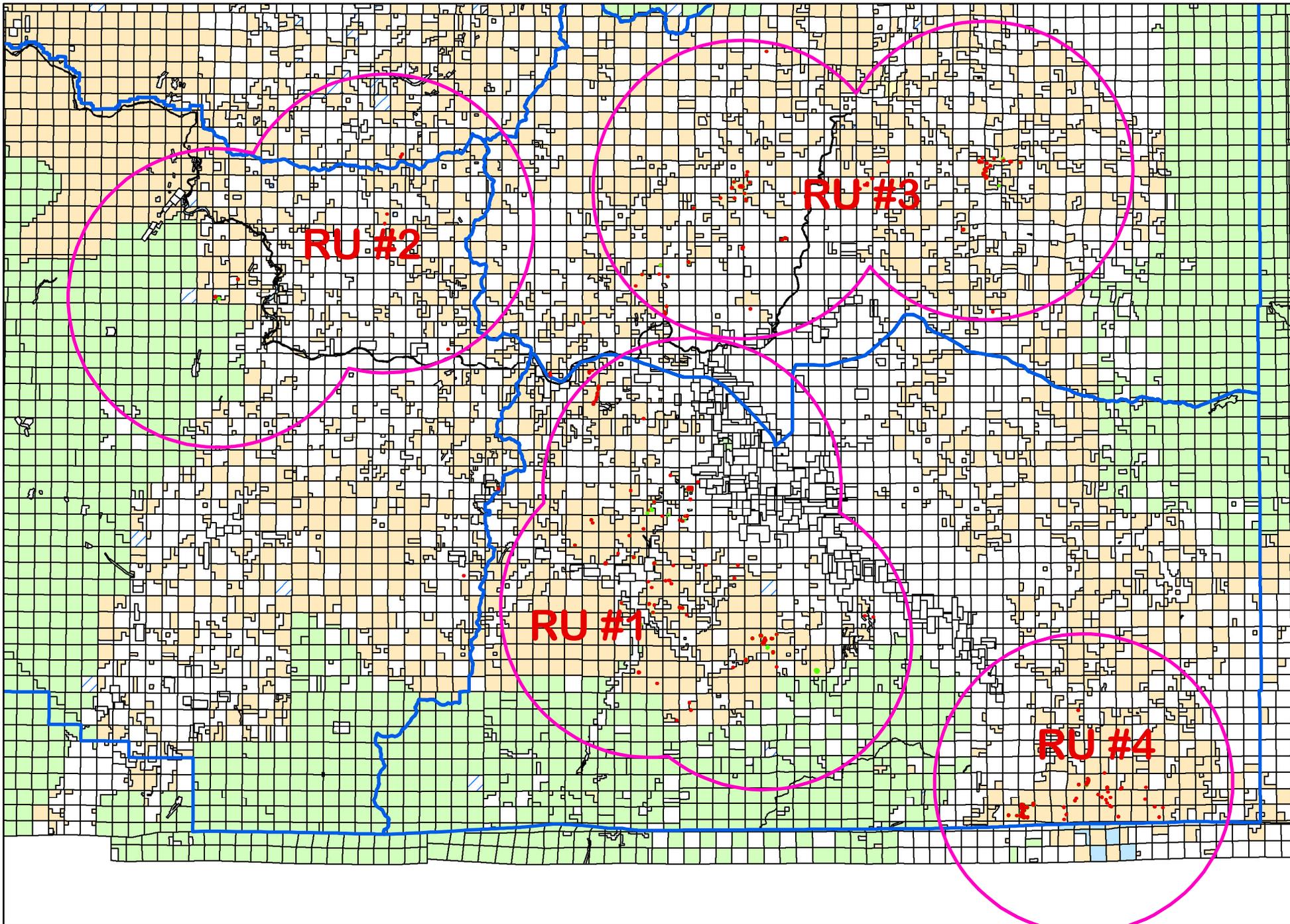
Date

ADMINISTRATIVE REMEDIES:

Notice of this decision will be posted on the District internet website:
<http://www.blm.gov/or/districts/medford/plans/index.php>.

Administrative review of this decision will be available under 43 CFR Part 4 to those who have a "legally cognizable interest" to which there is a substantial likelihood that the action authorized would cause injury, and who have established themselves as a "party to the case." (See 43 CFR § 4.410 (a) -(c)). In order to be considered a "party to the case" the person claiming to be adversely affected by the decision must show that they have notified the BLM that they have a "legally cognizable interest" and the decision has caused or is substantially likely to cause injury to that interest (See 43 CFR § 4.410(d)).

The action is subject to protest under 43 CFR 4.450-2. A decision in response to a protest is subject to appeal to the Interior Board of Land Appeals under 43 CFR part 4.



Fritillaria gentneri Recovery Units Medford District BLM

Scale 1:500,000
M. Wineteer 9/21/2011
NAD 1983/Zone 10

