



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Mother Lode Field Office
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EA Number: CA-180-15-38

Proposed Action: Herbicide treatment of yellow starthistle and tree-of-heaven in the Red Hills ACEC

Location: BLM-administered land within T 1 S, R 14 E, Section 8 and 19 – Tuolumne County.

1.0 Purpose of and Need for Action

The Red Hills Area of Critical Environmental Concern (ACEC) was designated in 1993 (and expanded in 2008) to protect rare plant species, unusual serpentine soils that provide habitat for unique flora, and habitat for the rare minnow known as the Red Hills roach. The need for the action is to control a large population of yellow starthistle (*Centaurea solstitialis*) that was discovered in 2014 during a survey for a reported cattle trespass on BLM land. The meadow the cattle were trespassing in was found to be infested with yellow starthistle. It is unknown how long the yellow starthistle has been there but it was probably quite a few years to get to its current size. Cattle likely contributed to the spread of weed seed throughout the meadow.

In addition, there is a small population of tree-of-heaven (*Ailanthus altissima*) located at the intersection of the Red Hills Road and Serpentine Loop Road. Hand-pulling and cutting has not eradicated this population and herbicide would be a more effective control option. If the yellow starthistle or tree-of-heaven were to spread into the native habitat of the ACEC they could create many negative impacts such as: displacement of rare and native plants; reduction in functionality of habitat and forage for wildlife; increased potential for soil erosion and reduced water quality; and alteration of physical and biological properties of the soil. The relevant and important values of the ACEC - special status plants and wildlife, and unique soils - would be compromised.

1.2 Conformance with Applicable Land Use Plans

The proposed action is consistent with the Sierra Resource Management Plan Record of Decision (ROD), approved in February 2008. In Section 2.4 of the ROD for Vegetative Communities, it lists the following objectives: 1) Manage vegetation (including invasive species removal) to improve habitat conditions for particular wildlife species; and, 2) Control invasive species and increase native plant species using early detection, rapid response, and prevention measures.

Section 2.4 also lists the following management actions:

Prevent, eliminate, and/or control undesired non-native vegetation or other invasive species using an Integrated Pest Management approach that combines biological, cultural, physical, and chemical tools to minimize economic, health, and environmental risks.

Use prescribed fire, mechanical mastication, herbicides, manual removal, seeding, propagation, and planting or combinations of these methods to promote healthy, diverse vegetation communities.

Implement and meet national BLM policies consistent with the Partners Against Weeds Initiative and Executive Order 13112.

1.6 Tiering to the Bureau-wide Programmatic Vegetation EIS

This EA tiers to the Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) (BLM 2007a), which analyzed the impacts of using herbicides (chemical control methods) to treat invasive plants on public lands. In addition, this EA incorporates by reference the Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Report (PER) (BLM 2007b), which evaluated the general effects of non-herbicide treatments (i.e., biological, physical, cultural, and prescribed fire) on public lands. The PEIS identifies impacts to the natural and human environment associated with herbicide use and appropriate best management practices (BMPs), standard operating procedures (SOPs), mitigation measures, and conservation measures for avoiding or minimizing adverse impacts. The PER describes the environmental impacts of using non-chemical vegetation treatments on public lands.

The PEIS identifies priorities including protecting intact systems; maintaining conditions that have led to healthy lands; and applying mitigation measures to minimize soil and vegetation disturbance and avoid introductions of invasive species. Vegetation treatment priorities identified in the PEIS (pg. 2-7) include:

- Use effective nonchemical methods of vegetation control where feasible.
- Use herbicides only after considering the effectiveness of all potential methods.

1.0 Relationship to Statutes, Regulations, and Plans

The Mother Lode Field Office has prepared this IWM Plan in compliance with Department of Interior (DOI) and BLM policy and manual direction, including **DOI Manual 517 (*Integrated Pest Management*)** and **BLM Manual Section 9015 (*Integrated Weed Management*)**.

Several Federal laws, regulations, and policies guide BLM management activities on public lands. The ***Federal Land Policy and Management Act of 1976 (FLPMA)*** directs the BLM to manage public lands “in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resources, and archeological values.” The ***Carlson-Foley Act of 1968*** and the ***Plant Protection Act of 2000*** authorize and direct the BLM to manage noxious weeds and to coordinate with other Federal and state agencies in activities to eradicate, suppress, control, prevent, or retard the spread of any noxious weeds on Federal lands.

The ***Endangered Species Act of 1973 (ESA)*** requires federal agencies to complete formal consultation with the U.S. Fish and Wildlife Service (FWS) for any action that “may affect”

federally listed species or critical habitat. The ESA also requires federal agencies to use their authorities to carry out programs for the conservation of endangered and threatened species.

The *Federal Noxious Weed Act of 1974* established and funded an undesirable plant management program, implemented cooperative agreements with state agencies, and established integrated management systems to control undesirable plant species. The *Noxious Weed Control Act of 2004* established a program to provide assistance through states to eligible weed management entities to control or eradicate harmful and non-native weeds on public and private lands. **Executive Order 13112, *Invasive Species***, directs Federal agencies to prevent the introduction of invasive species and provide for their control, and to minimize the economic, ecological, and human health impacts that invasive species cause (BLM 2007a).

The BLM has also produced national-level strategies for invasive species prevention and management. These include *Partners Against Weeds* (BLM 1996), which outlines the actions BLM will take to develop and implement a comprehensive integrated weed management program; and *Pulling Together: National Strategy for Invasive Plant Management* (BLM 1998), which illustrates the goals and objectives of a National invasive plant management plan (prevention, control and eradication). The Federal Interagency Committee for the Management of Noxious and Exotic Weeds is leading a national effort to develop and implement a *National Early Detection and Rapid Response System for Invasive Plants in the United States* (FICMNEW 2003). The primary long-term goals of the proposed system are to detect, report, and identify suspected new species of invasive plants in the United States.

The EPA regulates pesticides (including herbicides) under the *Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) of 1972* as amended in 1988. This Act establishes procedures for the registration, classification, and regulation of all pesticides. Before any herbicide may be sold legally, it must be registered by the EPA. The EPA may classify a pesticide for general use if it determines that it is not likely to cause unreasonable adverse effects to applicators or the environment. A pesticide that is classified for restricted use must be applied by a certified applicator and in accordance with other restrictions.

2.0 Proposed Action and Alternatives

2.1 Proposed Action

The large population of yellow starthistle, approximately four acres in size, would be controlled using herbicides initially. After it is reduced in size to a much smaller infestation from a few years of repeated herbicide applications, other forms of control may be implemented such as hand-pulling or weed whacking. Hand-pulling and/or weed whacking would also be used to control satellite populations that occur outside of the main infestation. Broadcast applications of herbicide would be applied using an ATV-mounted boomless sprayer or backpack sprayer(s). Clopyralid would be applied to yellow starthistle in the spring during periods of active growth, typically from March through May.

The small population of tree-of-heaven at the junction of Red Hills Road and the Serpentine Loop Road contains both mature trees and smaller seedlings. Smaller seedlings would be hand-pulled, while the larger trees would be cut with a chainsaw or other hand tools and the cut stump would be wiped with herbicide, specifically triclopyr or glyphosate. According to the California Invasive Plant Council website (Cal-IPC 2011), effective application rates for tree-of-heaven are 15-20 percent triclopyr or 15-40 percent glyphosate. The goal would be to eradicate this population to prevent it from spreading off the roadside into the ACEC.

Herbicide treatments would comply with the U.S. Environmental Protection Agency label directions and follow BLM procedures outlined in BLM Handbook H-9011-1 (*Chemical Pest Control*) and BLM Manual Sections 1112 (*Safety*), 9011 (*Chemical Pest Control*), and 9015 (*Integrated Weed Management*) and meet or exceed State label standards. Herbicide applications would adhere to all State and Federal pesticide laws. All applicators that apply herbicides in the project area (i.e., certified applicators or those directly supervised by a certified applicator) would comply with the application rates, uses and handling instructions on the herbicide label, and where more restrictive, the rates, uses, and handling instructions developed by the BLM.

This Environmental Assessment (EA) would be viable for up to nine years of treatment from the date of the signed Decision Record (DR), the length of three Pesticide Use Permit (PUP) renewals. If something changes during that time a new EA would be completed. Examples of changes meriting a reauthorization include federally-listed species colonizing the project area, the use of weed treatment techniques different from the ones described in this EA, and expansion of the project area. At the end of the nine-year period, a fresh environmental review, including biological and cultural resource studies, would be needed to reauthorize any herbicide work within the project area beyond the expiration date of this EA.

2.2 Project Design Features

- To avoid drift, spraying will not occur if wind speeds exceed 10 mph.
- No spraying will occur if rain is predicted within 24 hours of the time of spraying.
- Protective equipment as directed by the herbicide label will be used.
- A copy of Material Safety Data Sheets will be kept at work sites.
- Herbicide labels will be followed for use and storage.
- Avoid ground disturbance in areas identified by the BLM archaeologist as sensitive.
- If traditional gathering sites are identified in the project area, the BLM will work with Native Americans to address any concerns. A no-spray zone may be established to avoid impacts to the habitat at the collecting site and to ensure the safety of the collectors.

2.3 No Action

Under the No Action alternative, there would be no application of herbicide and the yellow starthistle would continue to spread. There would be some hand-pulling and possibly weed-whacking around the perimeter and for the satellite populations but this would not result in much of a reduction in weed cover. The tree-of-heaven would not be effectively treated with hand-pulling. Weeds would continue to proliferate and produce seed and could possibly spread into native habitat, impacting native and rare species in the ACEC.

2.4 Alternatives Considered but Eliminated from Detailed Analysis

None.

3.0 Affected Environment

The following critical elements have been considered for this environmental assessment, and unless specifically mentioned later in this EA, have been determined to be unaffected by the proposal: environmental justice, fisheries, hazardous waste, prime/unique farmlands, wild and scenic rivers and wilderness.

Area of Critical Environmental Concern

ACECs are defined in FLPMA as “areas within the public lands where special management attention is required to protect and prevent irreparable damage to important and unique historic, cultural, botanic, and scenic values, fish and wildlife resources, other natural systems or processes (rare or exemplary), or to protect life and safety from natural hazards.” Administrative protections established through stipulations, withdrawals, avoidance, and/or allowable uses are uniquely prescribed by each individual area. The objective is to provide special management for natural areas requiring such and to protect and preserve the relevant and important values. The Red Hills ACEC contains the following relevant and important values: special status plants and wildlife, and unique soils.

Cultural Resources

The project area was inventoried for cultural resources by an archaeologist in 1983 and 2002. No cultural resources were reported.

Human Health and Safety

Use of herbicides for control of invasive plant species poses some potential risk of adverse impacts on human health and safety. Therefore, the PEIS (BLM 2007a) included a Human Health Risk Assessment (HHRA) to evaluate herbicide use on public lands. The HHRA addressed occupational receptors (who mix, load, transport, and apply herbicides) and public receptors (e.g., hikers, hunters and residents).

Hydrology and Water Quality

Red Hills is characterized by small intermittent drainages that generally flow from late November to May. Most of these intermittent streams flow into Six Bit Gulch, a perennial stream that flows through the Red Hills. The meadow where the yellow starthistle occurs is a dry meadow, not close in proximity to any intermittent or permanent streams. The tree-of-heaven is located in a road shoulder with no water nearby.

Soils

The major soil type in the Red Hills is the Delpiedra Series. Henneke and Fancher soils are also present. The ACEC contains one of the largest exposures of serpentine rocks in the Sierra Nevada metamorphic belt.

Recreation

The Red Hills ACEC is most typically visited by recreationists during the winter and spring for horse-back riding and hiking. Many people visit in the spring to view the wildflower bloom. The

meadow where the yellow starthistle occurs is fenced off from public access and it's unlikely the public utilizes this area.

Vegetation

The Red Hills ACEC is vegetated mostly by a foothill pine-buckbrush chaparral woodland and supports six special status plant species. However, the meadow where the yellow starthistle occurs consists of predominantly non-native grasses such as annual bromes and foxtail. There are patches of native vegetation in the meadow which support wheatgrasses and forbs but the yellow starthistle does not occur in these areas. A few gray pines are scattered throughout. The meadow does not have suitable habitat for special status plants; however, the hillside directly adjacent to the meadow contains unique serpentine flora and if the yellow starthistle were to spread into this area, the native vegetation would be negatively impacted.

The tree-of-heaven is located in a road shoulder which is primarily devoid of vegetation.

Visual Resources

The BLM manages this area in accordance with class II visual resource management (VRM) standards. Class II requires that changes to the characteristic landscape may be seen, but should not attract the attention of the casual observer.

Wildlife

The Red Hills are not generally thought of as a good wildlife area since most wildlife species in the foothill region prefer habitat where acorns provide a reliable food source. The buckbrush and other shrubs do provide browse and seeds for small populations of mammals including mule deer, jackrabbits and rodents. Coyotes and bobcats are also found here. Various birds use the area such as valley quail, mourning doves, road runners, western kingbirds, ash-throated flycatchers, and tree and barn swallows. Raptors include the red-tailed hawk, Cooper's hawk, prairie falcon and great horned owl.

Three BLM sensitive wildlife species are known to occur in the Red Hills. The Red Hills roach, a small native cyprinid fish, is found in abundance in several pools of permanent water located along the intermittent streams which drain into Six Bit Gulch and Poor Man's Gulch. The foothill yellow-legged frog has been found in the western portion of the Red Hills in the Andrews Creek drainage. The western pond turtle has been found in the eastern portion of the Red Hills in Poor Man's Gulch.

4.0 Environmental Effects

The following critical elements have been considered for this environmental assessment, and unless specifically mentioned later in this EA, have been determined to be unaffected by the proposal: environmental justice, fisheries, hazardous waste, prime/unique farmlands, wild and scenic rivers and wilderness.

4.1 Impacts of the Proposed Action and Alternatives

Area of Critical Environmental Concern

The relevant and important values of the Red Hills ACEC, special status plants and wildlife, and unique soils, would not be negatively impacted by the proposed action. There are no rare plant or

wildlife species in the project area. Impacts to the unique soils should be negligible with implementation of the Project Design Features.

Cultural Resources

The BLM archaeologist has analyzed the proposed action to determine whether it would affect significant cultural resources, in accordance with Section 106 of the National Historic Preservation Act. The analysis included a background record search and Native American consultation outreach. The project area was intensively inventoried for cultural resources by an archaeologist in 1983 and 2002. No cultural resources were identified within the project area. The BLM has initiated Native American consultation by sending letters to local tribes to ascertain if they have any comments, questions, suggestions, or concerns regarding this proposed action. Of particular relevance were inquiries as to whether there were traditional plant gathering areas in the project area. If traditional gathering sites are identified in the project area or could be affected by the proposed action, the BLM will work with Native Americans to address any concerns. A no-spray zone may be established to avoid impacts to the habitat at the gathering site and to ensure the safety of the gatherers.

Human Health and Safety

Chemical Control - Exposure risks to occupational receptors consist primarily of direct exposure (whether through the skin, inhalation, or incidental ingestion) by workers who mix, transport, or apply the herbicides. Greatest exposure doses are likely to be associated with mixing herbicides, pouring the contents into containers for use in application, and cleaning up any residue or minor spillage. An additional risk to applicators results from exposure via dermal contact, inhalation, or incidental ingestion while walking or riding/driving through an herbicide mist. Most occupational exposures result in temporary skin or eye irritation or in other short-term effects such as nausea, dizziness, or reversible nervous system abnormalities. Long-term effects are much less common but can include damage to organs, the nervous system, or the immune system and potentially inheritable mutations that can be passed on to offspring.

Both the short-term and long-term effects to occupational receptors can be greatly reduced by adherence to operational safety guidelines, use of protective clothing, equipment checks, and personal hygiene. BLM has attempted to minimize risks to applicators involved with herbicide treatments on public lands by specifying that their use be limited to certified herbicide applicators, except in a few special circumstances (e.g., spot applications to one or a few plants by trained BLM personnel using pre-mixed, consumer-grade herbicides). Professionals who are trained, experienced in handling chemicals, and use suitable personal protective equipment are much less likely to be exposed at potentially toxic levels than are those who use herbicides infrequently and may be unaware of the risks and how to minimize them.

The HHRA portion of the PEIS (BLM 2007a) addressed a total 24 herbicide active ingredients, of which 18 are currently approved for use on BLM lands, including clopyralid, glyphosate and triclopyr. Risks to humans were evaluated in relation to both occupational and public receptors, based on the toxicity of each compound and the assumed exposure dose under three assumed scenarios: routine exposure at typical application rates, routine exposure at maximum application rates, and accidental exposure. Routine exposure of workers consists of dermal contact, inhalation, and incidental ingestion while mixing or applying an herbicide. Accidental exposure of workers results from a spill or direct spray onto the skin. For public receptors, routine exposures result from typical uses of public lands that have been treated, or of both public and private lands onto which an herbicide has drifted. These exposures include dermal (skin) contact with foliage or surface water, inhalation of a pesticide mist, or ingestion of fruits onto which an herbicide has settled. Accidental

exposures of the public include entering an area that is being or has recently been treated or (for some compounds) drinking water or eating fish from a waterbody into which the compound has been spilled.

The three herbicides proposed for use in the Project area – clopyralid, glyphosate and triclopyr - showed slight to very slight toxicity to humans and no carcinogenicity. Risks were generally rated as low to none for both receptor groups and all three exposure rates. The HHRA portion of the PEIS found no risks to humans from the inert ingredients associated with the herbicides, including adjuvants. To minimize risks to occupational receptors from exposure to herbicides, implementation of the Proposed Action would follow the Project Design Features.

Hydrology & Water Quality

Water quality effects should be negligible because there are no water bodies near the project area.

Recreation

Impacts to recreation should be minimal since the areas where weed treatments would occur are not typically used for recreational activities.

Soils

Manual techniques, both hand pulling and digging of plants with a tool, produce loosened soil that is subject to erosion. However, these techniques would be used primarily when there were low numbers of yellow starthistle and tree-of-heaven, so only a small portion of the soil surface would be affected. The disturbance with these techniques is relatively shallow.

Herbicide applications may result in contact with soils, unintentionally as spills, overspray, spray drift, or windblown dust. Contact may also occur as a result of herbicide transport through plants to their roots where herbicide may be released into soil (BLM 2007a). Implementation of the Project Design Features would minimize potential impacts to soils.

Vegetation

Herbicides could come into contact with and impact non-target plants through drift, runoff, wind transport, or accidental spills and direct spraying. Potential impacts could include one or more of the following: mortality, loss of photosynthetic foliage, reduced vigor, abnormal growth, or reduced reproductive output. The herbicide treatments would likely affect plant species composition in the meadow and might affect plant species diversity. Because certain herbicides target broadleaf species, non-broadleaf species like grasses may begin to dominate the site, changing the species composition. Since the meadow already consists of non-native species, there is no concern of inadvertent damage to non-target, native vegetation.

The BLM Botanist analyzed the impacts of the proposed action on vegetation, particularly special status plants. The analysis is designed to help the BLM meet its obligations under the Endangered Species Act and other BLM policies with respect to special status species. The analysis included a background records search through the California Natural Diversity Database as well as an internal BLM natural resources geodatabase. Information was also collected in the field during a rare plant survey conducted in April, 2015. The BLM Botanist determined that there are no special status plants in the project area; therefore, the proposed action would not negatively impact special status plants.

Visual Resources

The proposed project would not have a negative impact on visual resources. The meadow where the yellow starthistle occurs already contains weedy, non-native vegetation and is less visually aesthetic than the surrounding area. The roadside shoulder where the tree-of-heaven occurs is a degraded site. The proposed action would be consistent with BLM's VRM class II management objective under the 2008 Sierra RMP, where changes to the characteristic landscape may be seen, but should not attract the attention of the casual observer.

Wildlife

Due to the lack of native vegetation in the meadow, the trespass of cattle, and the lack of cover from shrubs and brush, it's likely that wildlife do not extensively use this area. The common species present in the area would not likely be impacted by the small scale of the project. The BLM wildlife biologist analyzed the impacts of the proposed action on wildlife, especially on special status wildlife with an on the ground survey in 2014. She reviewed the California Natural Diversity Database, as well as an internal BLM natural resources geodatabase. The analysis is designed to help BLM meet its obligations under the Endangered Species Act and other authorities and BLM policies. The biologist recommended that the proposed action would not affect threatened and endangered wildlife or other BLM special status wildlife.

The three herbicides to be used as part of the proposed action, clopyralid, glyphosate and triclopyr, were assessed in PEIS in relation to human health. Assuming that exposure risks to human receptors also apply to other terrestrial vertebrates, the following potential risks to wildlife species would be expected from use of these herbicides. The herbicides proposed for use in the Project area showed slight to very slight toxicity to humans and no carcinogenicity. Risks were generally rated as low to none for both receptor groups and all three exposure rates. The HHRA portion of the PEIS (BLM 2007a) found no risks to humans from the inert ingredients associated with the herbicides, including adjuvants. These results indicate generally no or low risk of toxic effects from herbicides.

Because of the relatively low risk of toxicological effects to most wildlife even with direct spraying, it can be said that the main risk to wildlife from herbicide use is habitat modification. Because this area was already altered in the past, this impact would be negligible to wildlife.

4.2 Impacts of the No Action Alternative

Cultural Resources

Cultural resources would not be affected because there would be no herbicide application under this alternative.

Human Health and Safety

There would be no herbicide application under this alternative so human health and safety would be unaffected.

Hydrology and Water Quality

There would be no impacts to hydrology under the no action alternative.

Recreation

Impacts to recreation would be similar under the no action alternative as under the Proposed Action.

Soils

Impacts to soil would be negligible under this alternative.

Vegetation

Native and rare plant species in the ACEC could be displaced if the yellow starthistle and tree-of-heaven populations were left untreated and spread into the native habitat of the ACEC.

Visual Resources

Visual resources would not be impacted under this alternative.

Wildlife

The slight risk to wildlife from herbicide exposure would not occur under this alternative.

4.3 Cumulative Impacts

Negative cumulative impacts on the larger watershed scale are not anticipated. The proposed action would have negligible negative impacts on plants and wildlife since the meadow where the yellow starthistle occurs is predominantly non-native. The treatment of yellow starthistle and tree-of-heaven with herbicide would have a cumulative beneficial effect by reducing the risk of weed seed spread into the surrounding native ACEC.

5.0 Agencies and Persons Consulted

None.

5.1 BLM Interdisciplinary Team

Reviewers:

<i>/s/ James Barnes</i>	<i>4/10/15</i>
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James Barnes Archaeologist	Date
<i>/s/ Peggy Cranston</i>	<i>4/7/15</i>
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Peggy Cranston Wildlife Biologist	Date
<i>/s/ Beth Brenneman</i>	<i>4/13/15</i>
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Beth Brenneman Botanist/NEPA Coordinator	Date
<i>/s/ Jeff Horn</i>	<i>4/8/15</i>
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Jeff Horn Outdoor Recreation Planner/VRM Specialist	Date

5.2 Availability of Document and Comment Procedures

This EA, posted on Mother Lode Field Office's website (www.blm.gov/ca/motherlode) under Information, NEPA (or available upon request), will be available for a 15-day public review period. Comments should be sent to Beth Brenneman at the Mother Lode Field Office, 5152 Hillside Circle, El Dorado Hills, CA 95762 or emailed to bbrennem@blm.gov.

6.0 References

Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW). 2003. A national early detection and rapid response system for invasive plants in the United States. Washington, D.C.

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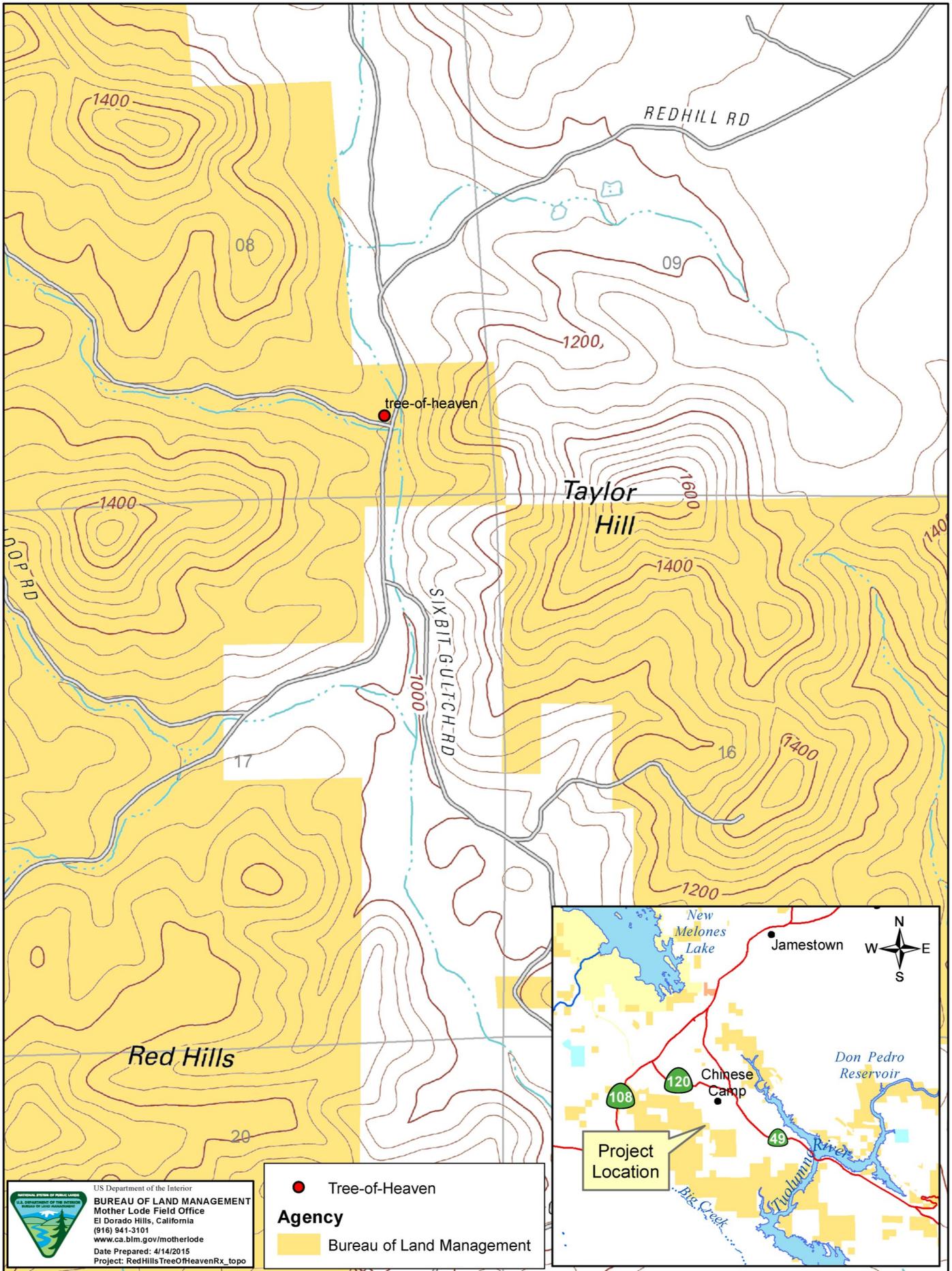
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2007b. Vegetation Treatments on BLM Lands in 17 Western States, Final Programmatic Environmental Report (PER). Reno, Nevada.

2008. Sierra Resource Management Plan and Record of Decision. BLM Folsom Field Office, Folsom, California.

Red Hills ACEC Tree-of-Heaven Herbicide Treatment

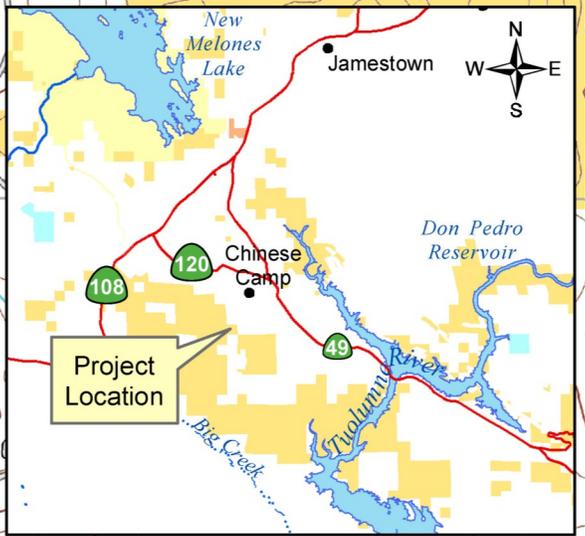


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 Project: RedHillsTreeOfHeavenRx_topo

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Agency	
	Bureau of Land Management

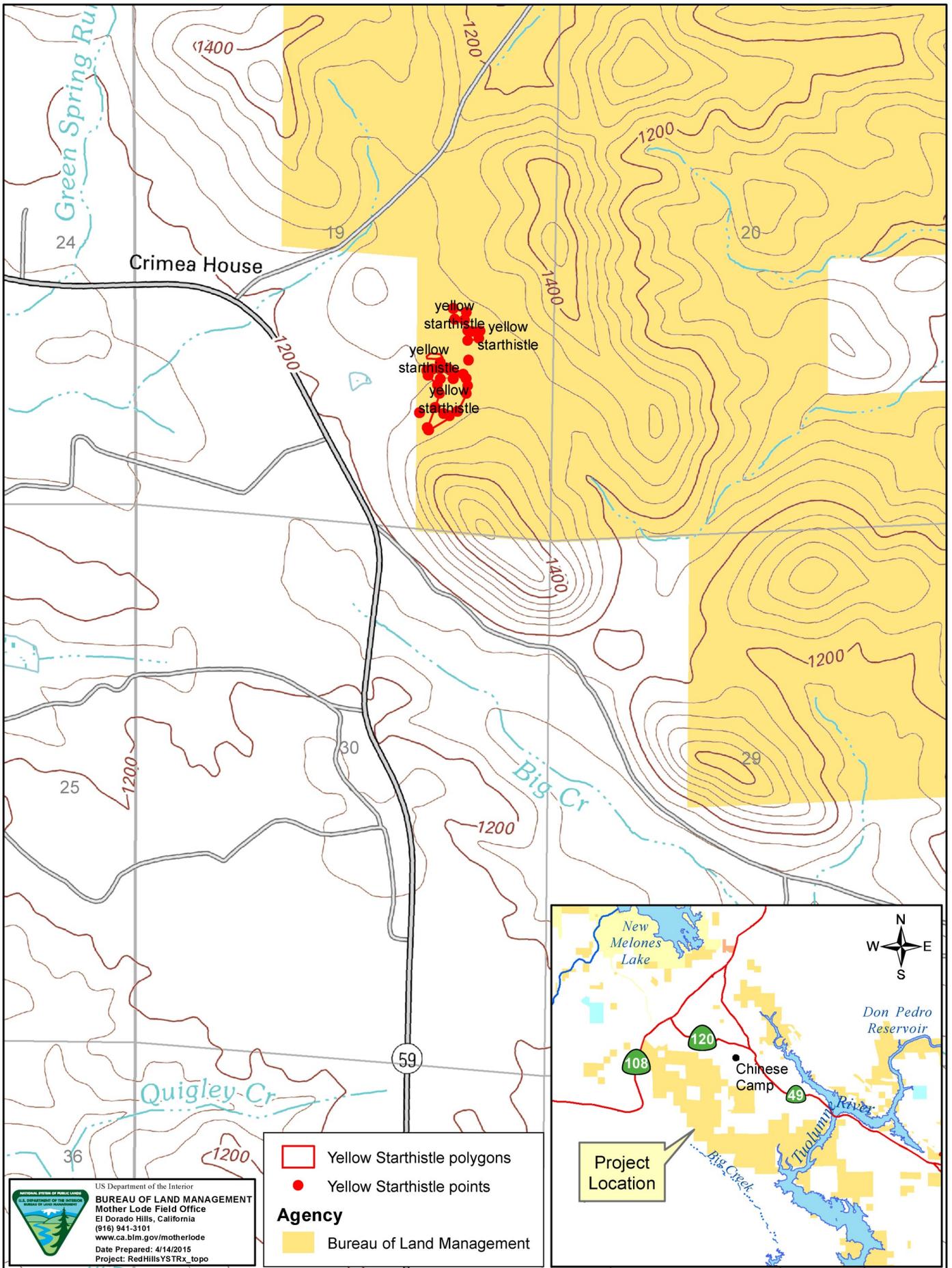


1:15,000

R14E

1 inch = 1,250 feet

Red Hills ACEC Yellow Starthistle Herbicide Treatment



1:15,000

R14E

1 inch = 1,250 feet

Red Hills ACEC Yellow Starthistle Herbicide Treatment

