

U.S. Department of the Interior
Bureau of Land Management
San Luis Valley Field Office
46525 Highway 114
Saguache, CO 81212

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-F03-2014-0011 CX

CASEFILE/PROJECT NUMBER (optional):

PROJECT NAME: Zapata subdivision vicinity Mountain Pine Beetle suppression project

PLANNING UNIT: Forestry

LEGAL DESCRIPTION: T 28S, R73W Section 6, Alamosa County, Colorado

APPLICANT:

DESCRIPTION OF PROPOSED ACTION The Colorado State Forest Service in conjunction with the Home Owners Association in the Zapata subdivision is going to remove numerous trees infested with mountain pine beetles (*Dendroctonus ponderosae*) in an effort to stop the spread within the private lands. On the northeast portion of a 40 acre tract of BLM land that is within the boundaries of the subdivision, there are several live ponderosa pine trees that are currently infested and the beetles will mature this spring, fly in June and the trees will die later this year. Cutting the trees while the beetles are still in the trees and removing them from the site will lessen or stop the current infestation. This suppression project is hoping to stop the continual spread to other ponderosa pine trees on this BLM land tract as well as not providing further possible infestations on adjoining the private lands.

No new roads are to be constructed; trees will be skidded to the existing road within the subdivision for loading onto trucks. Tops and limbs that do not have beetles in them will be disposed of in a burn pile to the north of the subdivision or piled and burned on site in the winter.

PLAN CONFORMANCE REVIEW:

Name of Plan: San Luis Resource Management Plan

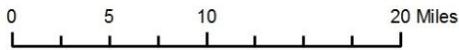
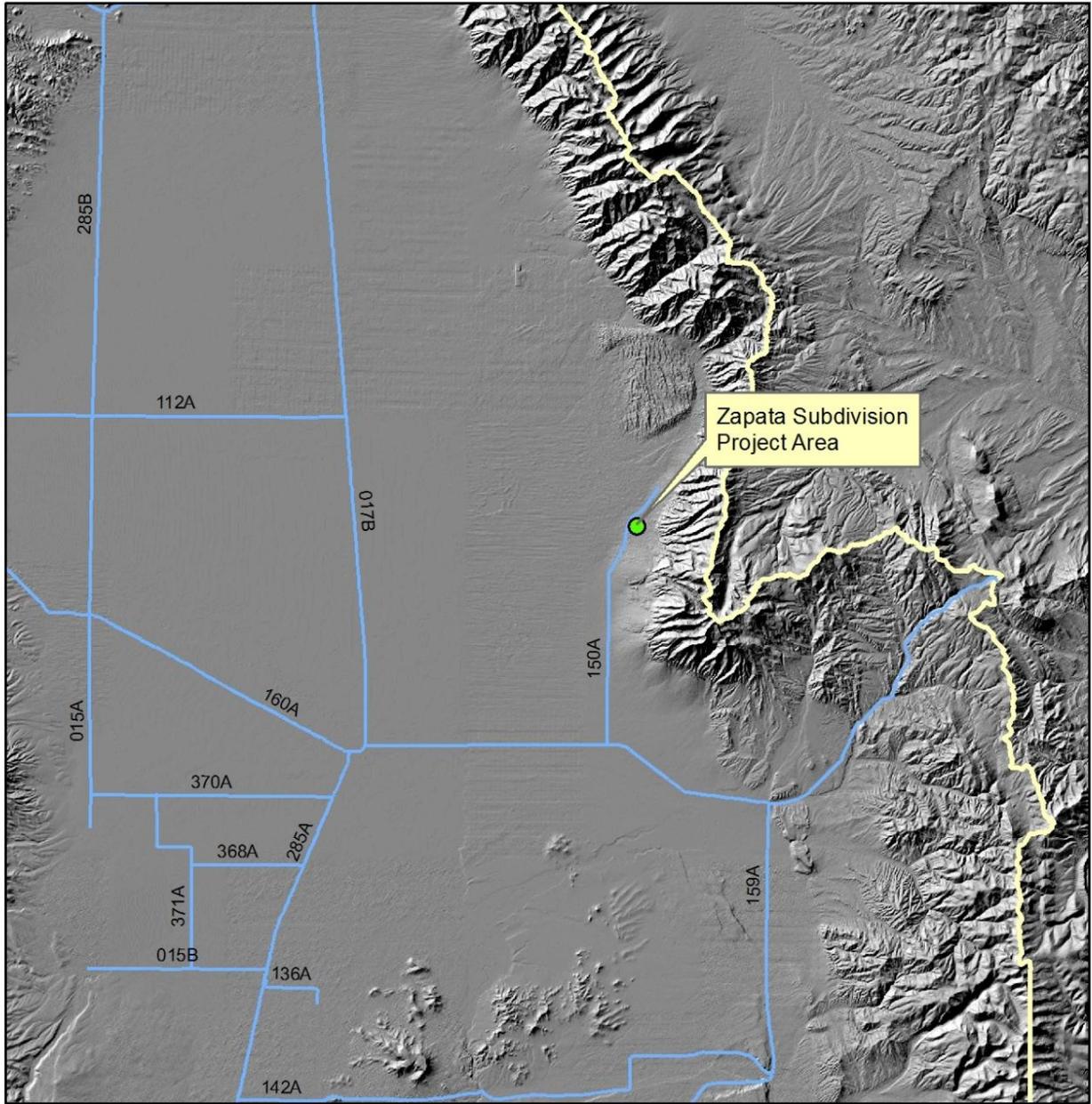
Date Approved: December 1991

Decision Number: 1-5

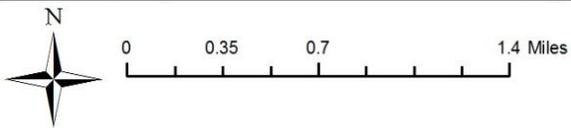
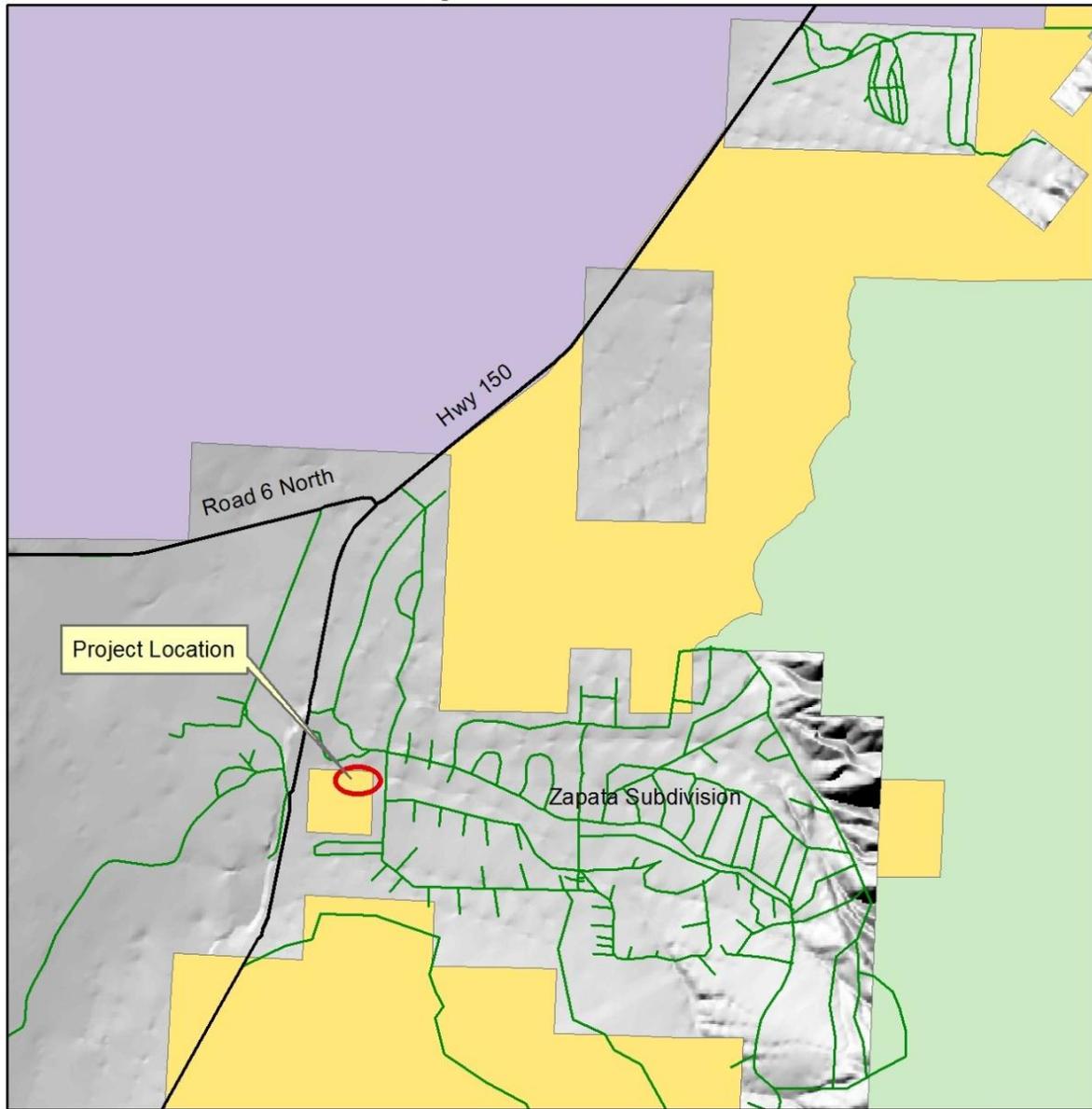
Decision Language: 1-5: Allow vegetative manipulation such as mechanical, chemical, or fire practices to aid in accomplishing the over-all objective and the desired plant communities described in activity plans.

CATEGORICAL EXCLUSION REVIEW: This proposed action is listed as a Categorical Exclusion in DOI Departmental Manual Part 516 Chapter 11 C (9)a. None of the following exceptions in 516 DM 2, Appendix 2, apply.

Vicinity Map for Beetle Suppression Project



Project Location



Exclusion Criteria	YES	NO
1. Have significant impacts on public health or 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; lands with wilderness characteristics; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		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.		X
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.		X
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		X
10. Have a disproportionately high and adverse effect on 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.		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.		X

INTERDISCIPLINARY TEAM REVIEW			
NAME	TITLE	AREA OF RESPONSIBILITY	Initials/date
Alyssa Radcliff	Wildlife Biologist	Terrestrial Wildlife, T&E, Migratory Birds, Fisheries	ANR 3/11/14
Melissa Shawcroft	Range Management Spec.	Range, Vegetation, Farmland	MJS 3/14/2014
Sue Swift-Miller/Jill Lucero	Wildlife Biologist	Wetlands/Fisheries	SSM, JL 3/13/14
Eduardo Duran	NRS	Riparian, T&E species	END 3/7/14
Andrew Archuleta	Physical Scientist	Minerals, Paleontology, Waste Hazardous or Solid	ASA 3/10/14
Negussie Tedela	Hydrologist	Hydrology, Water Quality/Rights, Soils, Air Quality	NHT 3/7/14
Leon Montoya Sean Hines	Cadastral Surveyor	Cadastral Survey	SJH 03/03/2014
Sean Noonan	Outdoor Recreation Planner	Recreation, Wilderness, LWCs, Visual, ACEC, W&S Rivers,	STN 3/11/14
Alyssa Radcliff	Weeds coordinator.	Invasive Weeds	ANR 3/11/14
Martin Weimer	NEPA Coordinator	Environmental Justice, Noise, SocioEconomics	mw, 3/4/14
Angie Krall	Archaeologist	Cultural, Native American	JGB 3/4/14
Leon Montoya	Realty Specialist	Realty	LM 3/3/2014
Brian Garcia	LEO	Law Enforcement	BG 3/11/14
Paul Minow	Fuel Specialist	Forestry, Fuels	psm, 3/3/14

REMARKS:

Cultural Resources: No known cultural resources will be adversely affected by this action if the four previously documented Culturally Modified Trees (CMTs) within 5AL717 are identified, marked and avoided by all project activities and all work is conducted within areas previously surveyed for cultural resources. However there is the potential the accidental discovery of additional cultural resources, especially CMTs, which warrants an emphasis on the Discovery and Education Stipulation (see below). Any additional trees identified as or suspected of being CMTs on public lands should also be marked and avoided by project activities.

It is recommended that, with the concurrence of the owners non-public lands, all CMTs on those lands also be avoided by project activities.

Discovery and Education

All persons in the area who are associated with this permit shall be informed that any person who injures, destroys, excavates, appropriates or removes any historic or prehistoric ruin, artifact, object of antiquity, Native American remains, Native American cultural item, or archaeological resources on public lands is subject to arrest and penalty of law (16 USC 433, 16 USC 470, 18

USC 641, 18 USC 1170, and 18 USC 1361). Strict adherence to the confidentiality of information concerning the nature and location of archeological resources would be required of the proponent and all of their subcontractors (Archaeological Resource Protection Act, 16 U.S.C. 470hh). If new cultural values are discovered during operations, all work in the vicinity of the resource will cease and the Authorized Officer with the BLM notified immediately. The operator shall take any additional measures requested by the BLM to protect discoveries until they can be adequately evaluated by the permitted archaeologist. Within 48 hours of the discovery, the SHPO and consulting parties will be notified of the discovery and consultation will begin to determine an appropriate mitigation measure. BLM in cooperation with the operator will ensure that the discovery is protected from further disturbance until mitigation is completed. Operations may resume at the discovery site upon receipt of written instructions and authorization by the authorized officer.

Pursuant to 43 CFR 10.4(g), the holder must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony on federal land. Further, pursuant to 43 CFR 10.4 (c) and (d), the holder must stop activities in the vicinity of the discovery that could adversely affect the discovery. The holder shall make a reasonable effort to protect the human remains, funerary items, sacred objects, or objects of cultural patrimony for a period of thirty days after written notice is provided to the authorized officer, or until the authorized officer has issued a written notice to proceed, whichever occurs first.

Native American Religious Concerns

Culturally Modified Trees (CMTs) of the type within 5AL717 are significant cultural sites to the three Ute Tribes (Southern Ute, Ute Mountain Ute and Northern Ute) and the Jicarilla Apache Nation. The design criteria above will provide for Native American religious concerns.

Cadastral Survey: This proposed work area has not been surveyed and the boundary currently cannot be located without a Cadastral Survey. The proposed work areas are near several PLSS corners which control public land boundaries. As per Instruction Memorandum No. CO-2014-007, federal law (18 U.S.C. 1858) and state law (CRS 18-4-508), the monuments will need to be protected in order to preserve the significant survey evidence. I will provide monument records and coordinates for the corners with bearing trees in the area for the proper monument protection. If any bearing trees or line trees with blazes on them are found which *are* infected, please cut this tree so that the blaze is still visible and the trunk of the tree remains standing. Mark and record the location of the tree so we can document the current conditions. If any additional field work is required from Cadastral Survey, we will need additional funding to perform the necessary work.

It is recommended that, with the concurrence of the owners of non-public lands, all bearing trees and line trees on those lands also be avoided by project activities.

Threatened and Endangered Species

Plants: There are no known threatened, endangered, candidate, proposed, special status, sensitive, or other species of concern that would be further affected by the proposed action as habitat conditions have not changed since the decision was signed in 2002. To insure that there are no additional affects

than the ones stated in the original EA: Prior to tree removal inspect for nesting activities. If nest is found; do not remove tree until fledging of young.

Range, Vegetation, and Farmland

Vegetation: There will be a disturbance to the vegetation in removing the trees from the cutting area but to what degree it is not known. The CX description is not clear in addressing how the trees will be removed and in what form (whole tree or chips) and to what location they will be deposited. Plants could be displaced by heavy machinery in removing trees from the location. It is also unclear whether an existing road leads up to the tree removal area or whether a new road will be created during the process of removing the trees with heavy machinery repeatedly covering the same ground.

Range: This parcel of land lies within the Piñon Pasture grazing allotment which is permitted to the Nature Conservancy for the grazing of bison or cattle (?). It appears the parcel is not completely fenced and therefore has not been excluded from being actively grazed along with the rest of the allotment. Tree cutting and removal would need to be conducted during a time when no livestock are present on the BLM parcel.

Farmlands: There are no active farmlands in this project area and therefore no impacts to farmlands.

COMPLIANCE PLAN (optional): Previous EA completed on this piece of ground, CO-210-2002-0001, Zapata/San Luis Valley Ranches/Urraca Creek Urban Interface Fuels Treatment

NAME OF PREPARER: Paul Minow

NAME OF ENVIRONMENTAL COORDINATOR: Martin Weimer

DATE:

DECISION AND RATIONALE: I have reviewed this Categorical Exclusion and have decided to implement the Proposed Action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 10 criteria listed above and have determined that it does not represent an exception and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Andrew Archuleta
Andrew Archuleta, Field Manager

DATE SIGNED: /s/ March 16, 2014