

**Bureau of Land Management
Winnemucca District Office
HRFO (W010)**

Categorical Exclusion/Cultural Resources Inventory Needs Assessment Form

CX#: DOI-BLM-NV-W010-2015-0002-CX

Date: 10/2/2014

Lease / Case File / Serial #:

Regulatory Authority (CFR or Law):):

FLMPA Sec.307 [43 U.S.C. 1737] "The Secretary may conduct investigations, studies, and experiments, on his own or in cooperation with others involving the management, protection, development, acquisition, and conveying of the public lands."

BLM Manual: N/A

Subject Function Code: 7100

Is the project located within a Preliminary Priority Habitat? Yes No

Is the project located within a Preliminary General Priority Habitat? Yes No

Is the project located within a National Landscape Conservation System feature (NCA, Wilderness, WSA, ISA, Scenic or Historic Trails)? Yes No

1. BLM District Office: Winnemucca District Office

2. Name of Project Lead: Robert Burton

3. Project Title: Native Seeding of Cheatgrass Die-off

4. Applicant: Owen Baughman, Graduate Research Assistant, University of Nevada, Reno

5. Project Description: (briefly describe who, what, when, where, why, how)

Who:

A recent, small-scale case study near Dun Glen, NV demonstrated that an area that experienced cheatgrass die-off supported improved performance of seeded native species than did an adjacent area that was not die-off affected. The proposed, UNR and BLM cooperative study aims to examine whether these findings will be mirrored using a larger-scale design and more typical restoration methods. The results from the proposed study will demonstrate to what degree cheatgrass die-offs represent realistic opportunities for restoration in challenging, highly invaded wildlands.

What:

This project seeks to utilize three sites in cheatgrass die-offs that occurred in the 2014 growing season as locations for restoring native species via direct mechanical seeding. Our goal is to test whether previous findings from small-scale experimental plots (where seeding in die-offs was shown to increase the growth, vigor, and establishment of native plants) translates into increased

establishment success at larger scales, using typical seeding methods.

When:

Fall, early winter of 2014.

Where:

UNR and BLM have identified three preferred die-off sites on lands managed by BLM, which are also located near environmental monitoring equipment that can provide information on precipitation and temperature over the course of this project. The Paradise site is in Paradise Valley, Humboldt County, and accessed by SR 290. The Four Corners and Buena Vista sites are in Pershing County, in Grass Valley and Buena Vista Valley, accessed by SR 294 and SR 400, respectively. The sites can be located on the maps in Figures 2-5. Each of the three 5 acre sites contains areas exhibiting recent die-off as well as adjacent 'control' areas exhibiting a successful and typical current-season cheatgrass stand (i.e. standing, dried litter from spring growth). Why:

How:

One 0.5-1.0 acre plot will be situated within both the die-off and control condition, and mechanical seeding will take place within these plots. Plots will be seeded in November, 2014, with a Truax Flex II minimum till seeder, and identical seeding procedures will occur within all plots. Five native species will be planted at each site (Table 1). Included species are expected to be suitable for the sites based upon site surveys and species distributions. Seeds from collections or cultivars that are most closely environmentally matched to the planting sites will be chosen. Target seeding rates are based upon agency-suggested rates.

Species		Source	PLS Rate
Sandberg bluegrass	<i>Poa secunda</i>	Jordan Valley	0.3 lb/ac
Bottlebrush squirreltail	<i>Elymus elymoides</i>	TBD	1.5 lb/ac
Indian ricegrass	<i>Achnatherum hymenoides</i>	Nezpar	1.5 lb./ac
Western Yarrow	<i>Achillea millefolium var. occidentalis</i>	TBD	0.1 lb/ac
Shadscale	<i>Atriplex confertifolia</i>	TBD	1.4 lb/ac
Winterfat	<i>Krascheninnikovia lanata</i>	TBD	1.0 lb/ac

Additional Information:

Because grazing by livestock could affect the outcomes of these relatively small seedings, plots will be fenced after seeding and prior to spring greenup. Fences will consist of 3 strands on t-posts using the following schedule: Ground to 1st strand (smooth) -16", then to 28" (barbed), and then to 40" (barbed) from the ground surface, respectively. Total length of fencing for all sites will be approximately 0.5 miles.

This study will utilize a combination of UNR and BLM resources. In addition to providing authorization to conduct the study, the BLM will supply fence materials and native seed, and will supply, mobilize and operate the minimum till Truax seeder and John Deere 2500 tractor. Personnel from UNR will conduct site preparation and fence construction, pre and post-seeding monitoring, project quality assurance and control, and data analysis and summarization. All analysis and summarization reporting will be shared with BLM.

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Project dimensions (length, width, height, depth): Six one half acre plots

Total Acres: Three acres

BLM Acres: Three acres

Will the project result in new surface disturbance? Yes No

Has the project area been previously disturbed? Yes No N/A

If yes, what percent of the project area has been disturbed? 100% . If only part of the project area has been disturbed, indicate disturbed area on map. Describe disturbance (and attach photo of disturbed area if you have one):

All locations have been burned by wild fire and most have been drill seeded.

6. Legal Description:

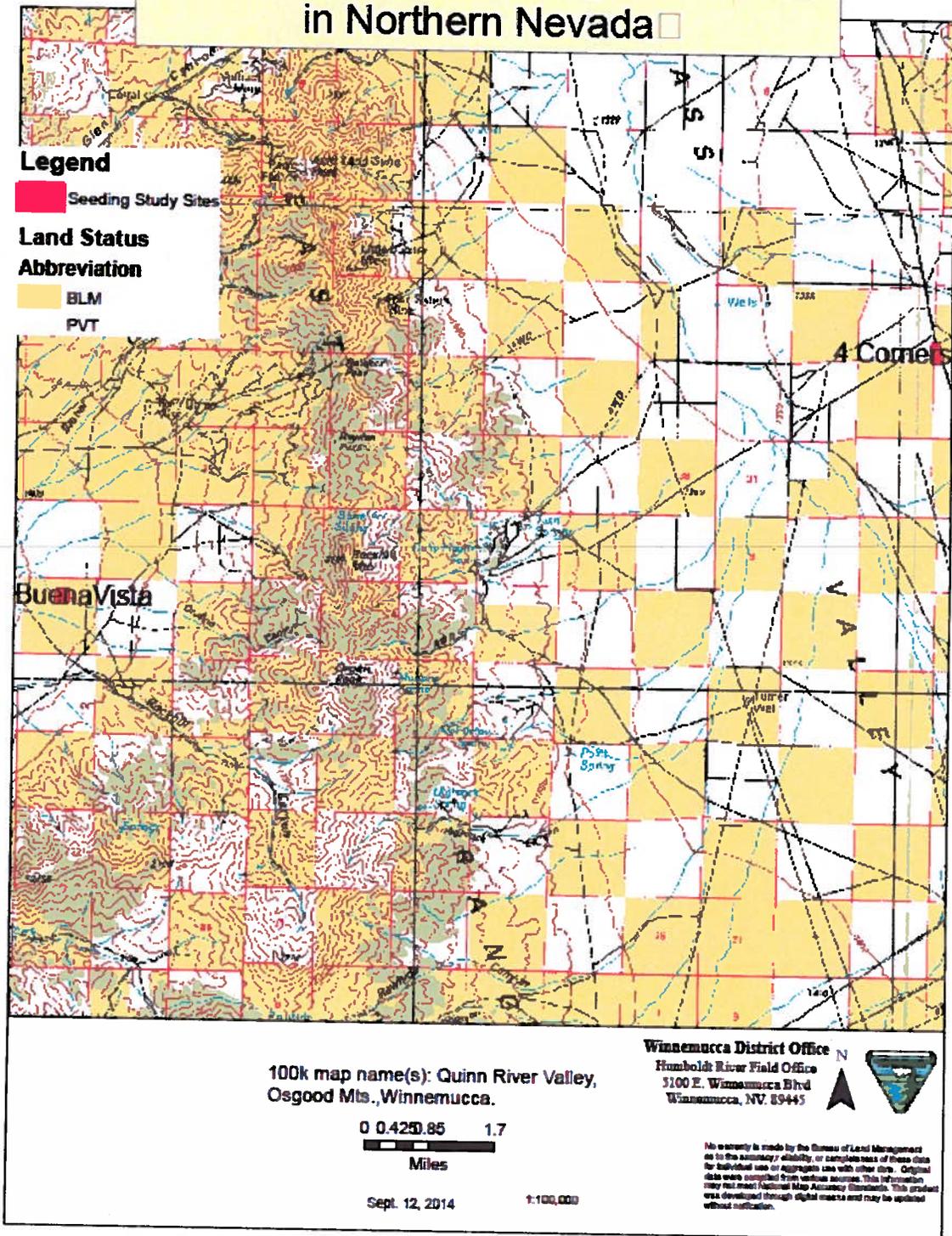
Four Corners Site	T. <u>33</u> N., R. <u>38</u> E., sec. <u>22</u> , <u>SW</u> 1/4 <u>SW</u> 1/4
Buena Vista Site	T. <u>32</u> N., R. <u>36</u> E., sec. <u>10</u> , <u>NW</u> 1/4 <u>SW</u> 1/4
Paradise site	T. <u>40</u> N., R. <u>39</u> E., sec. <u>16</u> , <u>SW</u> 1/4 <u>NE</u> 1/4
	T. <u>40</u> N., R. <u>39</u> E., sec. <u>17</u> , <u>SE</u> 1/4 <u>SE</u> 1/4

USGS 24k Quad name: Four Corners Site-Clear Creek Ranch: Buena Vista Site-Dun
Glen: Paradise Site-Willow Point.

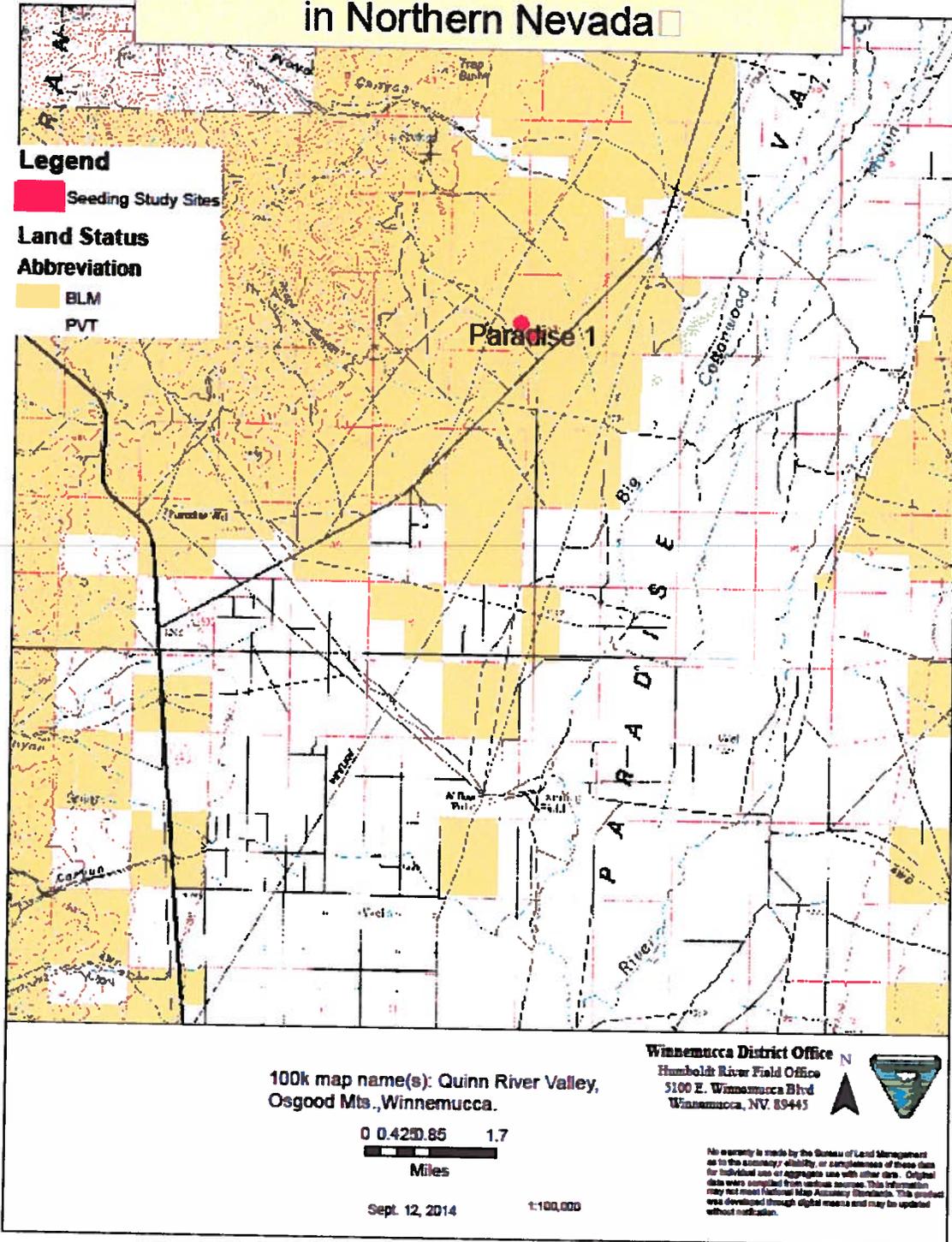
100k map name: Quinn River Valley, Osgood Mts., Winnemucca

Land Status: BLM Private Other _____

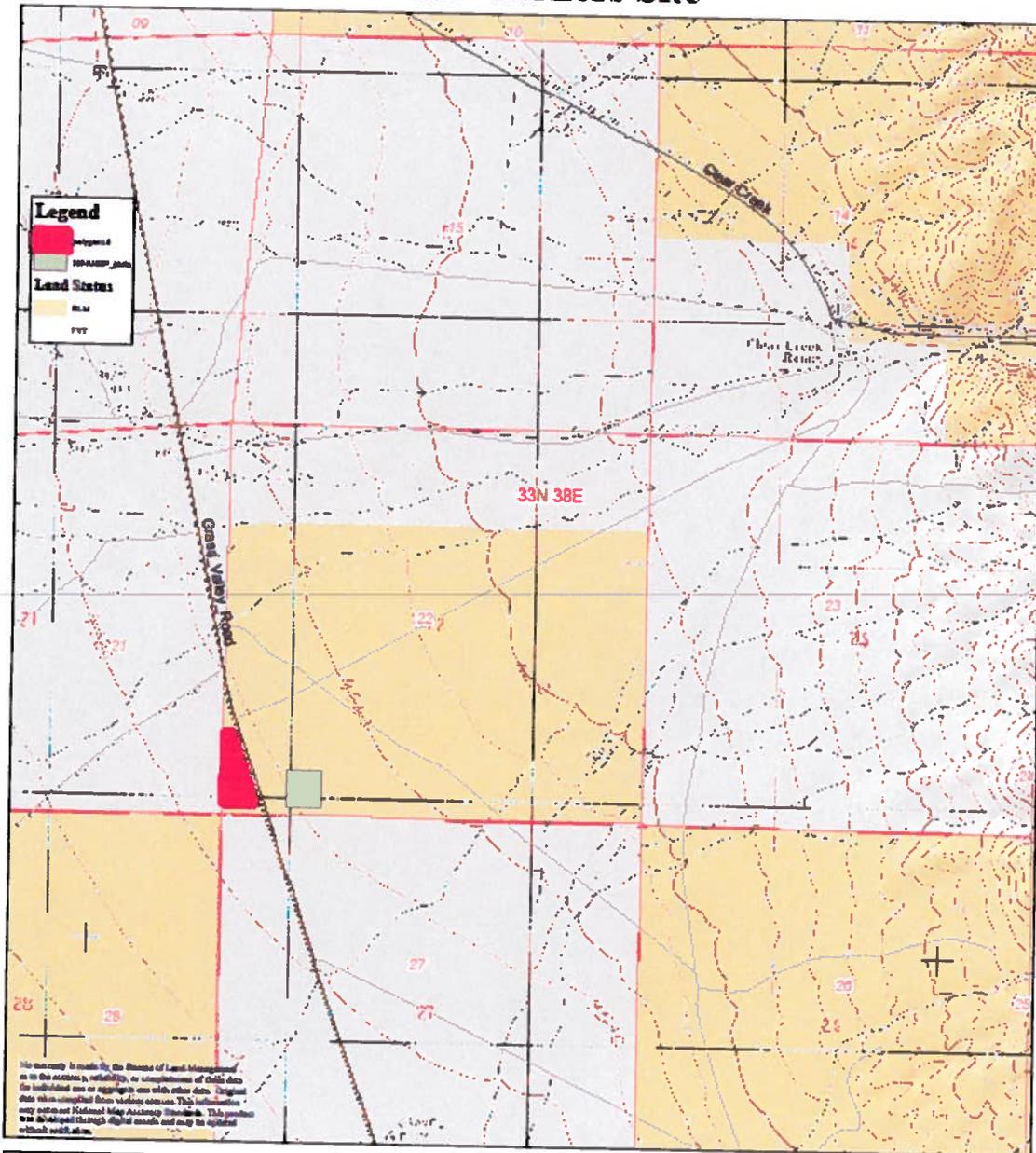
Native Seeding of Cheatgrass Die-offs in Northern Nevada



Native Seeding of Cheatgrass Die-offs in Northern Nevada



Four Corners Site




Winnemucca District
Bureau of Land Management
5100 E. Winnemucca Blvd
Winnemucca, NV. 89445

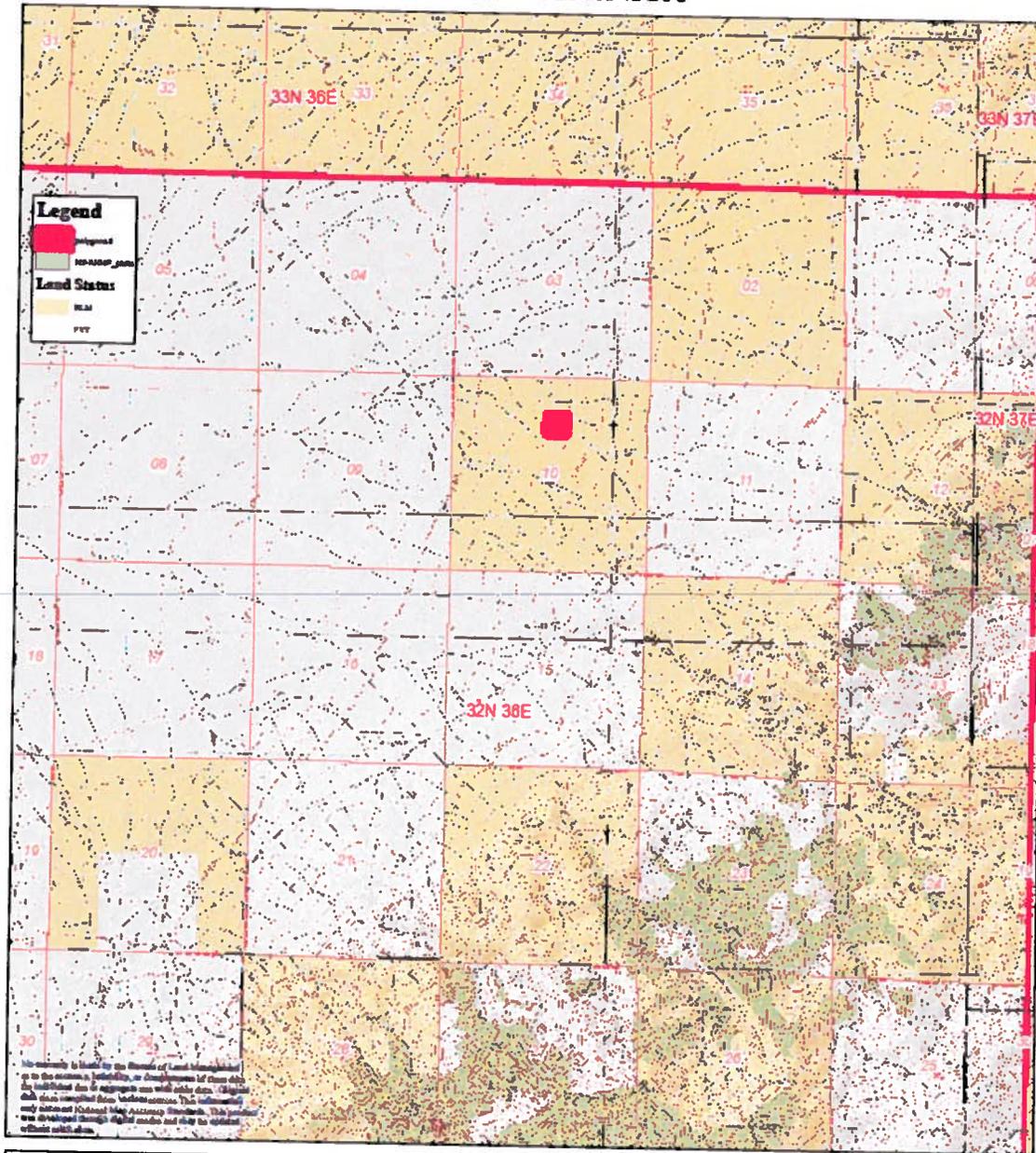
Clear Creek Ranch, NV
USGS 24k Quadrangles
T33N., R.38 E., sec. 22

0 0.25 0.45 0.75
Miles

N
1:21,679
Date: 9/12/2014



Buena Vista Site




Winnemucca District
Bureau of Land Management
5100 E. Winnemucca Blvd
Winnemucca, NV 89445

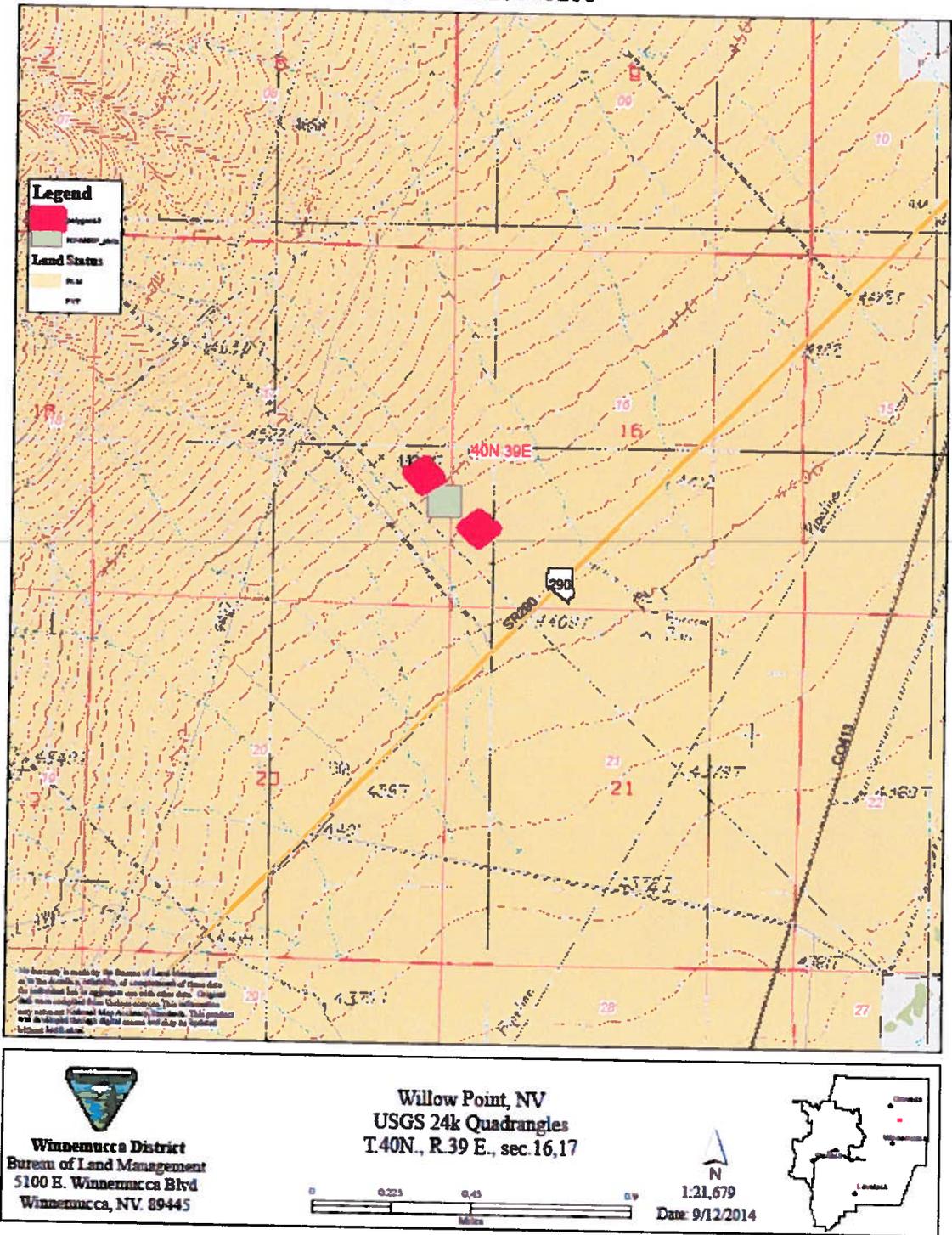
Dun Glen, NV
USGS 24k Quadrangles
T.32N., R.36 E., sec. 10


1:43,358
Date: 9/12/2014





Paradise Site



8. To be completed by Cultural Resource Specialist (CR):

Save a copy of this CX document in the S:\Needs Assessment folder. Save the CX_Needs Assessment in Word 97-2003 format (select File→Save As→File Name [use appropriate file name] →Save as file type: [select Word 97-2003 Document]). Notify the Cultural Resources Staff and Native American Consultation Specialist. **Delete Section 8 in its entirety and “Cultural Needs Assessment Form” from title on your copy of the CX.**

Area of Potential Effect:

APE Acreage:

Records Check:

Records Examined:

Results:

Inventory Type Needed:

None_____

Categorical Exemption (Number_____)

Reconnaissance_____

Class I_____

Class II_____

Class III_____

Architectural_____

Rationale for Inventory Type determination:

Tribal Notification/Consultation Needs:

Rationale:

Tribe(s) to be contacted:

Public Notification Needs:

Rationale:

Person(s), group(s) to be contacted:

CRS Approval:

Date:

Field or other appropriate Manager Concurrence:

Date:

Part I: Plan Conformance Review

The Proposed Action is subject to the:

- Paradise-Denio Management Framework Plan
- Sonoma-Gerlach Management Framework Plan
- Black Rock Desert-High Rock Canyon Emigrant Trails NCA and Associated Wilderness and Other Contiguous Lands in Nevada RMP

The proposed action is in conformance with the applicable Land Use Plan (LUP) because it is specifically provided for in the following LUP decision(s):

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

Land Use Plan(s):

Sonoma-Gerlach Management Framework Plan (MFP) Date Approved_1982_
Paradise-Denio Management Framework Plan (MFP) Date Approved_1982_

Section .45 Soil -Water-Air advises: "Consider rehabilitating areas which have had protective vegetative cover destroyed by wildfire.....Utilize seed and other watershed stabilization techniques as required. Seed mixture should include native perennial grasses and/or exotic species which have previously been introduced into the ecosystem."

Winnemucca Field Office Fire Management Plan, 2004.
Non-Fire Fuels Treatment Objectives and Strategies

1. "Break up monocultures through the use of chemical, biological, and/or mechanical means to stop the spread of the affected area especially in areas that border important habitats."
2. "Seed areas with perennial grass species to reduce the dominance of cheatgrass...Non-fire fuels treatments would be utilized to achieve resource goals and objectives based on site-specific habitat conditions"

Part II: NEPA Review

Categorical Exclusion Review: This Proposed Action qualifies as a categorical exclusion under:

- 43 CFR 46.210 DOI Implementation of NEPA of 1969, Listing of Departmental Categorical Exclusions (*formerly 516 DM2 Appendix I*)
Appendix III, pg. 145:
1.6 Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.
Appendix III, pg. 146:

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1.11 Activities which are educational, informational, advisory, or consultative to other agencies, public and private entities, visitors, individuals, or the general public.

516 DM 11.9, (BLM)

Appendix 4 BLM Categorical Exclusions,

J. Other: Construction of small protective enclosures, including those to protect reservoirs and springs and those to protect small study areas.

ESA and BLM Sensitive Status Species

Evaluation Criteria	Yes	No
1. Are species listed under the Endangered Species Act likely to occur in the project area? If yes, list the species in Table 1 below. Verify with USFWS or use approved list.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Are BLM NV Sensitive Species, based upon the current IM, likely to occur in the project area? If yes, list the species in the Table 1 below.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Could the proposed action result in "take" under the Migratory Bird Treaty Act? If yes, attach appropriate mitigation measures.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Table 1. Special Status Species that may occur in the project area:

ESA	BLM	Common (<i>Scientific</i>) Name	May Be Affected?	Mitigation for BLM Sensitive Species (The following stipulation(s) is/are recommended to be applied to the authorization) (Attach ESA Section 7 Compliance to Form, if applicable)
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Table 2. Migratory Bird Treaty Act Consideration

Potential MBTA Species w/in the Project Area Common (<i>Scientific</i>) Name	May Be Affected?	Recommended Mitigation (The following stipulation(s) is/are recommended to be applied to the authorization)
<p>The following is a representative, but not inclusive list of migratory birds that may utilize the proposed project area.</p> <p>Killdeer (<i>Charadrius wilsonia</i>) Common nighthawk (<i>Chordeiles minor</i>) Horned lark (<i>Eremophila alpestris</i>) Rock wren (<i>Salpinctes</i>)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>It is the responsibility of the Applicant to notify the BLM project lead and biologist of the proposed disturbance dates.</p> <p>Vegetative structure is limited in the study area and minimal nesting is anticipated. However, the substrate provides potential nesting sites for ground-nesting species.</p> <p>Land clearing or other surface disturbance associated with the proposed action should be conducted outside of the migratory avian breeding season, whenever feasible, to avoid potential destruction of active bird nests. Nests are considered active if they contain eggs or young or if evidence of reproductive behavior (i.e. mated pairs,</p>

<p>obsoletus)</p> <p>Western meadowlark (Sturnella neglecta)</p> <p>California quail (Callipepla californica)</p> <p>Red tailed hawk (Buteo jamaicensis)</p> <p>Mourning dove (Zenaida macroura)</p>		<p>courtship displays, territorial defense, carrying nesting materials, transporting food, etc.) is observed (MBTA 1918). When surface disturbance must be created during the migratory avian breeding season (March 1 – August 31), a survey performed by a BLM approved biologist would be conducted for active nests. This survey would be conducted no more than ten (10) days prior to and no less than three (3) days prior to proposed disturbance activities. If active nests are located, disturbance activities may be postponed, a protective buffer may be established, or other appropriate protective measures would be instituted to avoid disturbance to the nest or reproductive behaviors until the nests are no longer active. The start and end dates of the seasonal restriction may be based upon site-specific information such as species, elevation, and weather patterns which affect breeding chronology. The Applicant must notify the BLM biologist a minimum of fifteen (15) work days prior to the proposed disturbance date to allow time for survey coordination.</p>
		<p>If preparation of the study site is performed in stages, (i.e. weeding smaller areas, segmented fence installation, etc., resulting in more than a 10 day period of time elapsing from the initial survey date, subsequent surveys may be required. Consultation with the BLM will be necessary to determine the need for further surveys.</p>
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

Mitigation Measures/Remarks (The following stipulation(s) is/are recommended to be applied to the authorization):

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The Proposed Action has been reviewed to determine if any exceptions described in 43 CFR 46.215 Categorical Exclusions: Extraordinary Circumstances apply. (See attached page)

Part III: DECISION:

I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is in conformance with the approved land use plan and that no other environmental analysis is required.

Project authorization is subject to mitigation measures identified above. (This is a NEPA Decision. A separate program implementation decision is necessary.)

Based on regulatory authority or law that allows BLM to take action, it is my decision to allow for implementation of the project, as described, with the mitigation measures identified above and attached as stipulations, conditions of approval, terms of conditions, etc. This is a combined NEPA and program implementation decision.

FLMPA Sec.307 [43 U.S.C. 1737] "The Secretary may conduct investigations, studies, and experiments, on his own or in cooperation with others involving the management, protection, development, acquisition, and conveying of the public lands."

Authorized Official _____/s/James W. Schroeder _____ Date: 11-7-2014

Administrative Review or Appeal Opportunities

A person who wishes to appeal to the Interior Board of Land Appeals must do so under 43 CFR 4.411 and must file in the office of the officer who made the decision (not the board), in writing to James W. Schroeder, Humboldt River Field Office, 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. A person served with the decision being appealed must transmit the notice of appeal in time to be filed in the office where it is required to be filed within thirty (30) days after the date of service.

The notice of appeal must give the serial number or other identification of the case and may include a statement of reasons for the appeal, a statement of standing if required by § 4.412(b), and any arguments the appellant wishes to make. Form 1842-1 provides additional information regarding filing an appeal.

No extension of time will be granted for filing a notice of appeal. If a notice of appeal is filed after the grace period provided in §4.401(a), the notice of appeal will not be considered and the case will be closed by the officer from whose decision the appeal is taken. If the appeal is filed during the grace period provided in §4.401(a) and the delay in filing is not waived, as provided in that section, the notice of appeal will not be considered and the appeal will be dismissed by the Board.

The appellant shall serve a copy of the notice of appeal and any statements of reason, written arguments, or briefs under §4.413 on each adverse party named in the decision from which the appeal is taken and on the Office of the Solicitor, Pacific Southwest Regional Solicitor, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, California 95825-1890. Service must be accompanied by personally serving a copy to the party or by sending the

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document by registered or certified mail, return receipt requested, to the address of record in the bureau, no later than 15 days after filing the document.

In addition, within thirty (30) days of receipt of this decision you have the right to file a petition for a stay together with your appeal in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties specified above.

Pursuant to 43 CFR 4.47I(c), a petition for stay, if filed, must show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and,
- (4) Whether the public interest favors granting the stay.

43 CFR 4.471 (d) provides that the appellant requesting a stay bears the burden of proof to demonstrate that a stay should be granted.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR 4.422(c)(2)).