

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

CATEGORICAL EXCLUSION

CSU Plant Research Monitoring DOI-BLM-CO-N05-2016-0001-CX

Identifying Information

Project Title: CSU Plant Research Monitoring

Legal Description:

Township	Range	Sections
1 North	97 West	22
1 North	98 West	24 and 25
1 South	98 West	7 and 10
1 South	97 West	16 and 29
2 South	97 West	19 and 29

Applicant: Colorado State University (CSU)

Conformance with the Land Use Plan

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

Land Use Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

Date Approved: July 1997

Decision Language: “Promote the recovery of Federally listed and proposed threatened or endangered plant species. Management actions are compatible with candidate and listed, threatened or endangered plant species and their habitats and support the goals contained in the Standards for Public Land Health, Standard four.” (page 2-17)

Proposed Action

Project Components and General Schedule

On October 8th and 9th, 2015, Colorado State University (CSU) proposes to use an unmanned aerial vehicle (UAV) mounted with a high-definition camera to take photos of monitoring plots that were seeded/transplanted with Dudley Bluffs Twinpod and Dudley Bluffs Bladderpod. The use of the UAV will minimize disturbance to sensitive soils on steep slopes where the plots are located. Photos will be taken from approximately 2 meters above ground level (AGL) and the photos will be used to count germinated seedlings and survival of transplanted plants.

CSU also proposes to install small camouflaged game cameras near 4 of the 12 monitoring plots with the intent of documenting animal and human visits to the plots. Cameras would be mounted 10-50 meters from the plots using existing trees and brush with good concealment potential to minimize detection. CSU will report which four plots cameras are on once they are mounted.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
4. The applicant is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.

Categorical Exclusion Review

The Proposed Action qualifies as a categorical exclusion under 43 CFR 46.210(e):
 “Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.”

The Proposed Action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described in the table below.

Extraordinary Circumstance	YES	NO
a) Have significant adverse effects on public health and safety. The Proposed Action involves no new ground disturbance and there would be no new impacts to resources from use of the UAVs. <i>Placement of game cameras does not involve any additional ground disturbance.</i>		X
b) 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; floodplains; national monuments; migratory birds; and other ecologically significant or critical areas. <i>The Proposed Action involves no new ground disturbance and there would be no new impacts to resources from use of the UAVs. Placement of game cameras does not involve any additional ground disturbance though there might be a small potential to encounter a previously undocumented wickiup.</i>		X
c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources. <i>The Proposed Action will not result in any controversial environmental effects or conflicts with available resources.</i>		X
d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <i>The Proposed Action has no potential for significant environmental impacts as there will be no new surface disturbance.</i>		X
e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <i>The Proposed Action does not have the potential for significant environmental effects as there is no new surface disturbance or precedent in the use this monitoring technology.</i>		X
f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <i>There are no direct relationships to other actions that could result cumulatively in a significant environmental effect.</i>		X
g) Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places as determined by the bureau. <i>The Proposed Action involves no new ground disturbance and there would be no new impacts to cultural resources from use of the UAVs. Placement of game cameras does not involve any additional ground disturbance though there might be a small potential to encounter a previously undocumented wickiup. No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities.</i>		X
h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species. <i>This project is the monitoring portion of the “Threatened Plant Species Reseeding Research” (DOI-BLM-CO-110-2013-0036). There are expected to be no impacts to</i>		X

Extraordinary Circumstance	YES	NO
<i>special status plant species using the UAV and game cameras to monitor plots. The use of the UAV is intended to minimize foot traffic on habitat of special status plant species There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area. Use of the UAV and game cameras would not be expected to have any negative influence on local wildlife.</i>		
i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. <i>The Proposed Action violates no laws or requirements imposed for the protection of the environment.</i>		X
j) Have a disproportionately high and adverse effect on low income or minority populations. <i>The Proposed Action will not disproportionately have a high and adverse effect on low income or minority populations.</i>		X
k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly affect the physical integrity of such sacred sites. <i>No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities.</i>		X
l) 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. <i>This project is the monitoring portion of the "Threatened Plant Species Reseeding Research" (DOI-BLM-CO-110-2013-0036). There are expected to be no impacts to special status plant species using the UAV and game cameras to monitor plots.</i>		X

Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 10/6/2015. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	10/5/2015
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	10/05/2015
Matthew Dupire	Ecologist	Special Status Plant Species	9/30/2015
Matthew Dupire	Ecologist	Project Lead	10/1/2015
Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	10/5/2015

Cultural Resources: The Proposed Action involves no new ground disturbance and there would be no new impacts to cultural resources from use of the UAVs. Placement of game cameras does not involve any additional ground disturbance though there might be a small potential to encounter a previously undocumented wickiup. Provided there is no brush clearing or tree cutting involved in placing the cameras there should not be any new impacts to any currently known cultural resources.

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Threatened and Endangered Wildlife Species: There are no threatened or endangered animal species that are known to inhabit or derive important use from the project area. Use of the UAV and game cameras would not be expected to have any negative influence on local wildlife.

Threatened and Endangered Plant Species: This project is the monitoring portion of the "Threatened Plant Species Reseeding Research" (DOI-BLM-CO-110-2013-0036). There are expected to be no impacts to special status plant species using the UAV and game cameras to monitor plots. The use of the UAV is intended to minimize foot traffic on habitat of special status plant species.

Mitigation

1. The applicant will be responsible for notifying Craig Dispatch (970-826-5037) on the days they will be flying the UAV to avoid any conflicts with fire aircraft that may be in the area.

Tribes, Individuals, Organizations, or Agencies Consulted

None.

Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR 46.210(e): "Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities." 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 43 CFR 46.215 apply.

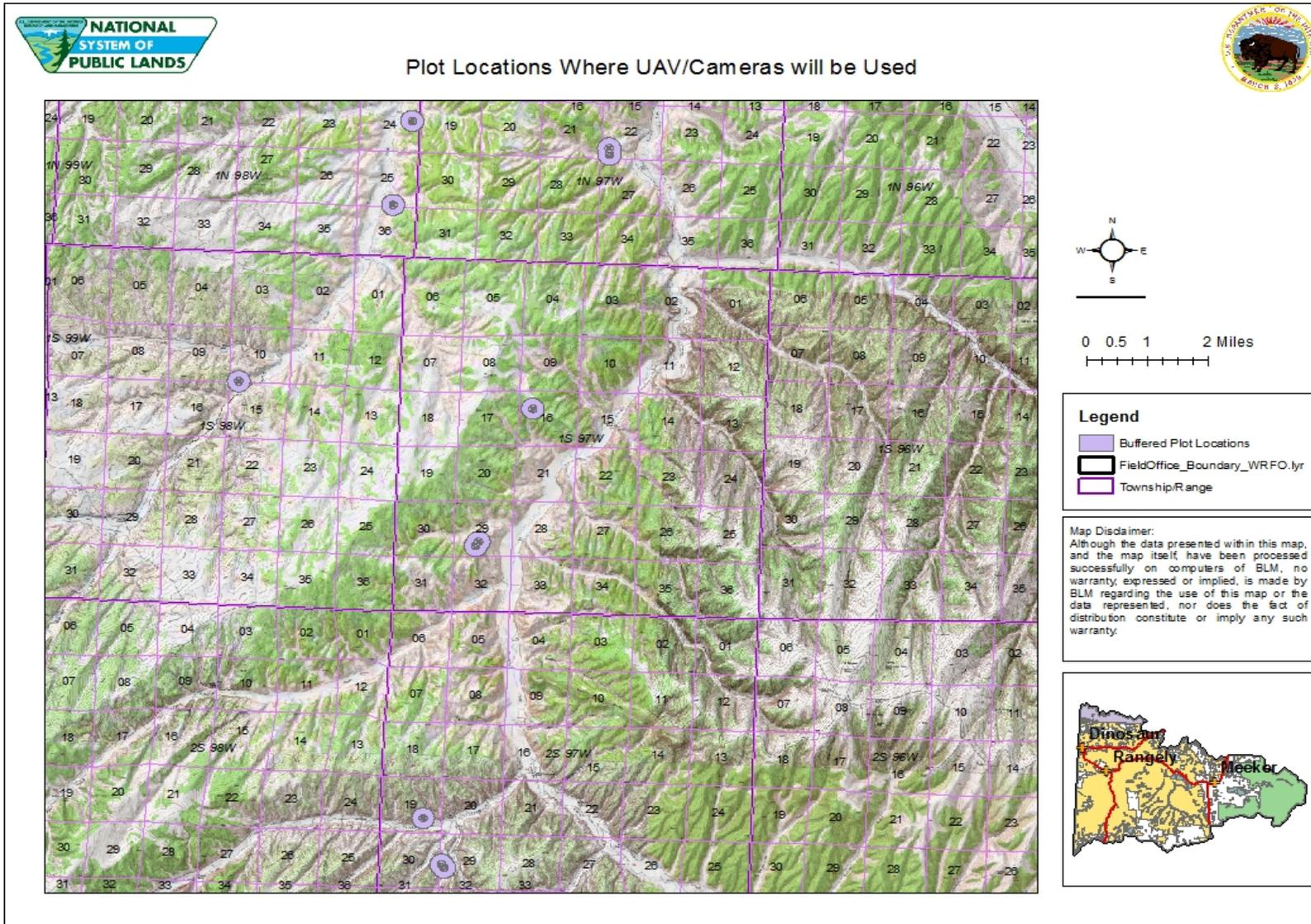


Field Manager



Date

Appendix A. Figures



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DECISION RECORD

CSU Plant Research Monitoring **DOI-BLM-CO-N05-2016-0001-CX**

Decision

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2016-0001-CX, authorizing the use of unmanned aerial vehicles and game cameras to monitor research plots.

BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources

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2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
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25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.

Mitigation Measures

1. The applicant will be responsible for notifying Craig Dispatch (970-826-5037) on the days they will be flying the UAV to avoid any conflicts with fire aircraft that may be in the area.

Compliance with Laws & Conformance with the Land Use Plan

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

Public Involvement

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 10/1/2015.

Rationale

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 CFR 46.210(e). 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 43 CFR 46.215 apply. The proposed monitoring complements ongoing research for two Federally threatened plant species.

Monitoring and Compliance

On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The applicant will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

Administrative Remedies

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

Signature of Authorized Official

Kent E. Walter

Field Manager

10/06/15

Date