

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
BURNS DISTRICT OFFICE

**CATEGORICAL EXCLUSION ENVIRONMENTAL REVIEW AND APPROVAL**

**A. Background**

**Categorical Exclusion (CX) Number:** DOI-BLM-ORWA-B050-2016-0005-CX

**Date:** 02/16/2016

**Case File/Serial Number or Name:** 711149 Crow's Nest Brush Spray Seed Maintenance (1964), 714968 Alkali (1980), and 716224 Rocky Ford Rehabilitation (1997)

**Preparer/Title:** Travis Miller, Wildlife Biologist

**Applicant:** N/A

**Title of Proposed Action:** Alkali Forage Reserve Seeding Maintenance

**Description of Proposed Action and Project Design Elements (PDE) (if applicable):** Alkali Forage Reserve Seeding Maintenance is a project in an allotment (#5300) used for displaced livestock during rangeland restoration projects or emergency stabilization and restoration (ES&R) caused by wildfires. The maintenance project would be to rehabilitate the original seedings with crested wheatgrass, forage kochia, and native grass species. This seeding is on Bureau of Land Management (BLM) administered land, and was seeded with crested wheatgrass as a livestock forage base from 1964 through 1997. The need for this maintenance project is to improve forage quality and availability, stabilize soil, prevent invasion by exotic noxious weeds, and increase diversity and structure within the plant community for wildlife habitat. Rangeland drills would be used to create a seed bed for the seed mix. Seeding would commence when forage kochia seed is delivered and tested. Seed rate for forage kochia will range between 1.5 to 2 pounds per acre using a no trace seeding or rangeland drills with every other tube pulled on 7,365 acres. The method with tubes pulled would replicate broadcast seeding.

Seeding would occur as early as December 1 and possibly extend to mid-March.

**Legal Description (attach location map):** Alkali Allotment is a crested wheatgrass seeding located 30 miles southeast of Burns. See Map A (Allotment Vicinity) and Map B (Alkali Forage Reserve Seeding Maintenance). This allotment is east of the Malheur Refuge and sits at approximately 4,200 feet in elevation. The ecological site description of this area includes: potential native plant community was historically dominated by Thurber's needlegrass and Wyoming big sagebrush, mean annual precipitation is 10 to 12 inches, soil type is loamy, and temperature regime is frigid.

- Alkali Forage Reserve Seeding Maintenance project area: acreage 7,365; location W.M. T.27S., R.32E., sec. 7, 8, 9, 16, 20, 21, 22, 27, 28, 29 and 30.

**B. Conformance with Land Use Plan (LUP)**

**LUP Name and Date Approved/Amended:** Three Rivers Resource Management Plan (RMP), September 1992

The proposed action is in conformance with the Three Rivers RMP (September 1992) as amended by the Oregon Greater Sage-Grouse (GRSG) Approved RMP Amendment (ARMPA) and the record of decision (ROD) for the Great Basin Region including the GRSG Sub-regions of Idaho and Southwestern Montana, Nevada and Northeastern California, Oregon, and Utah (approved September 2015).

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

"...seedings should be properly managed and monitored to ensure that resource objectives are accomplished." Appendix 12, Standard Procedures and Design Elements for Range Improvements, p. 179.

**C. Compliance with the National Environmental Policy Act (of 1969) (NEPA)**

**Department of the Interior (DOI) Categorical Exclusion (CX) Reference (516 Departmental Manual (DM) 2, appendix 1):**

1.7 - Routine and continuing government business, including such things as ... maintenance ... activities.

**Screening for Exceptions:** The following extraordinary circumstances (516 DM 2, appendix 2) may apply to individual actions within the CXs. The indicated specialist recommends the proposed action does *not*:

CATEGORICAL EXCLUSION EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

2.1 Have significant impacts on public health or safety.

Specialist: John Petty, Safety Officer

Signature and Date: *John Petty* 2/23/16

Rationale: No impacts on health and safety.

2.2 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 (EO) 11990); flood plains (EO 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

Migratory Birds

Specialist: Travis Miller, Wildlife Biologist

Signature and Date: *Travis Miller* 2-23-16

Rationale: The project would take place in a previously disturbed area (converted non-native crested wheatgrass seeding) that provides little structural or vegetative diversity and low quality habitat for most migratory birds. The timing of seeding drilling would occur in late fall to late winter (December 1 to mid-March) when few migratory birds are in the area. The seeding project would be complete prior to critical nesting periods. The seasonal timing of the disturbance, short duration of the disturbance, and marginal migratory bird habitat potentially affected suggest few birds would be displaced. Once established, the maintenance seed mix would provide additional structural and vegetative diversity and may improve the quality of habitat for migratory birds.

Long-billed curlews utilize grazed, non-native seedings in the project area for nesting and brood rearing, and the original vegetation conversion likely created habitat for this species. The proposed project would maintain the current mix of native and non-native species that are present on the site, but would also incorporate forage kochia (a non-native, perennial forb with a sub-shrub appearance). It is unknown if the additional diversity and structure provided by forage kochia would decrease the quality of nesting habitat for long-billed curlews. The proposed project comprises a small percentage of the overall area converted to crested wheatgrass, and long-billed curlews potentially displaced from the project area may find suitable nesting and brood rearing habitat immediately adjacent to this area.

Historic and Cultural Resources

Specialist: Scott Thomas, District Archeologist

Signature and Date: *Scott Thomas* 2-23-16

Rationale: No cultural resources would be affected by this action.

Areas of Critical Environmental Concern (ACEC)/Research Natural Areas (RNA)

Specialist: Caryn Burri, Natural Resource Specialist (NRS) (Botany)

Signature and Date: *J. Repone* 2/24/2016

Rationale: No impacts to ACECs or RNAs would occur as a result of implementation of the proposal.

Water Resources/Flood Plains

Specialist: Lindsay Davies/Breanna O'Connor, NRS (Riparian and Fisheries)

Signature and Date: *L. Davies* 2-23-16

Rationale: There are no water resources/flood plains within the proposed project area.

Soils, Biological Soil Crust (BSC), Prime Farmlands

Specialist: Caryn Burri, NRS (Botany)

Signature and Date: *J. Repone* 2/24/2016

Rationale: Disturbance to soils by rangeland drills will be short term (12 growing seasons) with no long term impacts. Initial disturbance by rangeland drills to BSCs will be offset by the establishment of vegetation. Overall impacts will be short term with a neutral effect after one to two growing seasons. Prime farmlands do not exist within the proposed seeding area.

Recreation/Visual Resources

Specialist: Mandy Decroo, Outdoor Recreation Planner

Signature and Date: *Mandy Decroo* 2/23/16

Rationale: The proposed project area is in VRM Class III and IV areas where level of change to the landscape can be moderate to high. Management activities may attract attention but should not dominate the view of the casual observer. With the proposed drilling techniques to replicate broadcast seeding, the change to the landscape would not be obvious to the casual observer. There will be no significant impacts to recreation under this proposal.

Wilderness/Wild and Scenic River (WSR) Resources

Specialist: Tom Wilcox, Outdoor Recreation Specialist

Signature and Date:

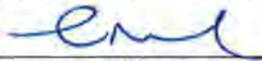
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Rationale: There are no WSAs, wilderness, or WSRs in the project area. Also there are no lands with wilderness characteristics in the project area.

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

Specialist: Emily Erwin, District Planning and Environmental Coordinator

Signature and Date:

 2/24/16

Rationale: There are no known highly controversial environmental effects or unresolved conflicts concerning alternative uses of available resources.

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

Specialist: Emily Erwin, District Planning and Environmental Coordinator

Signature and Date:

 2/24/16

Rationale: There are no known highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.

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

Specialist: Emily Erwin, District Planning and Environmental Coordinator

Signature and Date:

 2/24/16

Rationale: Maintenance of an old seeding would not set precedence for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

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

Specialist: Emily Erwin, District Planning and Environmental Coordinator

Signature and Date:

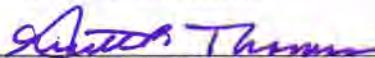
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Rationale: There are no known individually insignificant but cumulative significant environmental effects within the project area. The proposed project is to maintain an existing seeding.

**2.7** 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.

Specialist: Scott Thomas, District Archeologist

Signature and Date:

 2-23-16

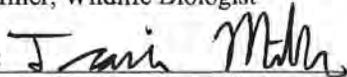
Rationale: No National Register eligible or listed properties would be affected by this action.

**2.8** 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.

Endangered or Threatened Species - Fauna

Specialist: Travis Miller, Wildlife Biologist

Signature and Date:

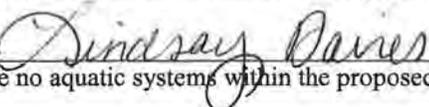
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Rationale: There are no listed species or designated critical habitat present in or near the project area.

Endangered or Threatened Species - Aquatic

Specialist: Lindsay Davies/Breanna O'Connor, NRS (Riparian and Fisheries)

Signature and Date:

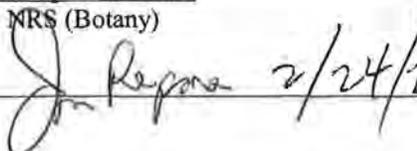
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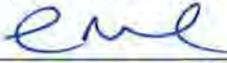
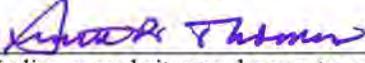
Rationale: There are no aquatic systems within the proposed project area.

Endangered or Threatened Species - Flora

Specialist: Caryn Burri, NRS (Botany)

Signature and Date:

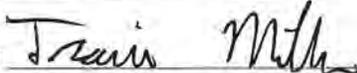
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Rationale: No threatened or endangered (T&E) species of flora or associated critical habitat are within the proposed seeding area. The area has potential for <i>Astragalus tegetarioides</i> (a species of concern); proposed activities would not trend this species toward listing under the Endangered Species Act (ESA).
<b>2.9</b> Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
Specialist: Emily Erwin, District Planning and Environmental Coordinator
Signature and Date:  2/24/16
Rationale: No known law or requirement imposed for the protection of the environment would be violated.
<b>2.10</b> Have a disproportionately high and adverse effect on low income or minority populations (EO 12898).
Specialist: Emily Erwin, District Planning and Environmental Coordinator
Signature and Date:  2/24/16
Rationale: Implementation would not result in a disproportionately adverse effect on minority or economically disadvantaged populations as such populations do not occur in or near the project area.
<b>2.11</b> 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 (EO 13007).
Specialist: Scott Thomas, District Archeologist
Signature and Date:  2-23-16
Rationale: Because no Indian sacred sites are known to occur in the project area, their access or integrity would not be affected.
<b>2.12</b> Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative 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 EO 13112).
Specialist: Lesley Richman, NRS (Weeds)
Signature and Date:  2/23/2016
Rationale: Noxious weeds are known to present in close proximity to these seedings. They are not present in sufficient quantity to be considered significant at this time.

**D. Signatures**

**Additional review** (As determined by the authorized officer):

Specialist: Travis Miller, Geographic Information Specialist

Signature:  Date: 2/23/16

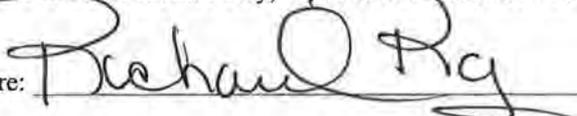
**RMP conformance and CX review confirmation:**

Specialist: Emily Erwin, Planning and Environmental Coordinator

Signature:  Date: 2/24/16

**Management Determination:** Based upon review of this proposal, I have determined the proposed action is in conformance with the LUP, qualifies as a CX, and does not require further NEPA analysis.

Authorized Officer: Richard Roy, Three Rivers Resource Area Field Manager

Signature:  Date: 2/24/16

**E. Contact Person**

For additional information concerning this CX review, contact the Planning and Environmental Coordinator, BLM, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, (541) 573-4400.

**Note:** The signed conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this CX is subject to protest or appeal under 43 CFR 4 and the program-specific regulations.

**Decision:** It is my decision to implement the proposed action with PDEs (if applicable) as described above.

**Appeal Procedure:**

You have the right to appeal to the Interior Board of Land Appeals (IBLA), Office of the Secretary, within 30 days of receipt of this decision in accordance with regulations at 43 CFR 4.4. An appeal should be in writing and specify the reasons, clearly and concisely, why you think the decision is in error. A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper. If an appeal is taken, your notice of appeal must be filed to Richard Roy, Field Manager, Three Rivers Resource Area, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738. The appellant has the burden of showing that the decision is in error.

A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for the appeal, it must be sent to the IBLA, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

The appellant may wish to file a petition for a stay (suspension) of this decision during the time that the appeal is being reviewed by the IBLA; pursuant to 43 CFR 4.21(b) the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must be submitted to each party named in this decision and to the IBLA and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

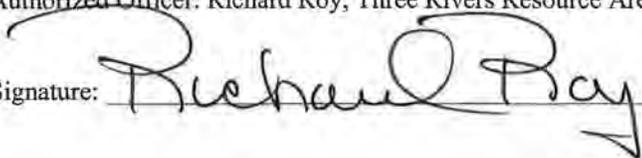
**Standards for Obtaining a Stay:**

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards (43 CFR 4.21(b)):

- (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.

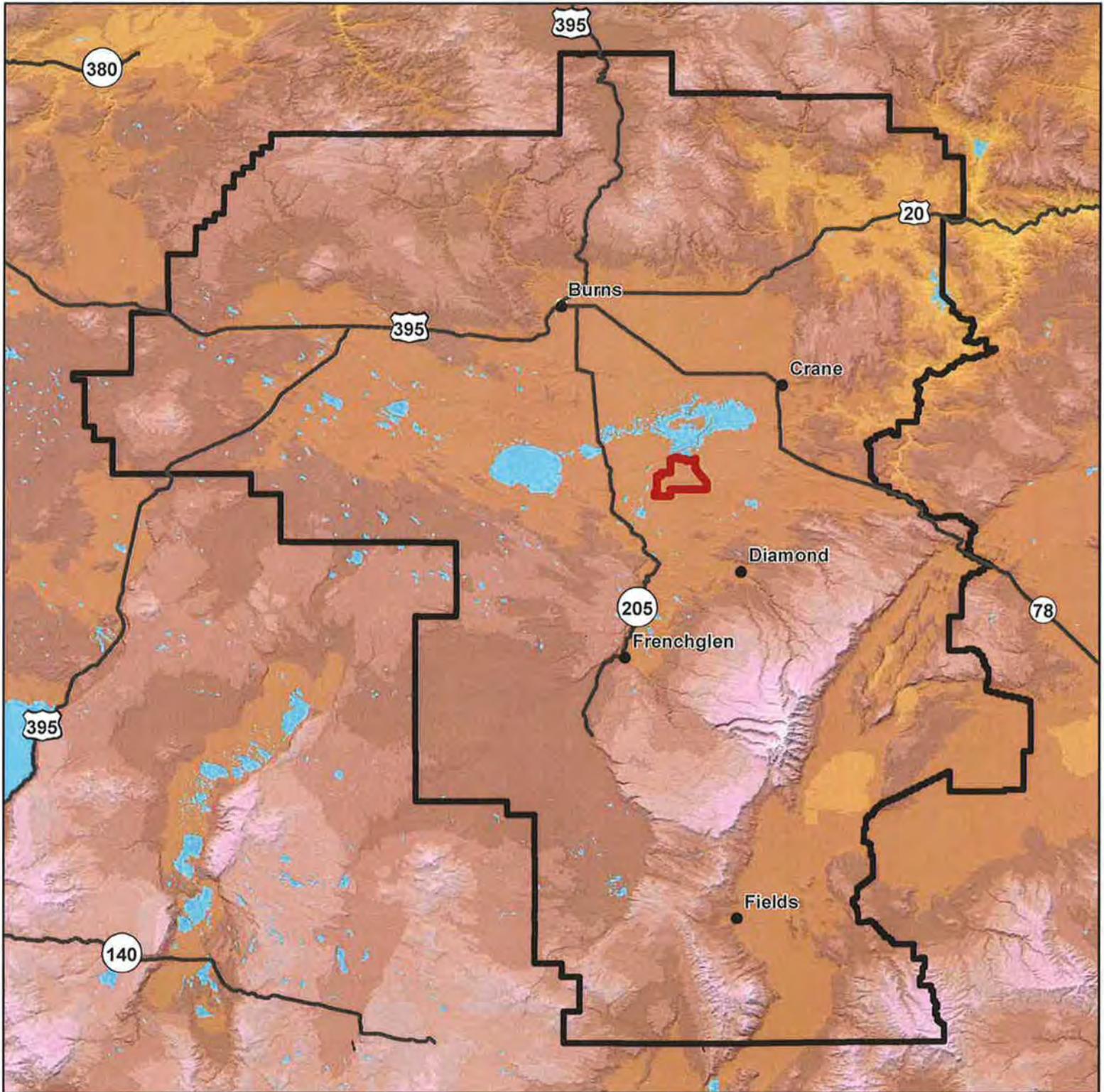
As noted above, the petition for stay must be filed in the office of the authorized officer. It must be printed or typed on paper and must be served in person or by certified mail.

Authorized Officer: Richard Roy, Three Rivers Resource Area Field Manager

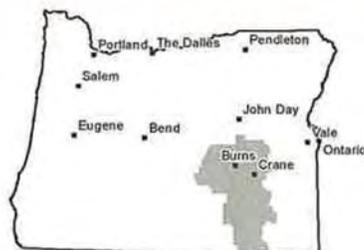
Signature: 

Date: 2/24/16

# Vicinity Map OWEB Alkali Forage Reserve Restoration Project



-  Project Area
-  Burns District Boundary

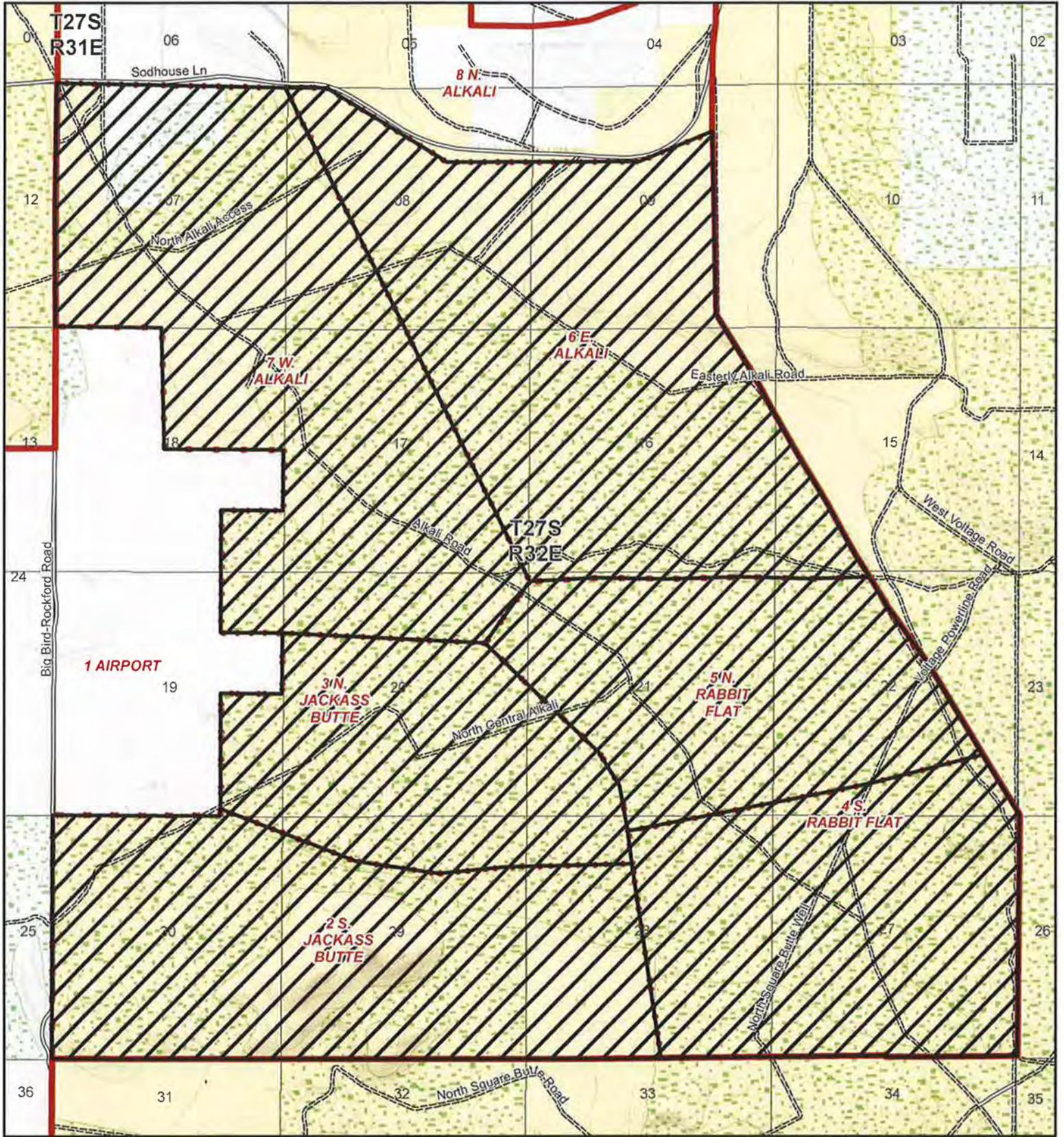


Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.

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Bureau of Land Management  
Burns District, Oregon

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# Alkali Forage Reserve Seeding Maintenance



-  Proposed Forage Kochis Seeding  
7,365 Acres
-  Crested Wheatgrass Seedings
-  Pasture Boundary
-  Alkali Allotment
-  Bureau of Land Management
-  Private/Unknown
-  Non-Paved Improved Road
-  Primitive Surface



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