

## RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION

**CX Log #:** DOI-BLM-OR-V040-2016-039-CX

**CE Exemption category:** §46.210 Listing of Departmental categorical exclusions: 1.7 Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.

**Project Description:** Install 12 small research plots to allow USDA-ARS Burns to assess herbivory on seedlings.

**BLM Office:** Vale District Bureau of Land Management, 100 Oregon Street, Vale, Oregon 97918

**Phone #:** 541-473-3144

### BACKGROUND

**Project Name:** USDA-ARS HERBIVORY RESEARCH

Applicant: USDA Agricultural Research Station (ARS) Burns.

Location of Proposed Action: T18S, R38E, Sections 10, 15, and 23. See attached map.

**DESCRIPTION OF THE PROPOSED ACTION:** Working with the BLM, USFS, and private land owners, USDA-ARS Burns plans to locate a minimum of 50 newly seeded sagebrush steppe sites throughout the Great Basin over the next 5 years. Three sites have been located on the Bendire Fire on the Vale District. Near the time of emergence after seeding, two treatments will be applied: 1) no treatment and 2) a mammal exclosure (**1 x 1-m; 1.5 cm mesh, with ground covering skirt to 0.25 m**). A single motion sensing camera will be placed to determine the occurrence of specific herbivores. **A Browning Trail Camera Spec Ops Series, Model BTC-3XR will be placed 1-m about the ground aimed parallel to the surface toward the no treatment plot. Photos will be visually scanned for the appearance of mammals found per day.** The presence of grasshoppers and other insect herbivores will be monitored periodically. For four weeks after emergence, the intensity and timing of seedling defoliation will be monitored on weekly intervals by assessing the number of seedlings defoliated and percent leaf removed compared to the control. At week eight, total number of seedlings will be counted to assess survivorship. The treatments will be randomly replicated 4 times at each site. To predict the degree of defoliation, the occurrence of herbivores (independent variable) among all sites will be used to predict the intensity of defoliation (dependent variable).

### PLAN CONFORMANCE

All actions approved or authorized by the BLM must conform to the existing land use plan where one exists (43 CFR 1610.5-3, 516 DM 11.9). Although it is not a NEPA requirement, the BLM includes within all its NEPA documents a statement about the conformance of the proposed action and alternatives with the existing land use plan. The BLM's planning regulations state that the term "conformity" or "conformance" means that "... a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or amendment" (43 CFR 1601.0-5(b)).

The proposed action is also in conformance with the management objectives of the Southeastern Oregon Resource Management Plan (SEORMP, Sept. 2002), *General Planning Criteria*, cited on page 9 of the RMP. The proposed action conforms with Rangeland Vegetation -specific objectives of the SEORMP which are cited on page 38 "*Restore, protect, and enhance the diversity and distribution of desirable vegetation communities including perennial native and desirable introduced plant species. Provide for their continued existence and normal function in nutrient, water, and energy cycles*".

### DOCUMENTATION OF CATEGORICAL EXCLUSIONS: EXTRAORDINARY CIRCUMSTANCES

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 circumstances described in 516 DM 2, Appendix 2, and listed below apply.

Yes	No	Extraordinary Circumstances	Reviewer (Specialist and/or FM Initials in each box)	Date
	X	1. Have significant impacts on public health or safety.	SF	5/9/16
	✓	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 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.	SF	5/9/16
	✓	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	SF	5/9/16
	X	4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	SF	5/9/16
	✓	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.	SF	5/9/16
	✓	6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	SF	5/9/16
	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.	CB	5-10-16
	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.	mm (wildlife) SF (plants)	5/10/16 5/16/16
	X	9. Violate a Federal law, or a State, local, or Tribal law or requirement imposed for the protection of the environment.	SF	5/9/16
	✓	10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	SF	5/9/16
	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	CB	5-10-16

Yes	No	Extraordinary Circumstances	Reviewer (Specialist and/or FM Initials in each box)	Date
		(Executive Order 13007).		
	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 (Federal Noxious Weed Control Act and Executive Order 13112).	JA	5.6.16

**DOCUMENTATION OF RECOMMENDED MITIGATION**

For any item(s) above checked "Yes", proposed mitigating measures for those items are listed below. If the extraordinary circumstances cannot be mitigated, the criteria required for a CE are not met and BLM must prepare an EA or EIS.

Item No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures	Reviewer	Date

**SUMMARY OF FINDINGS AND DETERMINATION**

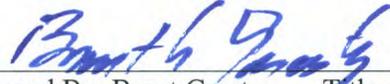
The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with the Departmental Manual Categorical Exclusions list, sections of which are cited and quoted above. The proposed action has also been reviewed in relation to the above listed 12 Extraordinary Circumstances in accordance with the Departmental Manual, and none of these circumstances apply.





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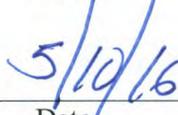
 Prepared By: Susan Fritts      Title: NRS      Date





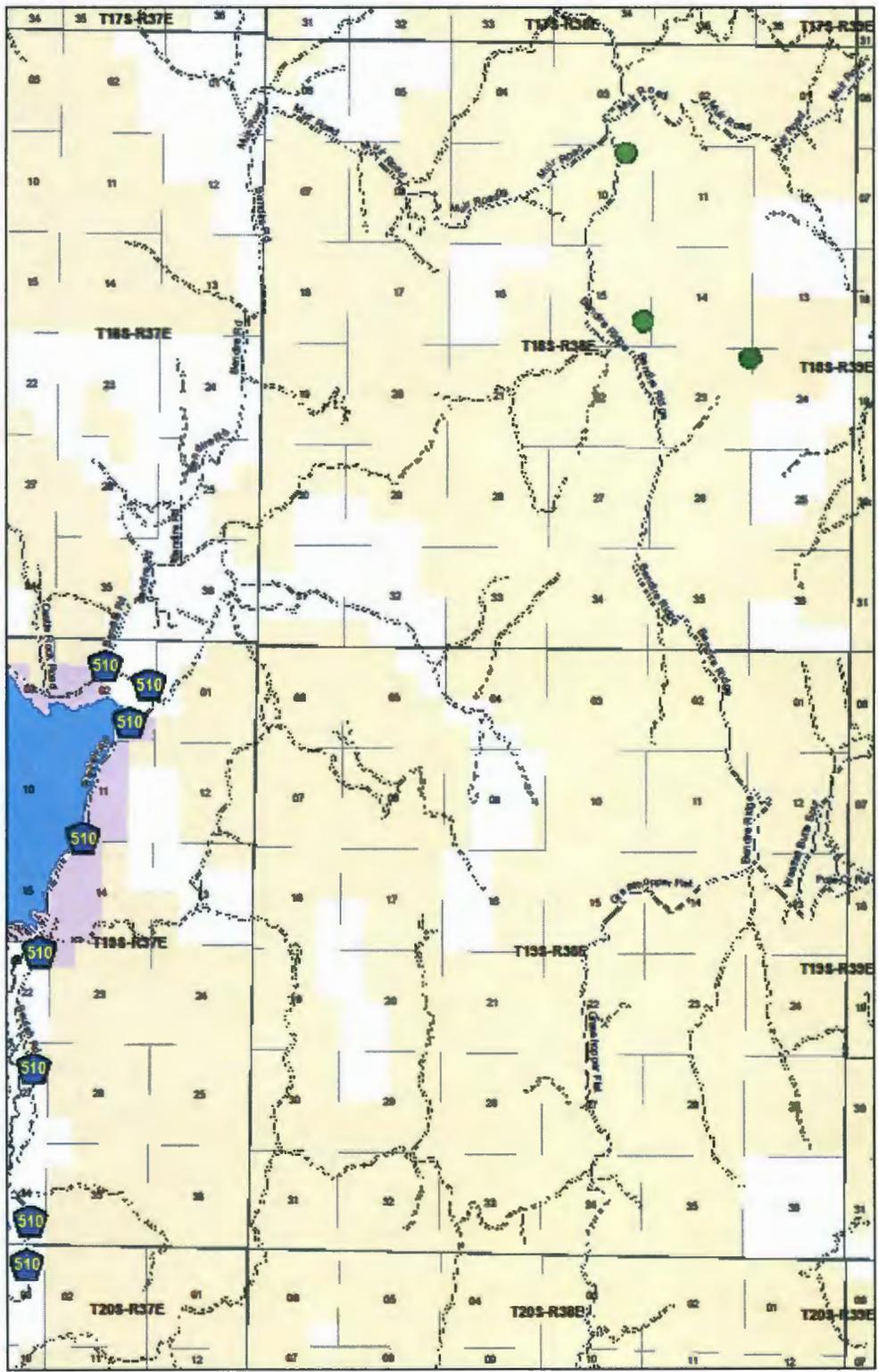
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 Reviewed By: Brent Grasty      Title: District Planner      Date


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 Authorizing Official      Title: Field Manager      Date  
 Thomas Patrick "Pat" Ryan      MRA/JRA Field Manager



**ARS Herbivory Study  
Sampling Points**

- HERBIVORY POINTS
- Perennial Lake
- Intermittent Lake
- Playa
- Marsh
- Cities
- Highways
- Paved Road
- Non-Paved Improved Road
- Primitive/Unimproved Surface
- Waterbodies**
- Lakes and ponds
- Rivers
- District Boundary
- U.S. Forest Service
- Bureau of Land Management
- U.S. Fish and Wildlife Service
- State
- Bureau of Indian Affairs
- Private Owner
- Other Federal
- National Park Service
- Local Government
- Undetermined/Other



U.S. Department of Energy  
Bureau of Land Management  
Map Scale  
April 10, 2010