

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

Office: Bureau of Land Management, Burns District, Three Rivers Resource Area
(LLORB00500)

Tracking Number (DNA #): DOI-BLM-OR-B050-2014-0013-DNA

Case File/Project Number: OR-05-025-069-EA

Proposed Action Title/Type: Lone Pine Juniper Removal/Restore and Maintain Sage-Grouse Year Round Habitat and Big Game Winter Range from Post Settlement Juniper Established Woodlands and/or Encroachment.

Location/Legal Description: Mud Springs and Gravel Ridge Pastures in the Lone Pine Allotment (#7043) and the Lower Pasture of the Silvies River Allotment (#7033)

Applicant (if any): BLM/Contractors/Permitted Woodcutters

A. Description of the Proposed Action and any applicable mitigation measures

The Proposed Action is to remove western juniper to reduce fuel loads and to restore or maintain sage-steppe habitat on 1,689 acres within the Mud Springs and Gravel Ridge Pastures of the Lone Pine Allotment (#7043) and the Lower Pasture of the Silvies River Allotment (#7033)(See Map). This area is designated as preliminary general habitat (PGH) for sage-grouse and critical mule deer and elk winter range habitat.

The Proposed Action would cut post settlement juniper trees, and either pile those trees via machine or hand, or make the cut trees available for permitted wood cutters. The cutting and piling would be done via service contracts. Machine piles would be made with an excavator or like equipment. Where machine or hand piles are the preferred method, the piles would be burned once the fuels have cured and the conditions allow for it (frozen or wet soils). All burning would be done by Burns Interagency Fire Zone employees. Once the piles have been burned they would be seeded with a mix of native (Bitterbrush, bluebunch wheatgrass and Sherman's big bluegrass) and desirable non-native (Douglas wheatgrass and Ladak alfalfa) plants to reduce the risk of soil erosion and the invasion of weedy plant species such as medusahead rye, cheatgrass, and thistles. Seeding would be implemented by broadcast seeding onto pile burned areas (in areas where pile burning occurs approximately five percent of the total acres treated would be burned) and/or drill seeded on acres where the shrubs and perennial grasses have been depleted from juniper tree encroachment and are not expected to recover naturally. Areas where slash is not piled would be opened up to the public for permitted wood cutters to come and consume the slash. Areas opened up for public use will be identified on the ground at a later date based on access and resource concerns. Seeding in those areas opened up to wood cutters would be determined on a case-by-case basis. If seeding is needed, it would be of the same mix and implementation methods as those described above after pile burning. All seeding would be implemented by Burns District Bureau of Land Management (BLM) employees.

Treating juniper in this area would be added acres to the East Silvies Rangeland Restoration Project Environmental Assessment (EA) (OR-05-025-069-EA) (See Map). This treatment area would be added to the original project area analyzed under the EA, and would satisfy project objectives described in Chapter I Purpose of and Need for Action, Chapter III Affected Environment, and Chapter IV Environmental Consequences. The following Project Design Elements from the East Silvies Rangeland Restoration would remain valid.

Project Design Elements

- Protect cultural resource values throughout the life of the project. Archaeological sites would be avoided within the mechanical treatment units and activity-generated fuels would not be piled within the boundaries of sites. Sites with combustible constituents would be protected during the deployment of prescribed fire by blacklining resources and use of appropriate ignition techniques. The District Fire Archaeologist would review burn plans prior to project implementation.
- Protect Special Status vegetation species throughout the life of the project. Special Status plant populations would be avoided within mechanical treatment units if necessary. Fire intolerant sensitive plants would be protected during deployment of prescribed fire by blacklining resources and use of appropriate ignition techniques. The District Fire Botanist would review burn plans prior to project implementation.
- Protect Special Status wildlife species (terrestrial, avian, and aquatic) habitat throughout the life of the project. Structures or areas with Special Status Species (SSS) habitat value identified during wildlife surveys would be protected or avoided during project implementation. The District Fire Wildlife Biologist would review burn plans prior to project implementation.
- Maintain suitable big game hiding and thermal cover within forested and mountain mahogany enhancement treatment units.
- Avoid mechanical cutting of juniper, ponderosa pine, or Douglas-fir with old growth characteristics or obvious wildlife occupation (cavities or nests). Consider protection of such trees during all prescribed fire operations.
- Existing snags and large downed woody debris in the forested areas would be retained to the extent practical. Snags and downed woody debris would be created if necessary in the mechanical treatment units. A minimum of one snag per acre would remain in the mechanical units following treatment. Snags would be created by girdling medium to large diameter ponderosa pine or Douglas-fir trees. Large downed wood may be protected by foaming, blacklining, or constructing handline around specific areas.

- Prior to treatment of prescribed fire and mechanical treatment units, noxious weed populations in the area would be inventoried. Weed populations identified in or adjacent to the project area would be treated using the most appropriate methods in accordance with the Burns District Noxious Weed Management Program EA OR-020-98-05.
- The risk of noxious weed introduction would be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) is cleaned prior to entry to the site, minimizing disturbance activities, and completing follow-up monitoring, for at least three years, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments would be performed in conformance with the Burns District Noxious Weed Program Management EA OR-020-98-05.
- Clear cut and/or piles of juniper would be burned when soil moisture is high or frozen soil conditions exist to reduce the threat of soil sterilization and maintain existing shrub and herbaceous plant communities.
- Livestock grazing would not occur for two growing seasons (May 1 to June 30) in pastures that have been treated with prescribed broadcast fire. An additional season of rest from grazing prior to burning may be necessary to allow for the development of a fine fuel ignition source.
- Livestock grazing may not occur for a period of up to two growing seasons (May 1 to June 30) in pastures that have been treated with prescribed jackpot burning.
- Sites that lack sufficient understory species, such as fully-developed juniper woodlands, or areas that have burned at a high severity may require seeding following a prescribed fire treatment to attain the desired post-fire response.
- Mixtures of native and nonnative grass, forb, and shrub seed may be applied to designated areas with aerial or ground-based methods. Candidate sites for seeding would be determined on a case-by-case basis as monitoring data is gathered.
- Following accomplishment of the mountain big sagebrush community treatment objectives, treated mountain big sagebrush communities must attain 12 to 15 percent cover before any additional treatments of mountain big sagebrush-dominated ecological sites can be considered in the project area.
- Prescribed burning would follow the Oregon State Smoke Management Plan in order to protect air quality and reduce health and visibility impacts on designated areas.

- Dispersed campsites identified within the project area would not be intentionally burned during broadcast burn operations. Protection would be considered for leave islands of at least one-quarter acre around identified campsites to protect cultural and recreation values.
- The East Silvies Rangeland Restoration Project would have both implementation and effectiveness monitoring performed throughout project implementation and following completion of the project (Appendix A, East Silvies Rangeland Restoration Project Monitoring Plan).

B. Land Use Plan (LUP) Conformance

- Three Rivers Resource Management Plan (RMP) Date Approved: September 1992
- 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 decisions (objectives, terms, and conditions):

Supporting RMP Objective:

- Wildlife 7 (RMP, p. 2-74): Restore, maintain, or enhance the diversity of plant communities and wildlife habitat in abundances and distribution which prevent the loss of specific native plant community types or indigenous wildlife species habitat within the Resource Area.
- Special Status Species 3.2 (RMP, p.2-60) and Wildlife 7.7 RMP, p. 2-75): Allow no sagebrush removal within two miles of sage-grouse strutting grounds when determined by wildlife biologist to be detrimental to sage-grouse habitat requirements.
- Wildlife 2.2 (RMP, p. 2-68): Maintain browse on at least 85 percent of the acreage in deer and elk winter range currently supporting browse.
- Vegetation 1 (RMP, p. 2-51): Maintain, restore or enhance the diversity of plant communities and plant species in abundances and distributions, which prevent the loss of specific native plant community types or indigenous plant species within the Resource Area.

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the Proposed Action.

- East Silvies Rangeland Restoration Project/EA (OR-05-025-069-EA), August 2005.
- Finding of No Significant Impact and Decision Record for East Silvies Rangeland Restoration Project/EA (OR-05-025-069-EA), November 1, 2005.

Project Objectives:

- Reduce western juniper encroachment into key wildlife habitat dominated by bitterbrush, mountain mahogany, aspen, or riparian hardwoods by 90 percent within the Project Area while maintaining habitat values.
- Reduce post-settlement western juniper density by 90 percent on low sagebrush/bunchgrass ecological sites that are targeted to improve sage-grouse habitat.
- Increase forage available to big game and other wildlife on public and privately owned lands in the Project Area while retaining adequate cover.

Greater Sage-Grouse Conservation Assessment and Strategy for Oregon, April 2011

- Goals: 1) maintain or enhance the current range and distribution of sagebrush habitats in Oregon, and 2) manage those habitats in a range of structural stages to benefit sage-grouse.
- Objectives: To maintain and enhance existing sagebrush habitats and enhance potential habitats that has been disturbed such that there is no net loss of sagebrush habitat.

Instruction Memorandum No. 2012-043, Greater Sage-Grouse Interim Management Policies and Procedures, December 2011

- Coordinate, plan, design, and implement vegetation treatments (e.g., pinyon/juniper removal, fuels treatments, green stripping) and associated effectiveness monitoring between Resources, Fuels Management, Emergency Stabilization, and Burned Area Rehabilitation programs to:
 - Promote the maintenance of large intact sagebrush communities;
 - Limit the expansion or dominance of invasive species, including cheatgrass;
 - Maintain or improve soil site stability, hydrologic function, and biological integrity; and
 - Enhance the native plant community, including the native shrub reference state in the *State and Transition Model*, with appropriate shrub, grass, and forb composition identified in the applicable ESD where available.
- Where pinyon and juniper trees are encroaching on sagebrush plant communities, design treatments to increase cover of sagebrush and/or understory to (1) improve habitat for Greater Sage-Grouse; and (2) minimize avian predator perches and predation opportunities on Greater Sage-Grouse.
- Implement management actions, where appropriate, to improve degraded Greater Sage-Grouse habitats that have become encroached upon by shrubland or woodland species.

D. NEPA Adequacy Criteria

- 1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes, the Proposed Action of this DNA is essentially the same as the Proposed Action analyzed in the East Silvies Rangeland Restoration Project EA (OR-05-025-069-EA). Treatments of cutting juniper and piling the slash and burning and or leaving the cut juniper on site are analyzed in the EA. The Project Design Elements would remain the same as those analyzed in the EA. The only difference in this Proposed Action is the allowing of the public to remove cut juniper from the area. The allowing of public to remove cut juniper from the area action qualifies for Categorical Exclusion C.2 - Sale and removal of individual trees or small groups of trees that are dead, diseased, injured, or that constitute a safety hazard, and where access for the removal requires no more than maintenance to existing roads. According to the BLM NEPA handbook, H-1790-1, section 4.2.3.2, no documentation is required when actions have no environmental effect. Therefore, there is no documentation of environmental analysis for removal of cut biomass via wood cutters.

The geographic area and resources conditions are sufficiently similar to those analyzed in the East Silvies Rangeland Restoration Project/EA. The proposed project areas (total of 1,689 acres) for this DNA lie adjacent to the area analyzed in the East Silvies Rangeland Restoration Project/EA. The proposed project areas' ecological sites are the sufficiently similar to the low and mountain big sagebrush (MT Claypan 12-16 PZ & MT South 12-16 PZ) ecological sites analyzed in the East Silvies Rangeland Restoration Project/EA.

Therefore, an analysis of the effects of the New Proposed Action would be the same as the Proposed Action analyzed in the East Silvies Rangeland Restoration Project/EA.

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?**

Yes, the alternatives of the East Silvies Rangeland Restoration Project EA are still appropriate with respect to the new Proposed Action given current environmental concerns, interest, and resource values. The East Silvies EA analyzed a No Action and Proposed Action Alternative. The Proposed Action Alternative utilized and analyzed a wide variety of management actions (treatments) necessary to improve or maintain sage-steppe ecosystems in the project area to meet resource objectives for wildlife habitat, diversity of vegetative communities,

hydrologic processes, and other abiotic processes such as the nutrient cycle and soil stability.

- 3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?**

Yes, the analysis of the Proposed Action in the East Silvies Rangeland Restoration Project EA remains valid in light of any new information or circumstances. The new Proposed Action to add 1,689 acres would impose no change in analysis of the EA, because an analysis of the effects of the New Proposed Action would be equivalent to the effects of the Proposed Action that was analyzed. No new threatened/endangered or SSS or environmental concerns have been identified in the project area, since the 2005 EA and the signed Finding of no Significant Impact/Decision Record (November 1, 2005) with the exception of the Greater Sage-Grouse becoming a candidate species for listing. However, the Proposed Action meets goals and objectives of current management strategies to meet sage-grouse habitat needs (see Section C).

- 4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes, the Proposed Action from the East Silvies Rangeland Restoration Project EA analyzed juniper removal, machine piling, and pile burning as proposed in this decision to add 1,689 acres to the project area. Although we are adding 1,689 acres to the original analysis area the cumulative effects to the resources discussed in the East Silvies Rangeland Restoration EA would be negligible due to the actual effects of the treatments and the vast amount of similar ecological sites in the area that are not proposed for treatments. Therefore, the direct, indirect, and cumulative effects of the action proposed in this DNA would be similar to those effects analyzed for the Proposed Action in the East Silvies Rangeland Restoration Project EA.

- 5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?**

Yes, the Proposed Action from the East Silvies Rangeland Restoration Project EA and the Proposed Action in this DNA are within essentially the same analysis area and ecological sites, and the new Proposed Action would have the same environmental effects. Public involvement, groups of interest (see Sec. F. Others Consulted below) and interagency review associated with the EA adequately covers the new Proposed Action.

E. Interdisciplinary Analysis:

Specialist Signature and Date: Nick Miller 3/4/2014
Nick Miller, Wildlife Biologist

Specialist Signature and Date: Scott Thomas 3/4/2014
Scott Thomas, District Archaeologist

Specialist Signature and Date: Lindsay Davies 3/4/2014
Lindsay Davies, Fisheries Biologist

Specialist Signature and Date: Caryn Burri 3-5-14
Caryn Burri, Natural Resource Specialist - Botany

Specialist Signature and Date: Eric Haakenson 3-4-14
Eric Haakenson, Outdoor Recreation Planner

Specialist Signature and Date: Ronda L. Purdy 3/3/14
Ronda Purdy, Range Technician

Specialist Signature and Date: for Lesley Richman 3/10/2014
Lesley Richman, District Weed Coordinator

Specialist Signature and Date: Chad Rott 3/4/14
Chad Rott, District Fuels Planner

Note: Refer to the EA/Environmental Impact Statement for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

F. Others Consulted: Identify other individuals, agencies or entities that were consulted with as part of completing the NEPA analysis.

Burns Paiute Tribe
Emigrant Creek Ranger District
Grazing Permittees
Harney County Courthouse
Harney County Soil and Water Conservation District
Harney County Watershed Council
Oregon Department of Fish and Wildlife
Oregon Natural Resources Council
Private Land Owners

Conclusion:

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitute BLM's compliance with the requirements of the NEPA.

Nick Miller

3/4/2014

Project Lead: Nick Miller, Wildlife Biologist

Date

Holly Orr
NEPA Coordinator: Holly Orr, District Planning and Environmental Coordinator

3/12/14

Date

Richard Roy
Responsible Official: Richard Roy, Three Rivers Resource Area Field Manager

3/17/14

Date

Decision: It is my decision to implement the Proposed Action with Project Design Elements identified in EA as described above.

This Decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be mailed to the Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days of receipt of the Decision. The appellant has the burden of showing the Decision appealed 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 Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

Request for Stay

Should you wish to file a motion for stay pending the outcome of an appeal of this Decision, you must show sufficient justification based on the following standards under 43 CFR 4.21:

- The relative harm to the parties if the stay is granted or denied.
- The likelihood of the appellant's success on the merits.
- The likelihood of immediate and irreparable harm if the stay is not granted.
- Whether or not the public interest favors granting the stay.

As noted above, the motion for stay must be filed in the office of the Authorized Officer.

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.

Authorized Officer (Print Name and Title):

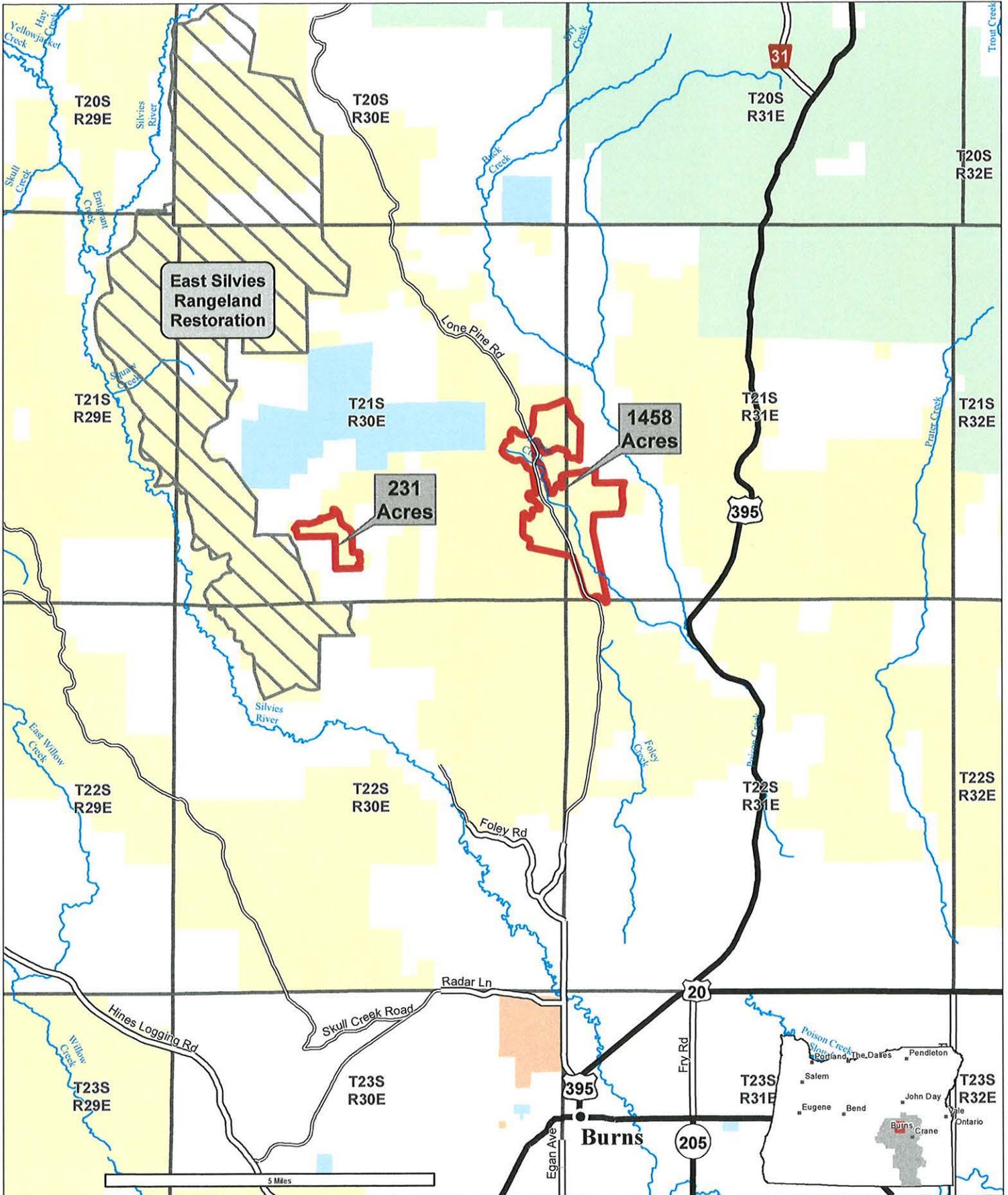
Signature:


Richard Roy, Three Rivers Resource Area Field Manager

Date:

3/17/14

Lone Pine Juniper Removal



- Project Area
- Highways
- Paved Road
- Non-Paved Improved Road
- Bureau of Land Management
- U.S. Forest Service
- State
- Bureau of Indian Affairs
- Private/Unknown