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

Office: ORB002
Tracking Number (DNA #): DOI-BLM-OR-B020-2013-0031-DNA
Case File: 9015
Project Number: Weed/PUP File #: 001 ORB000-13-001P
Proposed Action Title/Type: Noxious Weed Treatments within Burns District
Location/Legal Description: OR BLM – Burns District
Applicant (if any):

A. Description of the Proposed Action and Any Applicable Mitigation Measures

Apply the four Oregon Bureau of Land Management (BLM) approved herbicides and formulations to plant species classified as noxious weeds on BLM-administered lands. Herbicides would be applied using hand gun/boom sprayer mounted on a pickup or All-Terrain Vehicle (ATV)/Utility Terrain Vehicle (UTV), backpack sprayer or wick/wipe applicator in accordance with BLM and chemical label guidelines and maximum rates following standard operating procedures and mitigation measures outlined in the Programmatic Environmental Impact Statement (EIS)s: *Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States (June, 2007) and Vegetation Treatments Using Herbicides on BLM Lands in Oregon (October, 2010).*

B. Land Use Plan (LUP) Conformance

LUP Name and Date Approved:
Three Rivers Resource Management Plan (RMP) V 1.6 (pg. 2-53)
Date Approved: September 1992

Andrews Management Unit (AMU) RMP *Date Approved: August 2005*

Steens Mountain Cooperative Management and Protection Area (CMPA) RMP
Date Approved: August 2005

Other documents:
Steens Mountain Wilderness and Wild and Scenic River Plan, Appendix P, AMU/CMPA RMP/Record of Decision (ROD), August 2005

ROD Vegetation Treatment on BLM lands in Thirteen Western States, July 1991

ROD Vegetation Treatment Using Herbicides on Bureau of Land Management Lands in 17 Western States, June 2007

Proposed Three Rivers RMP and FEIS *Date: September 1991*

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

N/A

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?

Documentation of answer and explanation:

The Proposed Action would occur within the same analysis area as analyzed under the *Noxious Weed Management Program Environmental Assessment for the Burns District BLM- (EA-OR-020-98-05), 1998.*

The Proposed Action is a feature of an alternative analyzed in the existing Programmatic EISs: *Vegetation Treatment Using Herbicides on Bureau of Land Management Lands in 17 Western States (PEIS)* and Vegetation Treatments Using Herbicides on BLM Lands in Oregon (PEIS) and follows standard operating procedures and mitigation measures set within this document with regards to locations, geographic and resource conditions. Rates listed in the Oregon PEIS are in accordance with the maximum chemical label application rates or lower: 2, 4D (1.9# ae/ac), Dicamba (2.0# ae/ac), Glyphosate (3.0 #ae/ac), and Picloram (1.0# ae/ac). These rates have changed from the May, 1991 EIS: Vegetation Treatment on BLM Lands in Thirteen Western which were as follows; 2, 4D (6# ae/ac), Dicamba (8# ae/ac), Glyphosate (5# ae/ac) and Picloram (2# ae/ac). All BLM maximum application rates have decreased from 1991 to 2007.

The Proposed Action is also a feature of alternatives analyzed in the Andrews/Steens Proposed RMP/FEIS and Proposed Three River RMP/FEIS.

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?

Documentation of answer and explanation:

The proposed action is analyzed in a range of alternatives outlined in the PEIS document. In Oregon, the use of four herbicides is currently authorized on BLM administered lands. They include 2,4D, Picloram, Dicamba and Glyphosate. All four chemicals are analyzed and included in the alternatives. The following alternatives were addressed in the *PEIS: Vegetation Treatment Using Herbicides on Bureau of Land Management Lands in 17 Western States, 2007* as follows:

Alternative A – Continued Present Use (No Action Alternative)
Under this alternative, the BLM would be able to continue to use 20 active ingredients approved for use in 14 western states under the earlier EIS RODs for each state. The BLM would also continue activities conducted under burned area emergency stabilization and rehabilitation and hazardous fuel reduction that are evaluated by NEPA compliance documents prepared by local BLM field offices.

Alternative B – Expand Herbicide Use and Allow for Use of New Herbicides in 17 Western States (Preferred Alternative)
This alternative represents the treatment of vegetation using herbicides in 17 western states, including Alaska, Nebraska and Texas, states that were not included in the earlier EIS assessments.

Alternative C – No Use of Herbicides
Under Alternative C, the BLM would not treat vegetation using herbicides and would not use new chemicals that are developed in the future. The BLM would continue to treat vegetation using fire, and mechanical, manual and biological control methods.

Alternative D – No Aerial Applications
This alternative is similar to the Preferred Alternative in that it represents the treatment of vegetation using herbicides in 17 western states, including Alaska, Nebraska and Texas, and use of the same active ingredients as allowed under the Preferred Alternative. Under Alternative D, however, only ground-based techniques would be used to apply herbicides and no aerial applications of herbicides would be used…

Alternative E – No Use of Acetolactate Synthase-inhibiting Herbicides
Under Alternative E, the BLM would not use sulfonylurea and other acetolactate synthase-inhibiting active ingredients approved in the earlier RODs, which are chlorsulfuron, imazapyr, metsulfuron methyl and sulfometuron methyl.

These four chemicals are analyzed and included in the Oregon FEIS as well. The following alternatives were addressed in the *FEIS: Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in Oregon, July 2010* as follows:

Alternative 1: – Reference Analysis – No Herbicides:
Included for reference only as it would not meet the Purpose or Need.

Alternative 2: – Only Use the Four (4) Currently Approved Herbicides:
Treatments of noxious weeds only using the 4 currently approved herbicides: 2,4-D, dicamba, glyphosate, and picloram.

Alternative 3: – 12 herbicides western Oregon / 13 herbicides eastern Oregon:
Allowable treatments would be for noxious weeds, invasive plants, and pest/disease control.

Alternative 4: – 13 herbicides western Oregon / 16 herbicides eastern Oregon (Proposed Action):
Allowable treatments would be for noxious weeds, invasive plants, pest/disease control, and for the management of vegetation (both native and non-native) on ROW, Admin and Recreation Sites, and to meet Habitat objectives in conservation strategies. No herbicide treatments specifically for livestock forage production or timber production.

Alternative 5: – 18 Herbicides:
Allowable treatments would be for the management of vegetation (both native and non-native) on ROW, Admin and Recreation Sites, and to meet Habitat objectives in conservation strategies, and for any other treatments desired.

The Burns District *Noxious Weed Management Program Environmental Assessment (EA) No. OR-025-98-05* Proposed Action analyzes a variety of methods to control noxious weeds, to include the use of chemical, cultural, mechanical and biological treatments. Selection of the appropriate method is based on such factors as the growth characteristics of the target plants, size of the infestation, location of the infestation, accessibility of equipment, use of the area by people, effectiveness of the treatment on target species and cost.

The Andrews/Steens Proposed RMP/FEIS and the Proposed Three Rivers RMP/FEIS both analyzed five alternatives ranging from no action to emphasizing commodity production.

3. **Is the existing analysis valid, in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and 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?**

Documentation of answer and explanation:

The existing NEPA documentation, and consultation with Oregon Department of Fish and Wildlife and the Burns District Botanist and Wildlife Biologists in

accordance with the development of the *Noxious Weed Management Program Environmental Assessment (EA) No. OR-025-98-05,* takes into account future conditions such as new information regarding endangered species or Special Status Species or future listings by providing standard operating procedures for the BLM; therefore, new circumstances would not substantially change the analysis of the new proposed action.

In 2010, the US Fish and Wildlife Service designated Critical Habitat for Bull Trout from the headwaters of the Malheur River to just north of Hwy 20. While this designation occurred after the Environmental Analysis was completed, the Proposed Action would have no effect on Bull Trout Critical Habitat as standard operating procedures and mitigation measures would be followed.

As stated in the *Noxious Weed Management Program Environmental Assessment (EA) No. OR-025-98-05,*"No direct negative impacts to Special Status plants is anticipated because treatments would be designed to avoid or minimize any impacts…" (pg. 14). "Some Special status animals may be impacted through short term loss of food or cover sources following the elimination of noxious weed infestations; however, long-term, higher quality habitat would occur after treatment" (pg. 14). These measures include new and future listing.

Parcels with wilderness characteristics were not addressed in the *Noxious Weed Management Program EA No. OR-025-98-05 or the Proposed Three Rivers RMP/FEIS.* However, treatments would not substantially change wilderness characteristics of naturalness and outstanding opportunities for solitude and primitive and unconfined recreation, if present.

The *PEIS: Vegetation Treatment Using Herbicides on Bureau of Land Management Lands in 17 Western States, FEIS: Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in Oregon, July 2010,* as well as the *Andrews/Steens Proposed RMP/FEIS* addressed environmental consequences of treating noxious weeds in wilderness and special areas (pages 4-155 to 4-157, 298-304, and 4-240 to 4-259, respectively) and provided standard operating procedures. Treatments within Steens Mountain Wilderness follow the Minimum Decision Guide prepared August, 2009 and reviewed September, 2011. There is no other known information or circumstance that would substantially change the analysis of the new proposed action.

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?

Documentation of answer and explanation:
The Proposed Action is analyzed in all listed NEPA documentation including direct, indirect, and cumulative effects. There are no significant differences between the PEISs and the Proposed Action other than the number of herbicides allowed for use on Oregon BLM administered lands: 4 herbicides in Oregon

versus 17 or 16 in the PEISs. Risk assessments have been completed on the 4 herbicides allowed for use on Oregon BLM administered lands.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Documentation of answer and explanation:

A summary of the public involvement in the National PEIS can be found in Chapter 5, pages 5-1, 2. Agency and other government consultations can be found in Chapter 5, pages 5-3, 4. Response to Public Comments on the Oregon Draft EIS can be found in Appendix 10, pp 649-675. The Burns District EA consultation and coordination can be found on page 17 of the *Noxious Weed Management Program Environmental Assessment (EA) No. OR-025-98-05.* The public involvement and interagency review in these documents take into account the Proposed Action; therefore, the Proposed Action is adequately addressed.

In addition, the RMPs provided for public involvement as part of the EIS planning process.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

Specialist Signature and Date: 5·6·13
Caryn Melnicke - Botanist

Specialist Signature and Date: 5-8-13
Tomas Kamienski - Wildlife

Specialist Signature and Date: 5-6-13
Andrew Daniels - Wildlife

Specialist Signature and Date: Lindsay Davies 5-6-2013
Lindsey Davies - Fisheries

Specialist Signature and Date: 6 MAY 2013
Daryl Bingham - Fisheries

Specialist Signature and Date: 5-6-2013
Tom Wilcox - Wilderness

Note: Refer to the EA/EIS 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.

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 constitutes BLM's compliance with the requirements of the NEPA.

Title and Signature of Project Lead: Lesley Richman
Lesley Richman, Weeds Coordinator

Title and Signature of NEPA Coordinator: Holly Orr
Holly Orr, Planning and Environmental Coordinator

Title and Signature of the Responsible Official: Brendan Cain Date: 5-13-13
Brendan Cain
District Manager, Burns