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

Office: Burns District Office
Tracking Number (DNA #): DOI-BLM-OR-B050-2015-0015-DNA
Case File/Project Number:
Proposed Action Title/Type: South Pasture Pipeline and Troughs
Location/Legal Description: Riddle Mountain and Happy Valley Allotments located at W.M., T. 29 S., R. 34 E., sec. 7, N1/2; sec. 8, NE1/4.
Applicant (if any): Bureau of Land Management and Grazing Permittee #3602305

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

The Bureau of Land Management (BLM) and Grazing Permittee #3602305 propose to install and bury 1.1 miles of 2 inch poly pipeline connected to an existing developed well on the permittee's private land. The pipeline would cross private and BLM public domain land and connect to two livestock watering troughs in the Riddle Mountain and Happy Valley Allotments (see Map A, Vicinity Map). Installment costs for materials, labor, and equipment will be provided by the permittee under a cooperative agreement written and signed by Permittee #3602305 and the Three Rivers Resource Area Field Manager. This agreement will spell out installation and maintenance responsibilities and will be placed in the permittee's folder. The installation will take 3–4 days with a backhoe and would be completed in the spring or summer of 2015 by the Permittee.

One trough would be placed in the south pasture on an existing crested seeding on BLM land in the Riddle Mountain Allotment; the second trough would be placed on private land in the south pasture of the Happy Valley Allotment (see Map B, Project Map). Heavy equipment (i.e. backhoe) and manual labor would be used during construction of these developments.

Each trough would provide available water for livestock to areas that are poorly watered except during early spring of years of high runoff. These locations do not have functional livestock reservoirs to provide sustainable water, making livestock management for distribution and season of use unpredictable on an annual basis in these pastures. The troughs would alleviate livestock concentration areas in the pastures caused by having only two livestock watering sources in the Happy Valley Allotment's south pasture and one to none (year dependent) in the Riddle Mountain Allotment's south pasture.

Wilderness Characteristics Inventory was completed in 2006 and found that the inventory unit did not meet the size criteria of equal to or greater than 5,000 acres.

Project Design Elements (PDE) or Standard Operating Procedures (SOPs) - General Project Design Elements for Proposed Range Improvements in Happy Valley Allotment Management

Plan (AMP)/Environmental Assessment (EA) (DOI-BLM-OR-050-2009-0053-EA), pages 17 and 18:

- Proposed rangeland improvement sites would be surveyed for cultural values prior to implementation. Where cultural sites are found, their condition and National Register eligibility would be evaluated. If determined National Register eligible and under threat of damage, mitigation measures to protect cultural materials would be determined. Mitigation plans would be developed in consultation with the State Historic Preservation Office [SHPO] if necessary. Mitigation measures can include protective fencing, avoidance, surface collection and mapping of artifacts, subsurface testing and complete data recovery (full-scale excavation).
- Proposed rangeland improvement sites would be surveyed for Special Status plant species prior to implementation. Special Status plant sites would be avoided/protected for each project.
- Protect Special Status wildlife species (fisheries and wildlife) habitat. Structures or areas with Special Status Species (SSS) habitat value identified during wildlife surveys would be protected during project implementation.
- The grazing permittees would be responsible for all fence maintenance. Proper fence maintenance would be a stipulation for turnout each year.
- Proposed range improvement sites would be surveyed for noxious weed populations prior to implementation. Weed populations identified in or adjacent to the proposed projects would be treated using the most appropriate methods in accordance with the 1998 Burns District Noxious Weed Management Program EA/Decision Record (DR) OR-020-98-05 and Vegetation Treatments Using Herbicides on BLM Lands in Oregon [Record of Decision] ROD October 2010 (Appendix C).
- 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 sites, minimizing disturbance activities, and completing follow-up monitoring, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments would be performed in conformance with the 1998 Burns District Noxious Weed Program Management EA/DR OR-020-98-05 and Vegetation Treatments Using Herbicides on BLM Lands in Oregon ROD October 2010.
- All proposed fences would be constructed using BLM approved standards for 3- or 4-strand wire fences.
- Reseeding may take place in areas disturbed by implementation of rangeland improvement projects including herbicide treatments. Mixtures of native and adapted grass, forb, and shrub seed may be applied to designated areas with ground-based methods. The mixture would include native and desirable non-native species such as crested wheatgrass and bluebunch wheatgrass. Crested wheatgrass may be used in the seed mix because it is drought tolerant, competitive with invasive species, has a long seed viability period, and aggressive germination characteristics.

- Any road damaged by vehicles or equipment would be restored to its previous standard, with special attention placed on installing and improving drainage on the road.
- Escape ramps for wildlife and a mechanism such as a float or shut-off valve to control the flow of water will be included for each trough.

B. Land Use Plan (LUP) Conformance

LUP Name: Three Rivers Resource Management Plan (RMP) and Record of Decision (ROD), Date Approved: September 1992

The proposed action is in conformance with the RMP, even though it is not specifically provided for, because it is clearly consistent with the following RMP decisions (objectives, terms, and conditions):

- RMP Grazing Management (GM) Program, GM 1.1, page 2-33: "Implement management practices to resolve conflicts and concerns and meet multiple-use objectives identified in Appendix 1, Table 9..."
- RMP Appendix 1, page 57: Riddle Mountain Allotment, Management Objectives state, "Protect special status species or its habitat from impact by the BLM-authorized actions....Maintain or improve rangeland condition and productivity through a change in management practices..."

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

- Happy Valley Allotment Management Plan (AMP)/Environmental Assessment (EA) (DOI-BLM-OR-050-2009-0053-EA) Finding of No Significant Impact (FONSI) and Decision Record (DR), September 12, 2011.
- Three Rivers Proposed Resource Management Plan (PRMP) and Final Environmental Impact Statement (FEIS), September 1991.
- Riddle Mountain Allotment Evaluation, Standards and Guidelines, March 28, 2012.

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 effects of the new proposed action of this DNA are similar to the effects of the proposed action analyzed in the Happy Valley AMP/EA; Chapter II, section C.2.c, Skidoo Spring Water

Development. The Skidoo Spring Water Development analyzed installing 1 mile (rather than 1.1 miles in South Pasture Pipeline and Troughs) of 2 inch poly pipeline with one trough (rather than 2 troughs in South Pasture Pipeline and Troughs).

Skidoo Spring Water Development is located within 3 miles of the new proposed project, South Pasture Pipeline and Troughs. The new proposed project has similar geographic and resource conditions to those analyzed for the Skidoo Spring Water Development. Both actions are located in a geographic landform made up of Plateaus, landform position interfluve and parent material residuum and colluvium weathered from basalt, andesite, rhyolite and/or welded tuff. Resource conditions are similar in that both locations have Ecological Site Descriptions depicting a mean annual precipitation of 10–14 inches, elevation range of 4,000–4,900 feet, and potential vegetation comprised of Wyoming big and little sagebrush and native grasses comprised of bluebunch wheatgrass, Thurber's needle grass and Sandberg's bluegrass. The one difference between the two projects is that the South Pasture Pipeline and Troughs will be installed in an altered plant community that is predominately made up of a crested wheatgrass seeding.

The proposed project will have 0.1 mile of additional pipeline and one additional trough placed on private land than what was analyzed in the Skidoo Spring Water Development, however, this is not a substantial difference because the proposed ground disturbance (approximately 0.53 acre) will be similar to the Skidoo Spring Water Development that analyzed the use of overflow from an existing trough in South Pasture and running a pipe for 1-mile north that would be buried in a trench. Happy Valley AMP/EA states, "To create a trench for the pipe, a ripper tooth mounted on a dozer would be used, which would disturb an area 3 to 4 feet in width by 2 feet in depth by 1-mile in length. There would also be potential ground surface disturbance from the dozer's tracks that would be 10 feet wide and a 6-inch berm after the trench is filled. A 500-gallon trough would be installed on the fence line between North Big Hill and South Pastures. This would be constructed during the field season and any restrictions such as fire restrictions would apply. The area trenched would be rehabilitated by reseeding with crested wheatgrass and forage kochia,..." (page 15) and is approximately 0.48 acre.

The resource values present and affected in this DNA project area are the same as those present when the Skidoo Spring Water Development project was analyzed in the Happy Valley AMP/EA (vegetation, wildlife, threatened and endangered species, cultural resources, recreation, visual resources, soils, and noxious weeds).

Therefore, an analysis of the effects of the Proposed Action for South Pasture Pipeline and Troughs would be the same as the Proposed Action analyzed in the Happy Valley AMP/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, six alternatives were analyzed along with three alternatives considered but eliminated from further analysis. The new proposed action is similar to the fully analyzed Happy Valley Allotment AMP/EA that addressed livestock management issues affected by inadequate water sources in pastures such as the south pasture in the Happy Valley Allotment.

Issues and current environmental concerns (such as lack of water for livestock resulting in poor distribution in parts of each pasture) have not changed since the Proposed Decision was signed in September 2011 nor have they changed since the Riddle Mountain Allotment Evaluation of 2012. Interdisciplinary team (IDT) meetings and scoping meetings with the permittee raised any new issues.

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 existing analysis is valid. There are no threatened or endangered (T & E) species within the vicinity of the project area. Sage-grouse and this species' associated habitat were analyzed in the Happy Valley AMP/EA CH. III, page 73. Skidoo Spring Water Development is in Sage-grouse Preliminary General Habitat (PGH) and there are no leks within 7 miles of the project area.

South Pasture Pipeline and Troughs project area is located in PGH; sage-grouse, a candidate species for listing under the Endangered Species Act (ESA), Preliminary Priority Habitat (PPH) is more than 4.5 miles from the proposed project area and there are no active or inactive leks within 9 miles of the proposed project area.

There are no streams affected by the new proposed project, which means water quality, riparian areas, and fish would not be affected.

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, both the scope and location of the proposed project are similar to the Skidoo Spring Water Development. The close proximity, within 3 miles, and geographic and geologic location makes this proposed project similar to the analyzed Skidoo Spring Water Development. The ecological site descriptions for both sites are Loamy 10-12 PZ and Claypan 12-16 PZ. Both areas support Wyoming big sagebrush and little sagebrush plant communities. The area and vegetation affected would be similar for the new proposed project. As analyzed in the Happy Valley EA Chapter III, section A.1.b.(3).(a).iii), "Skidoo Spring Water Development would create soil and BSC loss as a result of the ground disturbance caused by installing an approximately 3 to 4 feet by 1-mile trench for a pipeline, the pipeline and an additional trough within the South and North Big Hill Pastures. This loss would be temporary, one to two growing seasons, with soil and BSC stability returning as vegetation reestablishes in the disturbed areas."

The direct, indirect, and cumulative effects of the current proposed action are unchanged from those identified in the Happy Valley AMP/EA, on pages 103-104. There are no reasonably foreseeable future actions (RFFA) planned in the proposed project area. The EA sufficiently documents the site-specific impacts related to the current proposed action.

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

Yes, the Happy Valley Allotment AMP/EA went through a 30-day comment period and 45-day protest and appeal period in the summer of 2011. During the 30-day public comment period there was an onsite tour with BLM specialists, an Agriculture and Natural Resources Extension Agent with the Oregon State University Extension Service, and an interested public group during which the proposed projects analyzed in the EA were discussed and reviewed. There were no protests or appeals of the proposed decision.

The South Pasture Well had a full interdisciplinary team look at the project and determined there were no new issues and, in addition, the Burns BLM met with the permittee to address any concerns or issues (none were identified). This DNA and Decision Record will be posted on the BLM Burns District Website at: http://www.blm.gov/or/districts/burns/plans/index.php.

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

Specialist Signature and Date: Nick Miller 2/12/15
Nick Miller, Wildlife Biologist

Specialist Signature and Date: Lindsay Davies 2/17/2015
Lindsay Davies, Fisheries Biologist

Specialist Signature and Date: 2/12/15
Caryn Burri, Natural Resource Specialist (NRS) - Botany

Specialist Signature and Date: Lesley Richman 2/17/15
Lesley Richman, District Weed Coordinator

Specialist Signature and Date: Scott Thomas 2/12/15
Scott Thomas, District Archeologist

Specialist Signature and Date: Chad Rott 2/12/15
Chad Rott, District Fuels Planner.

Specialist Signature and Date: Tara McLain 2/12/15
Tara McLain, Reality Specialist

Specialist Signature and Date: Eric Haakenson 2-12-15
Eric Haakenson, Outdoor Recreation Planner

Note: Refer to the EA for a complete list of the team members participating in the preparation of the original environmental analysis.

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

1. Burns Paiute Tribe
2. Oregon Department of Fish and Wildlife
3. Harney County Courthouse
4. Harney County Soil and Water Conservation District
5. Grazing Permittees
6. Oregon Natural Desert Association
7. Kiger Mustang Association

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.

Project Lead:

Signature _____ Date: 2/17/15
Travis Miller, Range Management Specialist

NEPA Coordinator:

Signature _____ Date: 2/17/15
Holly Orr, Planning and Environmental Coordinator

Responsible Official:

Signature _____ Date: 2/18/15
Richard Roy, Three Rivers Resource Area Field Manager

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

Protest and Appeal Procedures: Any applicant, permittee, lessee, or other interested public may protest a proposed decision under Section 43 Code of Federal Regulations (CFR) 4160.1 and 4160.2, in person or in writing to Richard Roy, Field Manager, Three Rivers Resource Area, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 15 days after receipt of such decision. The protest, if filed, should clearly and concisely state the reason(s) as to why the proposed decision is in error.

A written protest electronically transmitted (e.g., email, facsimile, or social media) will not be accepted as a protest. A written protest must be on paper.

In the absence of a protest, the proposed decision will become the final decision of the authorized officer without further notice unless otherwise provided for in the proposed decision.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by the final decision may file an appeal of the decision. An appellant may also file a petition for stay of the

decision pending final determination on appeal. The appeal and petition for stay must be filed in the office of the authorized officer, as noted above, within 30 days following receipt of the final decision, or within 30 days after the date the proposed decision becomes final. The petition for a stay and a copy of the appeal must also be filed with the Office of Hearings and Appeals at the following address:

United States Department of the Interior
Office of Hearings and Appeals
351 South West Temple, Suite 6.300
Salt Lake City, Utah 84101

The appeal must be in writing and shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error and also must comply with the provisions of 43 CFR 4.470. The appellant must also serve a copy of the appeal by certified mail on the Office of the Solicitor, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205, and on any person(s) named (43 CFR 4.421 [h]) in the *Copies sent to*: section of this Decision.

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.

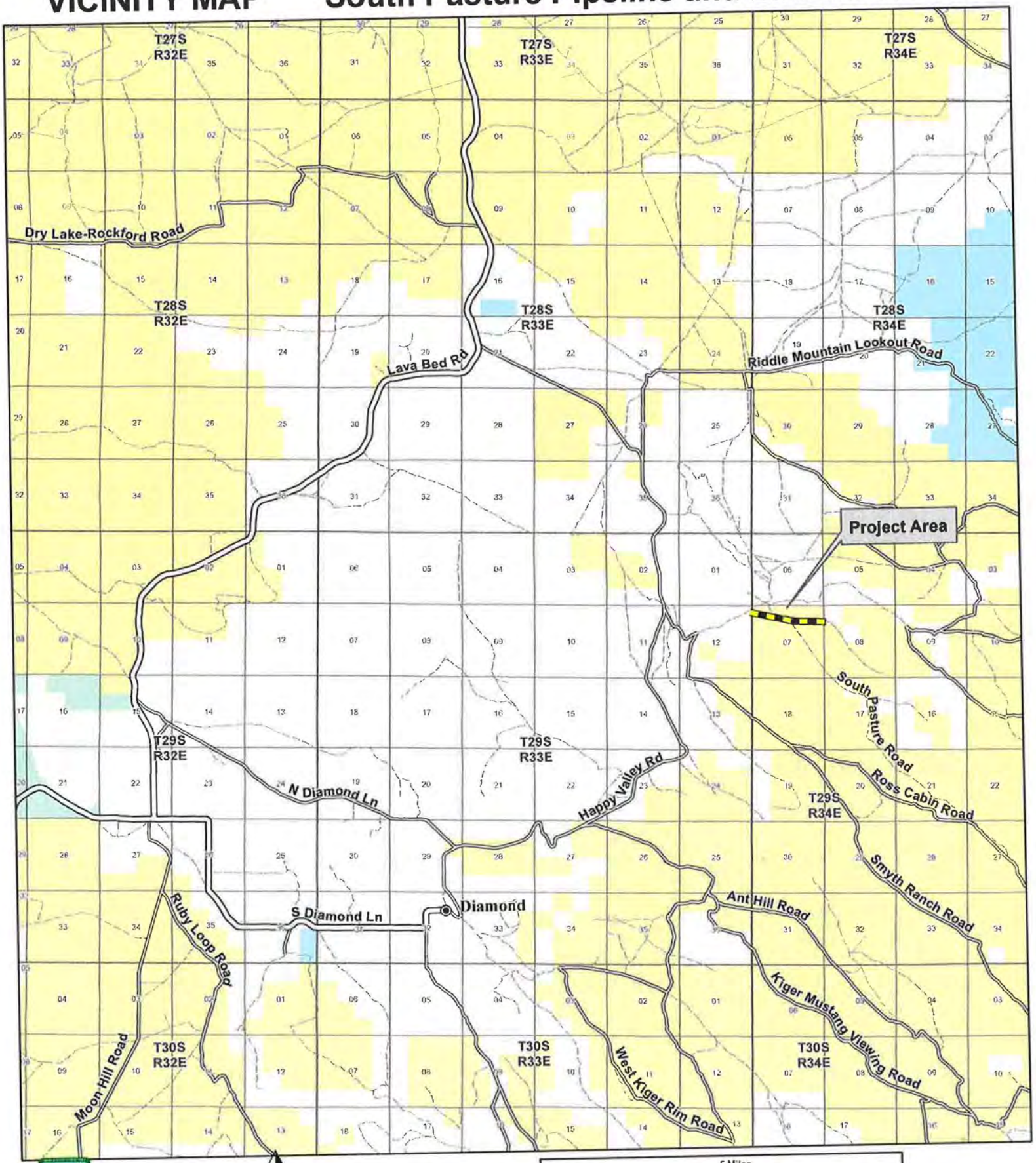
As noted above, the petition for a stay must be filed in the office of the authorized officer.

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:

Signature Richard Roy Date: 2/18/15
Richard Roy, Three Rivers Resource Area Field Manager

VICINITY MAP South Pasture Pipeline and Easement DNA



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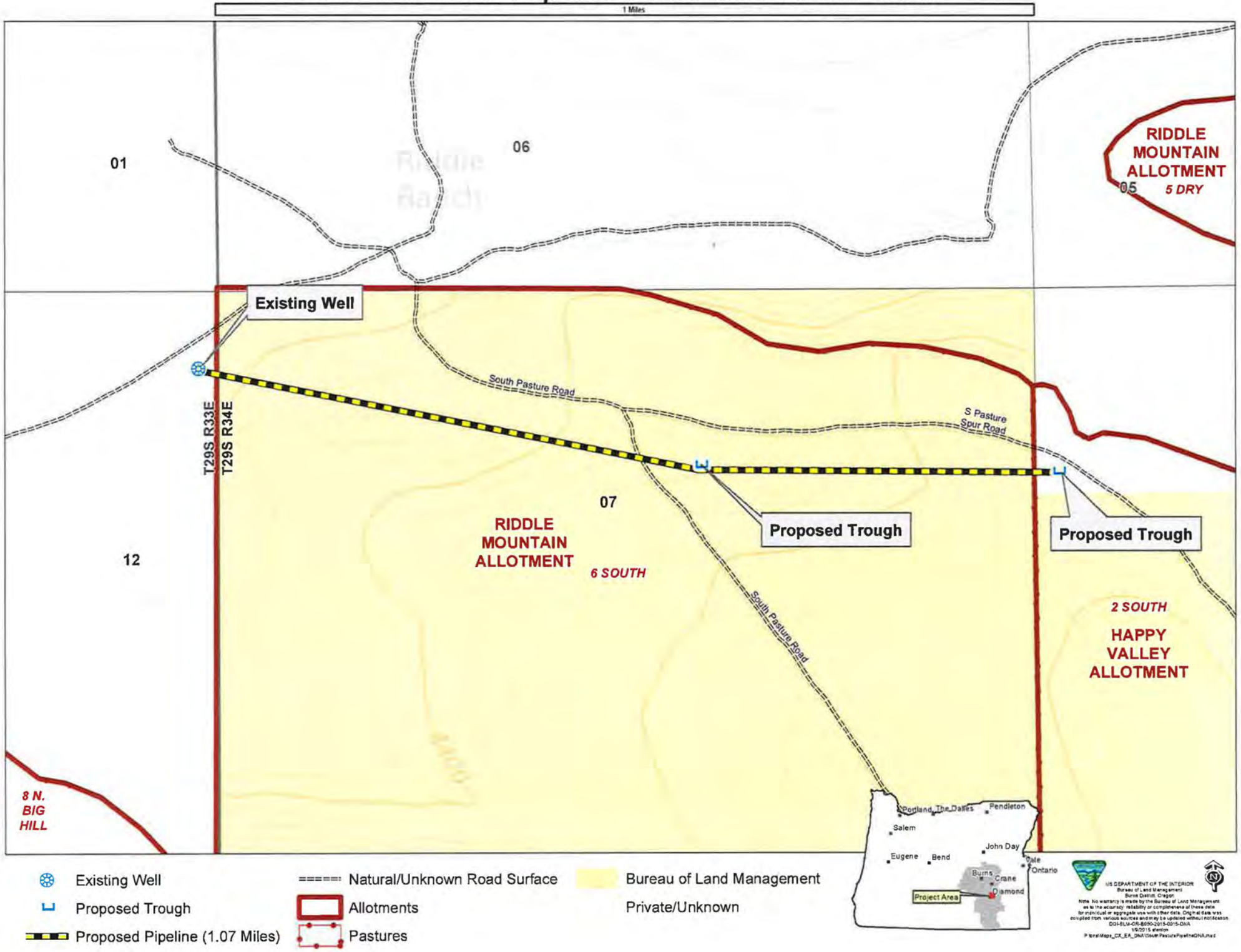
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