

Worksheet
Determination of NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management

Office: Burns District BLM

Tracking Number (DNA #): DOI-BLM-OR-B050-2010-0012-DNA

Case File/Project Number: 007866

Proposed Action Title/Type: Wyoming Sagebrush Beating for Wildfire Fuel Breaks Maintenance

Location/Legal Description: Three Rivers RA, south of Highway 20 and west of Highway 205

Applicant (if any):

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

Action: Vegetation adjacent to select roads in the southwest portion of the Three Rivers Resource Area (RA) was mowed (brush-beat) from 2003-2007 to reduce sagebrush height for the purpose of creating fuel breaks. Sagebrush was mowed to a height between six and fourteen inches tall in twelve to fifty foot wide strips along select roads, with an average of twenty-four feet on both sides. The proposed action is to maintain these fuel breaks by mowing these areas again to reduce fuel loading along roads. Strategic fuel breaks in this area would aid in suppression of wildfires, and help protect several hundred thousand acres of important contiguous sagebrush habitat which is at risk of conversion to cheatgrass. Maintaining strategic fuel breaks would protect critical sage-grouse, pygmy rabbit, and other sagebrush-steppe species and reduce costs of fire rehabilitation.

Design Features of project:

- Fuel breaks within one mile of active leks would be limited to a width of twelve feet
- Mowing in March-April within two miles of an active lek permitted only from 10AM to 3PM
- No mowing permitted within ¼ mile of habitat containing typical pygmy rabbit burrows
- Brush-beating equipment must be cleaned prior to and after being brought on site

B. Land Use Plan (LUP) Conformance

LUP Name

Three Rivers Resource Management Plan

Date Approved

7-30-1992

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

FM-1 (pg 2-101): As determined through values at risk analysis (Map FM-1), maximize the protection of life, property, and high value sensitive resources from detrimental effects of wildfire.

WL 7 (pg 2-74): Restore, maintain, or enhance the diversity of plant communities and wildlife habitat in abundances and distributions which prevent the loss of specific native plant community types or indigenous wildlife species habitat within the RA.

SSS 2 (pg 2-57): Maintain, restore, or enhance the habitat of candidate, State listed and other sensitive species to maintain populations at a level which will avoid endangering the species and the need to list the species by either State or Federal governments.

V 1 (pg 2-51): Maintain, restore, or enhance the diversity of plant communities and plant species in abundance and distributions, which prevent the loss of specific native plant community types or indigenous plant species within the RA.

BD 1 (pg 2-200): Maintain viable populations of native plants and animals well distributed throughout their geographic range.

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

List by name and date all applicable NEPA documents that cover the proposed action.

- 1) Proposed Three Rivers Resource Management Plan and FEIS
- 2) Wyoming Sagebrush Beating for Wildfire Fuel Breaks EA-OR-025-03-05

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).

The following clearances/waivers were completed by appropriate resource specialists prior to the initial sagebrush mowing, and will be updated as needed prior to implementation of the maintenance mowing:

- Botanical (Report numbers: 03-08, 05-19, 05-18, 06-07)
- Wildlife (clearance for distance to Sage Grouse Leks and Pygmy Rabbit Burrows)
- Cultural/Archaeological

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?

There are no differences in the location or resource conditions. Effects would essentially be the same as those analyzed in the EA, although sagebrush vegetation along some of the previously mowed roads would not be as dense or tall as it was during the original treatment.

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?

The environmental concerns remain the same as those analyzed in the 2005 EA. Environmental concerns in this area include protection of the sagebrush communities from wildfire and conversion to cheatgrass, minimizing wildlife and Bureau Special Status Species habitat loss, and reducing the cost of fire rehabilitation by reducing the size of wildfires.

Additional Alternatives not considered in the original EA:

- 1) Use of prescribed fire to kill vegetation to maintain fuel breaks
- 2) Use of herbicide to kill vegetation to maintain fuel breaks

These alternatives were considered in reviewing the adequacy of the original EA, but were dropped from consideration for the following reasons. Both Alternatives fail to completely address the purpose and need in the original EA. Prescribed fire was not considered a viable alternative primarily due to safety concerns, extent of disturbance, and cost. Specifically, the window of opportunity to implement broadcast burning is constrained by weather conditions, there would be additional ground disturbance necessary due to fire containment lines, likelihood of patches of sagebrush not being killed or leaving standing dead sagebrush leaving hazardous fuels in the fuel break, risk of fire escaping the fire lines, and high cost to implement this treatment. Use of herbicides would cause less ground disturbance, easier to control during application, and cost less than broadcast burning. However, it would still leave standing dead fuels adjacent to roads and it is currently illegal to use herbicides on BLM lands except for noxious weed treatments under the injunction issued by the U.S. District Court of the District of Oregon. Therefore, the range of alternatives analyzed in the original EA is appropriate.

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?

Rangeland evaluations were completed on four allotments in the project area since 2003, and all are achieving applicable standards for rangeland health. No species in the area have been listed as threatened or endangered since the 2003 EA. There have been changes to the BLM Special Status Species (SSS) list, but new SSS do not occur in the project area or were determined to not be affected by the proposed action.

In 2007, BLM received information for a citizen proposed Wilderness Study Area (WSA), indicating they had found wilderness character present within several of the areas scheduled for fuel break maintenance. The original sagebrush mowing in these areas was completed prior to

the citizen proposal, and it is implied that the original mowing did not substantially diminish the potential wilderness characteristics. The 1979 BLM Wilderness inventory decision found wilderness character was not present on BLM lands in the project area, therefore wilderness characteristics were not analyzed in the original EA. However, BLM has recently completed new wilderness inventories for the majority of the citizen proposed units where sagebrush mowing is proposed. Only three units were determined to have wilderness characteristics, and all three units contained some level of sagebrush mowing. Therefore, maintaining existing fuel breaks in these areas is not expected to affect wilderness characteristics.

Therefore, no recent information indicates there would be substantial changes to the original analysis.

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?

The proposed action and the location are the same, and effects are expected to be the same as those analyzed in the original EA. Reasonably foreseeable future actions in the area include continued livestock grazing, installation of temporary wind testing meteorological (MET) towers, and various levels of recreational activities including hunting, hiking, and rock hounding. Sagebrush mowing along roads would affect less than 1% of the area and is not expected to have measurable cumulative effects with these or other reasonably foreseeable future actions.

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

Public involvement included direct mailings to twenty-one individuals, organizations, tribes, agencies plus notice in the local paper. This involvement is adequate in light of the fact that the proposed action is the same, mowing would occur within six years of the original action, and no comments were received during the Finding of No Significant Impact/EA review period.

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

Specialist Signature and Date: Jason Brewer 12-4-2009
Jason Brewer, Wildlife Biologist

Specialist Signature and Date: Rob Sharp 12/4/2009
Rob Sharp, Range Management Specialist

Specialist Signature and Date: Lesley Richman 12/4/2009
Lesley Richman, District Weed Coordinator

Specialist Signature and Date: Doug Linn 12/7/09
Doug Linn, District Exels Botanist

Specialist Signature and Date: Scott Thomas 12/7/09
Scott Thomas, District Archaeologist

Specialist Signature and Date: Eric Haakenson 12/7/09
Eric Haakenson, Wilderness Specialist

Specialist Signature and Date: Rachel McNeley 12/7/09
Rachel McNeley, Range Management Specialist

Specialist Signature and Date: Rhonda Kharges 12/10/09
Rhonda Kharges, Planning and Environmental Coordinator

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.

Oregon Department of Fish and Wildlife

Conclusion (If you found that one or more of these criteria is not met, you will not be able to check this box.)

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: Jason Brewer, Wildlife Biologist

Title and Signature of NEPA Coordinator: Rhonda Kharges 12/10/09

Title and Signature of the Responsible Official: Richard Rg Date: 12/10/09
Field Manager

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 DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

(Only include the following language if a lease, permit or other authorization is not issued or other program-specific regulations do not apply)

Decision: It is my decision to implement the Proposed Action with Project Design Elements 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, 500 NE Multnomah Street, Suite 607, Portland, Oregon 97232. 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.

Richard Roy
Richard Roy, Three Rivers Field Manager

12/10/09
Date

Wyoming Big Sage Brushbeating

- Legend**
- | | | |
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| Wyoming Big Sage Brushbeating Project Year 1 | Allotments | Bureau of Land Management |
| Year 2 | Paved Road | Private (White) |
| Year 3 | Non-Paved Improved Road | State |
| Year 4 | Primitive or Unknown Road Surface | U. S. Forest Service |
| | Resource Area Boundary | USDA (except Forest Service) |
| | | U. S. Fish and Wildlife |
| | | Undetermined; Water |



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 Bureau of Land Management
 Burns District, Oregon
 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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 12/10/09
 10 Miles

