

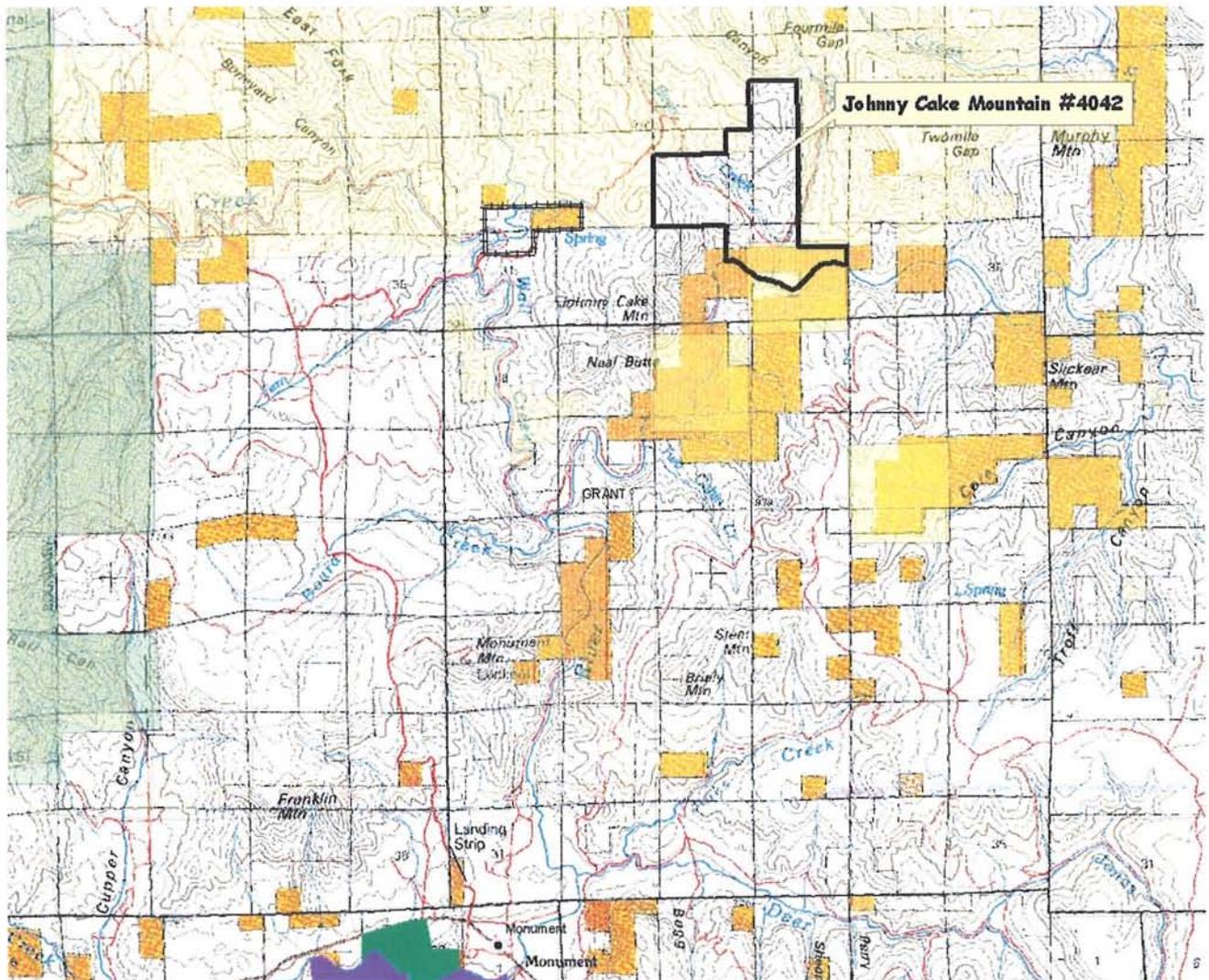
Prineville District
**Land Use Plan Conformance and
Determination of NEPA Adequacy (DNA)**
Review and Approval

Name of Proposed Action: Johnny Cake Mountain Allotment # 4042 Grazing Lease
Renewal

DNA Number: OR-054-08-006

Project or Serial Number: (If applicable)

Location of Proposed Action: Approximately 8 miles NE of Monument, Oregon



Purpose of the Proposed Action: Authorize grazing use on public lands in the Johnny Cake Mountain Allotment #4042 for a ten year period. The current grazing lease has expired and has been applied for by the current lessee.

Need for the Proposed Action: BLM regulations require that livestock owners operating on public lands possess a valid grazing permit or lease. 43CFR 4130.2 (a) states: “Grazing permits or leases shall be issued to qualified applicants to authorize use on the public lands and other lands under the administration of the Bureau of Land Management that are designated as available for livestock grazing through land use plans.” Further, 43CFR 4130.2 (e) requires that “Permittees or lessees holding expiring grazing permits or leases shall have priority for new permits or leases if: (1) The lands for which the permit or lease is issued remain available for domestic livestock grazing; (2) The permittee or lessee is in compliance with the rules and regulations and the terms and conditions in the permit or lease; (3) The permittee or lessee accepts the terms and conditions to be included by the authorized officer in the new permit or lease.

Description of the Proposed Action: Reissue the grazing lease for the grazing lessee in the above listed allotment for a term of ten years. Except for the term shown on the permit, all terms and conditions on the permit will remain the same; including permitted AUM’s and season of use.

Permitted Use (AUMs) is:

<u>Permitted Use</u>	<u>Active Use</u>	<u>Suspended Use</u>
20	20	0

Proposed use is:

13 cattle	4/15-5/31	100%PL	20 AUMs
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Plan Conformance:

Land Use Plan Name: John Day RMP Date Approved (ROD): August, 1985

The proposed action is in conformance with the applicable LUP(s) because it is specifically provided for in the following LUP decisions:

Forage Management Actions, page 15- Continue present management on 127,723 acres (143 allotments) to benefit livestock and wildlife by maintaining or improving ecological condition. Appendix B indicates current levels of livestock grazing and present ecological condition for all allotments.

Applicable NEPA document and related documents:

The following NEPA documents and related documents address the proposed action:

John Day River Proposed Management Plan FEIS (June 2000)

Endangered Species Act Section 7 Consultation Biological Opinion and Magnuson-Stevens FCMA EFH Consultation, Bureau of Land Management Upper John Day River Basin Grazing Program from 2004-2008 issued July 27, 2004.

NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

YES and YES

The Preferred Alternative in the John Day DEIS was to continue to lease this area for grazing use at current authorized use levels. When originally analyzed the Johnny Cake Mountain Allotment grazing use was:

3 cattle 4/1-11/30 100% PL 30 aums

Since that time a base property sale has occurred and 10 aums have been transferred to a new allotment, the Howell Allotment. Proposed use is less than analyzed and the season of use is shorter than analyzed but still represents substantially the same action as previously analyzed on the same site as originally analyzed.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

YES

Four alternatives for Forage Use were analyzed in the John Day RMP DEIS (pages 14 – 20).

Alternative A: Preferred Alternative (Proposed Action) - Authorized livestock use would continue at current levels. Increases or decreases in use would be implemented based on monitoring and/or inventory data. Management changes could be made where the potential existed to improve watershed, wildlife, range condition, and livestock forage.

Alternative B – Authorized livestock use would be increased in 14 I category, primarily where inventory and monitoring data indicate additional forage is available.

Alternative C – Authorized livestock use would be decreased in 14 I category allotments ...

Alternative D (No Action) – Authorized livestock use would continue at current levels.

Appendix F of the DEIS (page 111 – 113) lists current grazing use by allotment.

The Johnny Cake Mountain Allotment is classified as a “C” (Custodial) allotment. Permitted use will be 20 AUM’s for the allotment and appears appropriate given the current issues.

3. Is the existing analysis valid in the light of any new information or circumstances?

YES

Grazing use in this allotment was analyzed in the John Day River Proposed Management Plan FEIS specifically for its impact on river values. Allotment specific analysis for the Johnny Cake Mountain Allotment found in Appendix L of the FEIS resulted in a recommendation to continue grazing use but limit the grazing season to April 1 – May 31 annually (pg. 231, Appendix L, Allotment Summaries).

A Section 7 Consultation for livestock grazing in the Johnny Cake Mountain Allotment was conducted in 2004 with NOAA Fisheries. The Biological Opinion issued by NOAA Fisheries agreed that grazing use would continue on BLM lands along the North Fork John Day and Cabin Creek as long as the season of use was 4/1-5/31 and riparian habitat standards are met (B.O. pages 14-15). This is consistent with the Preferred Alternative in the DEIS

Monitoring and compliance checks have revealed no resource conflicts or concerns.

4. Do the methodology and analytical approach used in the existing NEPA documents(s) continue to be appropriate for the current proposed action?

YES

The John Day RMP DEIS analyzed grazing impacts on resources (pages 60-75). Alternatives ranged from maximum commodity production to no grazing. Analysis in the DEIS indicated that no changes in current authorized forage use levels were required under the Preferred Alternative. Changes in authorized use levels based on inventory/monitoring data and grazing management changes required to improve watershed, wildlife, range condition, and livestock forage were allowed under the preferred alternative. The approach is still considered appropriate.

The John Day River Plan addressed impacts of continued grazing and provided recommendations to protect and enhance river values (pg. 10-11 and Appendix L).

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those analyzed in the Draft John Day RMP/EIS and the John Day River Plan? Do the existing NEPA documents analyze site-specific impacts related to the current proposed action?

YES

Impacts resulting from grazing are essentially unchanged from those analyzed in the John Day RMP DEIS. Proposed grazing management as analyzed in the DEIS (pages 62-65, 72-73) will beneficially impact soils and water resources, plant diversity, riparian vegetation, wildlife upland habitat, and fish habitat. Under the preferred alternative grazing will have no significant effect on vegetation types and improve ecological condition. Under the preferred alternative there will be a low impact to cultural resources by grazing.

Allotment specific analysis for the Johnny Cake Mountain Allotment found in Appendix L of the John Day River Proposed Management Plan FEIS resulted in a recommendation to limit the grazing season to April 1 – May 31. This action has been implemented.

6. Are the cumulative impacts that would result from the implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?

YES

The John Day RMP DEIS does not specifically address cumulative impacts of grazing but does address long term impacts of the action with the assumption that the grazing activity would continue (impact analysis is on page 63 of DEIS). AUM's throughout the John Day areas will change from 25,323 to 25,734 over time. Recommendations and objectives in the document reflect the impacts and expected improvements that will continue with the ongoing grazing. The proposed action is substantially unchanged from those analyzed impacts.

The John Day River Plan FEIS analyzes cumulative impacts on page 336 in Volume 1, Executive Summary and Chapters 1-5.

7. Are the public involvement and interagency review associated with the existing NEPA document(s)?

YES

Many of the individuals/organizations on our current "interested publics" list are the same as those on the mailing list for the NEPA documents referenced above. A copy of this DNA worksheet will be mailed to a representative of the Oregon Department of Fish and Wildlife, and to other individuals and organizations that have expressed an interest in this or similar actions.

Endangered species consultation will continue with NOAA Fisheries so long as Middle Columbia River steelhead and Chinook salmon are listed species.

Interdisciplinary Analysis:

The following Prineville District BLM employees reviewed this analysis for accuracy in their area of expertise.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Don Zalunardo	NRS	Wildlife, Special Status Animals
Jim Eisner	Fisheries Bilogist	Fisheries
John Zancanella	Archeologist	Cultural Resources
Ron Halvorson	Botanist	Botany, Special Status Plants
Colleen Wyllie	RMS	Range, Livestock Grazing

Mitigation Measures:

The BLM is in the process of implementing the Standards for Rangeland Health and Guidelines for grazing management. This lease is subject to modification as necessary to achieve compliance with these standards and guidelines (43 CFR 4180).

Conclusion

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

Signature

Responsible official: Christina M. Welch
Christina Welch, Field Manager, CORA

2/9/2009
Date

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.

Contact Person

For additional information concerning this review, contact: Mike Tietmeyer, Rangeland Management Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 575-3145, Mike_Tietmeyer@blm.gov.