

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

A. Background

BLM Office: Prineville District
3050 NE Third St.
Prineville, OR 97754

NEPA Log Number: OR-056-08-156

Serial Number: OR 061026

Applicant: State of Oregon through its Department of State Lands (DSL)

Location: approx. 4 miles south of Prineville, Oregon in Crook County.
Willamette Meridian, Oregon, T. 15 S., R. 16 E., section 34, all; 640 acres, more or less.

Proposed Action Title: State of Oregon In Lieu Selection, transfer of Bureau of Land Management (BLM) lands to the State of Oregon.

Description of the Proposed Action and any applicable mitigation measures:

The purpose of this action is to satisfy the debt owed by the United States through its representative the BLM to the State of Oregon through its representative, DSL. The debt is provided for by the Statehood Act and has been owed since the admittance of the State of Oregon to the United States.

BLM has been directed by judicial decree to transfer a designated acreage of public lands to the DSL. Oregon needs these lands to support the Common School Fund to provide financial support to schools throughout the State.

Ownership of the lands described above would be clear listed (transferred) from the United States to the State of Oregon in their entirety and with such encumbrances as required by law and mutually agreed upon. The DSL would accept the public lands clear listed by the BLM.

The above parcel has been specifically selected by the DSL, with the knowledge and consent of the Governor of Oregon and appropriate representative State agencies. Selection of these lands has been reviewed by the State, and it is consistent with their goals and directives.

The lands are located in Crook County. The county government, local city governments, and other concerned agencies have participated in the selection of these lands.

B. Land Use Plan Conformance

Land Use Plan Name:

Upper Deschutes Resource Management Plan (UDRMP), Date approved/Record of Decision (ROD): September 2005.

The proposed action is in conformance with the applicable plan because it is specifically provided for in the following land use plan decision:

Upper Deschutes Resource Management Plan

Goal: Retain Public lands in federal ownership, unless disposal or acquisition of a particular parcel would better serve the national interest and the needs of state and local people, including needs for lands for the economy, community expansion, recreation areas, food, fiber, minerals, and fish and wildlife. Changes in public land ownership are considered where consistent with public land management policy and where these changes would result in improved management efficiency. (page 26)

Objective LO – 3(Z-3): Identify lands for disposal that generally do not provide substantial resource, public, or tribal benefits that may not be cost effective for BLM to manage or that would represent a greater public benefit in other ownership. (page 142)

Guideline 9: First priority for all land disposals would be to satisfy the State of Oregon's entitlement to in-lieu selection lands for the purposes of providing for school funding. (page 143)

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

The following NEPA documents (EA, DEIS, FEIS) cover the proposed action:

Proposed Upper Deschutes Resource Management Plan and Final Environmental Impact Statement (UDRMP FEIS), January 2005

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 new proposed action is a feature analyzed in the UDRMP and is within the same analysis area. The Federal Government land debt to the State of Oregon is mentioned specifically in Chapter 1 of the UDRMP FEIS, on page 23, paragraph 4 as an issue. This entry

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associates state selection of public lands in the planning area with lands designated for disposal, and the subsequent disposal of those lands to the State. Page 142 of the ROD identifies 19 parcels of land south of Prineville suitable for disposal. Resource Management Plan Map 6 shows the parcel described above as one of the Z-3 parcels for disposal.

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 new proposed action was a feature of the UDRMP FEIS and ROD. A range of alternatives were analyzed. The ROD was signed in September of 2005. Current environmental concerns, interests and resource values remain essentially the same.

The Federal Government land debt to the State of Oregon is mentioned specifically in Chapter 2 – Alternatives, Management Direction Common to Alternatives 2 – 7, on page 110 of the UDRMP FEIS, Volume 1, paragraph 4. This entry describes payment of the debt through selection of public lands designated as Community Expansion.

In paragraph two, all public lands designated for disposal (Z-3 or Community Expansion) in Alternatives 2 – 7 may be disposed of for greater public benefit in other ownership.

Lands for designation as Z-3 (lands for disposal) were considered in Alternatives 2-7 of the UDRMP and FEIS. Acreage of designated Z-3 lands varied between alternatives.

Alternative 1, to continue Brothers/La Pine RMP direction, provided for land exchanges, transfers and sales that best serve the public interests (pages 13, 16-28).

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 all new information and new circumstances would not substantially change the analysis of the new proposed action?

Existing NEPA analysis is valid for the new proposed action. However, site specific surveys will be conducted prior to the transfer for cultural, botanical and wildlife resources including Threatened and Endangered Species. A Minerals Potential Report and Environmental Site Assessment will also be completed. “Letters of Notification” were mailed to local tribal governments informing them about the proposed land transfer and asking if such transfer would have any affect on tribal interests. If these reports show that there are no conflicts in these areas, it is reasonable to conclude that this new information is not significant with regard to analysis of the proposed action.

The location of the proposed new action and its land character (geology, species composition, topography, climate) has not changed since the UDRMP FEIS and ROD. It is reasonable to conclude any new information related to resource conditions will not change the existing analysis conclusions.

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(s)?

Yes. The current parcel identified for disposal (proposed action) was analyzed for disposal in the UDRMP and was identified on Resource Management Plan Map 6 of the FEIS. The new proposed action is therefore not new, only revisited. Direct, indirect, and cumulative land ownership impacts are discussed on pages 256 through 265 of Volume 2 in the UDRMP FEIS. These effects would remain substantially unchanged. Wildlife impacts are discussed on pages 31 through 136 of the same document. Influences on social and economic factors are thoroughly discussed also in Volume 2 of the UDRMP FEIS on pages 298 through 335 and remain unchanged. The current proposed action would only be implementing a decision made in 2005.

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

The UDRMP FEIS and UDRMP ROD resulted through extensive public involvement as documented in Volume 2 of the UDRMP FEIS, Chapter 5, page 339 through 353. Because of the thoroughness of the public involvement of analysis for the UDRMP FEIS and the immediacy of the ROD, they are adequate for this current proposed action.

E. Persons/Agencies/BLM Staff consulted

<u>Name</u>	<u>Resource Represented</u>
Steve Storo	Minerals and Mines
Ron Gregory	Cultural Resources
Ron Halvorson	Plants
Bill Dean	Wildlife
Steve Storo	Hazmat
Tom Mottl	Recreation
John Swanson	Range
Jim Eisner	Fishery
Teal Purrington	NEPA
Doug Vandergon	Realty Specialist, Lands

Note: Refer to the UDRMP FEIS, Chapter 5, page 339 through 353 for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

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:

Molly M. Brown
Molly M. Brown,
Field Manager
Deschutes Resource Area

7/7/08
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: Doug Vandergon, Realty Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6752, doug_vandergon@blm.gov.