

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

Name of Proposed Action: Ellsworth (#2543) and Sid Seale (#2619) grazing allotment lease renewals

DNA Number: OR-054-08-232

Project or Serial Number: not applicable

Location of Proposed Action: Approximately six miles west of Condon, Oregon; T. 4 S., R. 20 E. (see map).

Purpose of and Need for Action: The current lease is due to expire on February 28, 2009.

Description of the Proposed Action: The proposed action is to renew the current grazing lease for the Ellsworth and Sid Seale grazing allotment for a term of ten years. The management actions and present Terms and Conditions for the allotment would remain unchanged.

Plan Conformance:

The above project has been reviewed and found to be in conformance with one or more of the following BLM plans:

Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary, signed June 1986 and the associated Rangeland Program Summary Updates June 1998, August 1997, June 1995, and March 1993. The Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary was evaluated in 1998 and found to still provide valid guidance for land use and resource allocations and directions. Record of Decision, John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments, signed February, 2001.

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

Record of Decision, John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments, signed February 2001, page 225. Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary, page 47, Allotment Number '2619', Selective Management Category 'Improve', Acres of Public Land '12,597', Livestock Kind 'Cattle', Grazing Period Begin - End '3/01 - 2/28', Active Use '708'. Acres of public land increased by 64 acres and 3 AUMs following the Rock Creek Land Exchange (Federal Register Notice OR 37150) in 1985. In 1994, 303 acres and 9 AUMs of previously unleased public land that lie within the allotment boundary was added to the lease. In January 1995 a Rangeline Agreement between the Seale's and Carlson's adjusted the allotment boundary, adding 507 acres and 8 AUMs to the Sid Seale allotment. Another Rangeline Agreement in 1995 added 205 acres and 5 AUMs to the Sid Seale allotment from the Belshe allotment. On page 46, Allotment Number '2543', Selective Management Category 'Custodial', Acres of Public Land '583', Livestock Kind 'Cattle', Grazing Period Begin - End 5/01 - 8/31, Current Active Use '32'.

Applicable NEPA document and related documents:

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

Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary. Consultation for mid-Columbia steelhead has been completed for grazing actions within this allotment. Analysis rated actions within the Ellsworth allotment as 'No Effect' and Sid Seale allotment as 'May Affect, Likely to Adversely Affect'. Record of Decision, John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments, signed February, 2001. Interim Management Policy for Lands Under Wilderness Review, H-8550-1, dated July 1995.

NEPA Adequacy Criteria:

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Yes. Livestock grazing in general was addressed on pages 58 - 72 and 105 - 107 of the Two Rivers Resource Management Plan Draft Environmental Impact Statement (EIS), 1985, pages 17 - 20 of the Proposed Two Rivers Resource Management Plan, Final EIS, 1985, and on the Ellsworth and Sid Seale allotment specifically on pages 42 through 47 of the Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary. Grazing use was to be continued in the allotment. No portion of either allotment was proposed for livestock exclusion.

In addition, Volume 1 of the John Day River Proposed Management Plan, Two Rivers and John Day RMP Amendments and Final Environmental Impact Statement, June 2000 (John Day River FEIS) covers grazing in general on pages 162 - 173 and in Chapter 5. The John Day River Management Plan Record of Decision (ROD) addressed grazing on pages 10, 11, 24 - 27, and the Sid Seale allotment on page 225.

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

Yes. Alternatives in the planning document (pages 11 - 25 in the Two Rivers Draft EIS) ranged from an emphasis in commodity production to an emphasis of natural values. On the Ellsworth and Sid Seale allotment alternative E proposed decreasing authorized use to 0 AUMs. The John Day River FEIS, completed less than 10 years ago, analyzed the following alternatives with respect to grazing: the existing situation, riparian-oriented grazing, riparian exclusion, and no grazing. The range of alternatives is appropriate given the current issues. No new alternatives or concerns have been raised by the public since completion of the EIS.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

Yes. The Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary was formally evaluated in 1998 and found to provide valid guidance for land use and resource allocations and directions. The analysis contained in John Day River FEIS reviewed most pertinent and available information. The BLM has prepared a Biological Assessment (BA) and indicated livestock grazing in the Ellsworth allotment has 'no effect' on and the Sid Seale

allotment 'may affect, likely to adversely affect' populations of the Mid Columbia steelhead, now listed as threatened. The National Marine Fisheries Service (NMFS) has issued a Biological Opinion and they have concurred with the findings of the BA.

The public lands on the Sid Seale allotment were reviewed in 2003 and on the Ellsworth allotment in 2006 for conformance with the Standards for Rangeland Health and Guidelines for Grazing Management (43 CFR 4180, available for review at the Prineville District BLM). An interdisciplinary team of BLM specialists found that conditions on public lands in the Ellsworth allotment met the standards and grazing management conformed to guidelines. In the Sid Seale allotment public lands did not meet standards but current livestock management was not the cause.

Some public lands contained within these allotments lie within a Wilderness Study Area (WSA). Public lands lying outside of a WSA were evaluated for wilderness characteristics. The evaluation found that those parcels do not have wilderness character because they lack sufficient size and do not meet any of the exceptions to the size criteria.

There is no new information and the circumstances are unchanged.

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

Yes. The Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary addressed impacts of continued grazing and provided objectives and recommendations to facilitate maintenance of existing ecological condition trends (page 14-17). This approach is still valid. The Two Rivers Resource Management Plan, Record of Decision, Rangeland Program Summary was evaluated in 1998 and found to still provide valid guidance for land use and resource allocations and directions. In addition, the recent John Day River Management Plan ROD contains plan amendments that update the Two Rivers, John Day, and Baker Resource Management Plans.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes. Impacts resulting from grazing are essentially unchanged from those analyzed in the Two Rivers Draft EIS. The Draft EIS (pages 57-72) stated grazing would produce no change, or slight to moderate, generally positive, impacts on soils, water quality, vegetation, cultural resources and wildlife habitat, and no impact on air quality, water, forest land, wild horses, recreation, Areas of Critical Environmental Concern, visual resources, energy and minerals, or socio-economics. Further detail is provided for the current actions in the John Day River FEIS, Volume 1, Chapter 5.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The Two Rivers Draft EIS does not specifically address the cumulative impacts of grazing but does address long term impacts of the action with the assumption that the grazing activity would continue. Recommendations and objectives in the document reflect the impacts and expected improvements that would continue with the ongoing grazing. The proposed action is substantially unchanged from those analyzed impacts. The John Day River FEIS addresses

cumulative impacts on pages 336 - 338.

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

Yes. Many of the individuals and organizations on the current "interested publics" list are the same as those on the mailing list for the NEPA documents referenced in this plan conformance document.

Interdisciplinary Analysis:

Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Resource Represented</u>	<u>Initials/Date</u>
JoAnne Armson	Special Status Plants	JA 11/17/08
Jeff Moss	Fisheries/Special Status Fishes	JDM 11/19/08
Heidi Mottl	Wilderness/Recreation	Hm 11/2/09
Craig Obermiller	Rangelands	COB 4 NOV 08
Rick Demmer	Wildlife/Special Status Animals	RSD 11/7/08
John Zancanella	Cultural/Paleontological	JZ 11/7/08

Mitigation Measures:

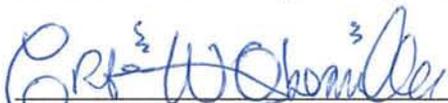
The following mitigation measures will be implemented as part of the proposed action:

No mitigation measures have been identified.

Recommendation:

Issue a ten year grazing lease showing authorized grazing period of March 1 to February 28 on the Sid Seale allotment and May 1 to August 31 on the Ellsworth allotment.

Prepared By:

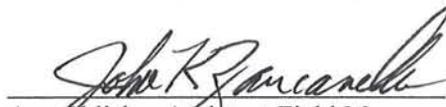

Craig W. Obermiller
Rangeland Management Specialist

Date: 20 JAN 2009

Plan Conformance/DNA Determination:

The proposed action and any specified mitigation measure(s) has been determined to meet the criteria for a Determination of NEPA Adequacy (DNA). No additional environmental analysis required. All cultural, T&E plant, and T&E wildlife specialists have provided clearances for the proposed project.

Reviewed By:

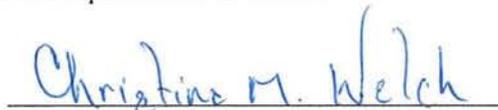

Ayn Shlisky, Assistant Field Manager
Central Oregon Field Office

Date: 2/6/09

Approval:

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 NEPA.

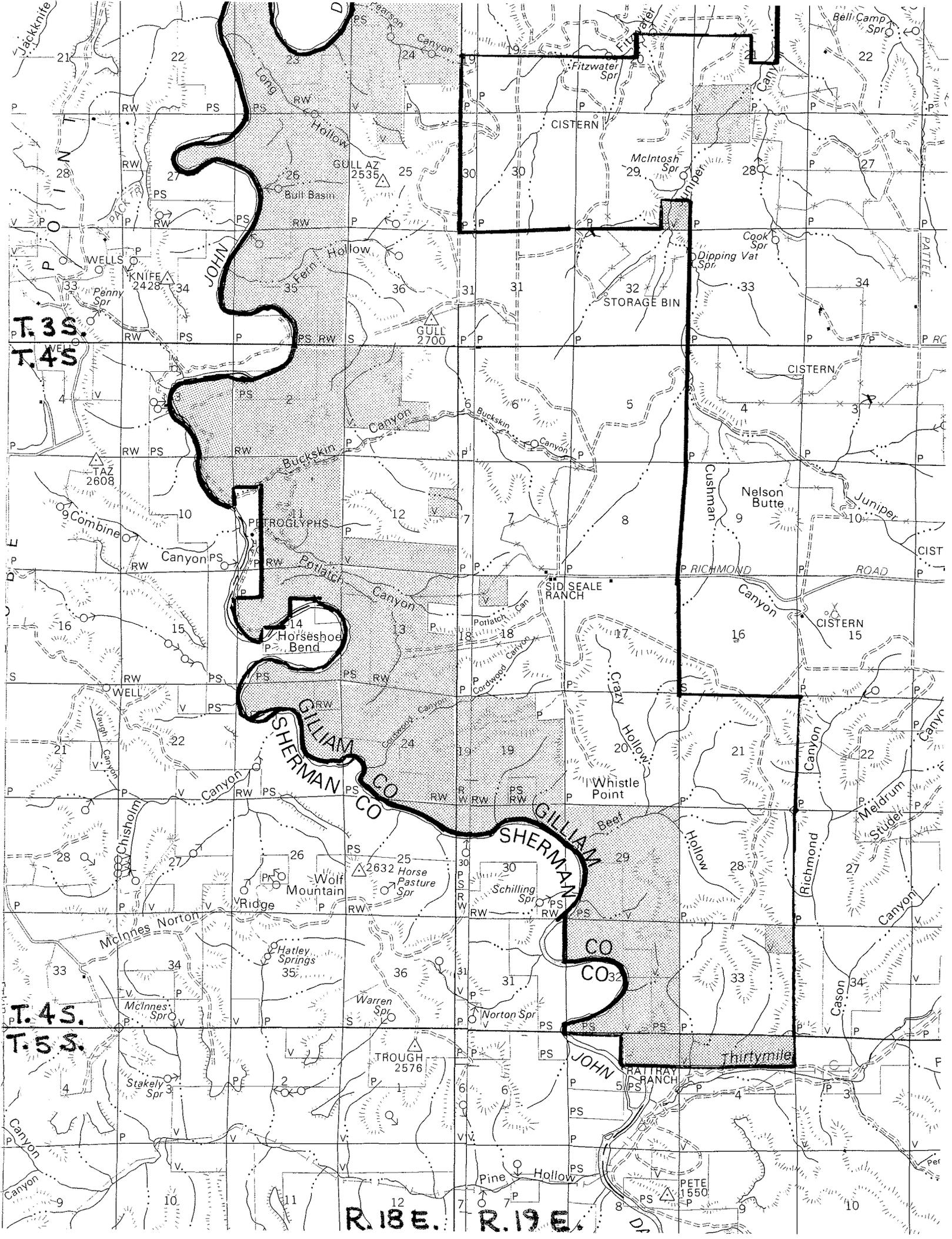
Approved By:


Christina M. Welch, Field Manager
Central Oregon Field Office

Date: 2/10/2009

Attachments: allotment maps

Note: The signature on this Worksheet is part of an interim step in the BLM's internal decision process and cannot be appealed



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T.4S.

T.4S.
T.5S.

R.18E. R.19E.