

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

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**A. Background**

**BLM Office:** BLM, Prineville District, Central Oregon Resource Area

**NEPA Log #:** DOI-BLM-OR-P040-2010-0077-DNA

**Project/Lease/Serial/Case File #:** See Appendix A, Table 1 for Operator Authorization numbers

**Applicants:** See Appendix A, Table 1 for Applicant Names

**Proposed Action Title:** Grazing Lease Renewals

**Description of the Proposed Action and any applicable mitigation measures:**

The proposed action is to renew the current grazing leases associated with the authorization numbers and allotments listed in Table 1, Appendix A, for a term of ten years. Terms and conditions of the existing leases would remain unchanged. Refer to attached maps for allotment locations.

**B. Land Use Plan Conformance**

**1. Land Use Plan Name:** *John Day RMP/ROD/ RPS.*

**Date Approved (ROD):** *August, 1985.*

**2. Land Use Plan Name:** *Two Rivers RMP/ROD/ RPS.*

**Date Approved (ROD):** *June, 1986.*

**3. Land Use Plan Name:** *ROD for the John Day River Management Plan, Two Rivers, John Day, and Baker Resource Management Plan Amendments.*

**Date Approved (ROD):** *February, 2001*

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

***John Day RMP/ROD:***

- Page 12, Objective 1: “Improve and maintain vegetative condition to benefit livestock...”
- Page 15, Implementation Priority 1: “Continue present management on 127,723 acres (143 allotments) to benefit livestock...”
- Page 15, Implementation Priority 2: “Authorize all grazing use at present levels...”
- Page 15, Implementation Priority 3: “The level of livestock forage use in the short term is 25,323 AUMs.” Refer to Appendix B, page 29, titled “Current Livestock Authorization and Existing Range Condition” for AUMs authorized by allotment.

***Two Rivers RMP/ROD:***

- Page 10, Objective 1: “Maintain forage production and livestock use...” “Maintain current livestock grazing levels and meet riparian and upland vegetation management objectives.”
- Page 14, Direction and Implementation: “The availability of forage will remain at 17,778 AUMs in the short term.” “As a result of range developments and improving ecological condition, and if substantiated by monitoring, available forage for livestock will be increased to 19,920 AUMs in the long term as shown in Appendix C.” Maintain current levels of livestock grazing and present ecological condition as described in Appendix D.

***John Day River Management Plan ROD:***

- Page 10, Grazing: “Issue #1a – How should grazing be managed...” Grazing on the river corridor on BLM managed lands will protect and enhance river values. Grazing management decisions will be based on measures outlined on page 10, numbers 1 through 13. Regarding grazing leases covered under the proposed action, refer to Appendix L on page 211 in the River Management Plan which provides site specific decisions for the allotments listed below:
  - River (04012)
  - Rim (04035)
  - Rockpile (04103)
  - Gibson Creek (04135)

Table 2, Appendix B, lists the current livestock authorizations covered under the applicable land use plan for the grazing lease authorizations covered under the proposed action.

The season of use associated with the current grazing lease (Auth. No. 3602135) for the Shirt Tail Creek Allotment (04140) is not consistent with the John Day RMP/ROD. The season of use for the new ten year grazing lease will be changed to match the John Day RMP/ROD as stated in Table 2, Appendix B.

The active preference AUMs for the grazing lease (Auth. No. 3605279) associated with the F.C. Cherry (02529) Allotment was reduced from 88 AUMs to 17 AUMs due to an allotment boundary change. Refer to memo in file dated February 6, 2000.

In 2000, the Northeast Oregon Assembled Land Exchange (NOALE) occurred resulting in the disposal of public land acres and a reduction from the total active preference AUMs for the Jinks Creek (04050), Gibson Creek (04135), Miller Mtn. (04159), and Larson (02632) allotments. The current active preference for these allotments is listed in Table 2, Appendix B. NOALE was documented in the grazing case files (see Table 3 below):

**Table 3.**

Allotment Name	Decision/NEPA Document	Active Preference AUM Reduction
Jinks Creek	CE# OR-054-04-088	73
Gibson Creek	DNA# OR-054-04-036	13
Miller Mtn.	01/28/2002 Proposed Decision	80
Larson	11/14/2002 Proposed Decision	11

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

The following NEPA documents cover the proposed action:

1. *Draft Two Rivers RMP Environmental Impact Statement (DEIS 1984) and Proposed RMP Final EIS (1985).*
2. *John Day RMP Draft Environmental Impact Statement (1984) and Proposed RMP Final EIS (1984).*
3. *Draft John Day River Management Plan Environmental Impact Statement (1999) and John Day River Proposed Management Plan, Two Rivers and John Day RMP Amendments and Final EIS (2000).*

### **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.** Impacts resulting from current grazing, the proposed action, are essentially unchanged from the actions previously analyzed within the same analysis area. Analysis of the Preferred Alternative in the John Day and Two Rivers RMP DEIS was to continue to authorize livestock grazing on public lands at current levels. Table 2 in Appendix B includes current authorized number and kind of livestock, season of use, public land acres within the allotment, and current AUMs which were analyzed in the RMP DEIS for the John Day and Two Rivers plans. The John Day River Management Plan amended the Two Rivers and John Day RMP's and added grazing management actions to protect river values.

**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.** Alternatives in the land use plan documents (pages 11-25 in the Two Rivers RMP DEIS, pages 14-34 John Day RMP DEIS) addressed a varying range of actions such as: Preferred, Emphasize Commodity Production and Natural Values, Enhancement of Economic Benefits, Continuing Existing Management, and No Action. The various alternatives ranged from

drastically reducing authorized livestock use to increasing authorized livestock use based on the availability of forage as indicated by monitoring data and inventories for Category I allotments. For Category C and M allotments authorized livestock use levels would remain unchanged from current levels.

**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?**

**Yes.** The existing analysis remains valid based on the John Day River RMP DEIS and Two Rivers RMP DEIS. The wilderness character inventory for the public lands contained within these allotments has been recently updated by the BLM. The evaluations found that the public land parcels located within 15 of the 17 allotments addressed in this DNA do not possess wilderness character because they lack sufficient size and do not meet any of the exceptions to the size criteria. The evaluations found that a portion of the public lands located within the Rattlesnake Creek Allotment and the Rockpile Allotment do possess wilderness character (see wilderness character inventory files Birch Creek OR-054-037 and Wylie Gulch OR-054-032, respectively, which are on file in the Prineville District Office). The actions proposed in this DNA are not expected to have an effect on the wilderness character of these lands.

The BLM is required to consult on allotments that have the potential to effect ESA listed fish species and their habitat. Minor changes to the annual authorizations may be required to minimize detrimental effects to these fish species and their habitat. The BLM has prepared a Biological Assessment (BA) for the Rock Pile (04103) and the Gibson Creek (04135) allotments indicating what level of affect livestock grazing is likely to have on populations of the Mid Columbia steelhead, now listed as threatened. Livestock grazing on the Rockpile Allotment is '**Likely to Adversely Affect**' populations of Mid Columbia steelhead and livestock grazing on the Gibson Creek Allotment is '**Not Likely to Adversely Affect**' populations of the Mid Columbia steelhead. The National Marine Fisheries Service (NMFS) has issued a Biological Opinion and they have concurred with the findings of the BAs.

Five (5) known populations of arrowleaf thelypody (*Thelypodium eucosmum*), are known from the Rim Allotment and one population of transparent milkvetch (*Astragalus diaphanus* var. *diurnus*) occurs in the Miller Mountain Allotment. The permittees will consult with the Rangeland Management Specialist prior to the placement of supplemental mineral blocks, so that there is no disturbance created within the plant populations.

In addition to the NOALE, the sale/division of base property and a transfer of AUMs associated with the Larson Allotment (Auth. No. 3605382) occurred on August 19, 1995, reducing the active preference AUMs. Also pertaining to the grazing lease (Auth. No. 3605382) for the Larson Allotment, the BLM received a grazing preference transfer application transferring the grazing preference from Joe Kintz to Richard Larson. Mr. Kintz leased the base property associated with the grazing preference from Mr. Larson starting May 1, 2006 through April 30, 2010. The current grazing lease and base property lease have expired and the grazing preference for the Larson Allotment has reverted back to Mr. Larson. When the transfer application and

CX# DOI-BLM-OR-P040-2011-0023 are approved a new ten year grazing lease with the same season of use and terms and conditions as the expired lease would be issued to Mr. Larson.

Standards for Rangeland Health and Guidelines for Grazing Management (in accordance with 43 CFR 4180) were completed on public lands on the allotments listed below in Table 4.

**Table 4.**

Allotment Name/Number	Year S&G completed	Determination on the Standards			Findings/Recommended Actions
		Met	N/A	Not Met	
Rockpile (04103)	2004	1,3,5		2,4	1) Continue deferred rotation grazing system, 2) Continue to gather wild horses. Livestock not a causal factor for non-attainment.
Miller Mtn. (04159)	2010	1,3,5	2,4		No adjustment in grazing management was made.
Herbert Asher (02501)	2005	1,3,5	4	2	No adjustment in grazing management was made. Livestock not a causal factor for non-attainment.

Determinations on achievement of the standards were made by a team of BLM Interdisciplinary specialists. If it is determined that standards failed due to livestock grazing, the 43 CFR 4180.2(c) regulation requires management changes be implemented prior to the next grazing season. Standards for Rangeland Health have not been completed for the remaining allotments listed in Table 2, Appendix B. Copies of the assessments are available for review upon request at the BLM Prineville District Office.

**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 effects of the proposed action (renewing the grazing leases for ten years with existing terms and conditions and authorizing livestock at current use levels) are the same or similar to what was previously analyzed in the Two Rivers RMP DEIS (Ch. 4, Environmental Consequences, pages 57-72) and the John Day RMP DEIS (Ch. 4, Environmental Consequences, pages 60-75).

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

**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 and associated Proposed Grazing Decisions will be posted on the Prineville District’s internet page for public review. Proposed Grazing Decisions in accordance with 43 CFR 4160.1(a) will be sent certified mail to the grazing lease holders and interested publics, and in the absence of any protests, the Proposed Decision will become the Final Decision in accordance with CFR 4160.3(a). Copies of the Final Grazing Decision and DNA worksheet will be available upon request to the BLM Prineville District.

### **E. Persons/Agencies/BLM Staff consulted**

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>
Jimmy Eisner	Fisheries Biologist	Special Status Fish, Fisheries
John Zancanella	Archeologist	Cultural Resources
JoAnne Armson	BST	Botany, Special Status Plants
Justin Rodgers	RMS	Range, Livestock Grazing
Heidi Mottl	Outdoor Recreation Planner	Recreation and Wilderness
Teal Purrington	Planning and Enviro. Coord.	NEPA Compliance
Rick Demmer	Natural Resource Specialist	Wildlife
Mike McKay	Hydrologist	Hydro., Flood Plains, Wetlands, Riparian
Michelle McSwain	AFM, CORA	Management

### **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:

*Michelle McSwain*  
for H.F. "Chip" Faver, Field Manager, CORA

12/20/11  
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: Justin Rodgers, Rangeland Management Specialist, Prineville District Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6749.

## Appendix A Grazing Lease Renewals

**Table 1.** *Proposed Action Title: Grazing Lease Renewals*

<b>Allotment Number</b>	<b>Allotment Name</b>	<b>Operator Authorization No.</b>	<b>Applicant Name</b>	<b>Location from Project (air miles)</b>
04012	River	3602010	R Double D, LLC.	0.5 miles Southwest of Monument, Oregon
04013	John Day	3602011	Madden Ranches	0.5 miles Southeast of John Day, Oregon
04035	Rim	3602033	Patricia Jones	1 miles Southwest of Kimberly, Oregon
04050	Jinks Creek	3602040	Donati Family Trust	2 miles Southwest of Monument, Oregon
04064	Antelope	3602085	J.C. Oliver	5.5 miles Northeast of Seneca, Oregon
04103	Rockpile	3602091	Wildwood Investments, Inc.	10 miles Northwest of Suplee, Oregon
04135	Gibson Creek	3602130	Tim Walton	0.7 miles Southwest of Ritter, Oregon
04140	Shirt Tail Creek	3602135	Southworth Brothers	0.5 miles Southwest of Seneca, Oregon
04159	Miller Mountain	3602140	Loren Stout	2 miles Southwest of Canyon City, Oregon
04093	West Bologna Creek	3602171	Donald & Deborah Withrow	5 miles East of Spray, Oregon
02501	Herbert Asher	3605251	Jim & Charlotte Barker	8 miles South of Kimberly, Oregon

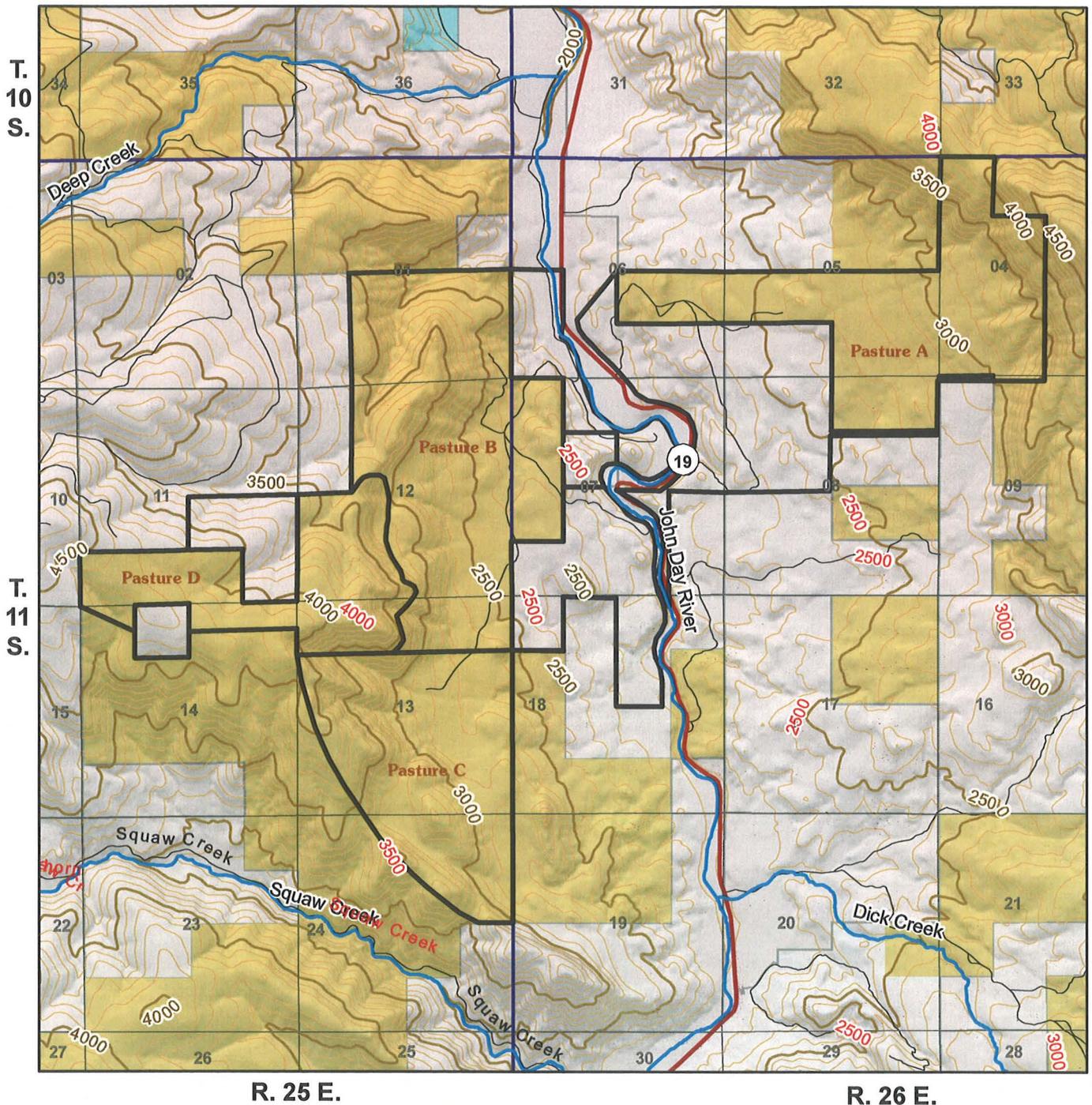
<b>Allotment Number</b>	<b>Allotment Name</b>	<b>Operator Authorization No.</b>	<b>Applicant Name</b>	<b>Location from Project (air miles)</b>
02529	F.C. Cherry	3605279	Rick Paul	0.5 miles North of Mitchell, Oregon
02612	Arthur N. Robinson	3605362	Lee & Susan Williams	7 miles Northwest of Spray, Oregon
02632	Larson	3605382	Joe Kintz	6 miles Northeast of Spray, Oregon
02635	Richard Foster	3605385	Barbara Foster	2 miles Northeast of Spray, Oregon
02639	Tubb Creek	3605389	Chester Hettinga	6 miles North of Antone, Oregon
02660	Rattlesnake Creek	3605393	Robert Vanier	5 miles East of Antone, Oregon

## Appendix B

### Current Grazing Lease Authorizations and Conformance with Applicable Land Use Plan

**Table 2.** *Grazing Lease Authorizations: Conformance with Applicable LUP*

Allotment Number	RPS Allotment Management Category	Acres of Public Land	No. and Kind of Livestock	Season-of-Use		AUM's
				Begin	End	
04012	Custodial	135	2 Cattle	10/1	11/30	13
04013	Custodial	40	1 Horse	4/1	11/30	5
04035	Custodial	654	5 Cattle	4/1	11/30	41
04050	Custodial	556	2 Cattle	4/1	11/30	16
04064	Custodial	40	1 Cattle	5/1	7/30	2
04103	Improve	4,918	116 Cattle	4/1	11/30	928
04135	Custodial	40	2 Cattle	4/1	11/30	7
04140	Custodial	40	1 Cattle	5/1	11/30	8
04159	Custodial	40	1 Cattle	8/1	11/30	5
04093	Custodial	80	6 Cattle	5/1	6/30	12
02501	Improve	1,999	22 Cattle	4/1	12/31	101
02529	Custodial	160	4 Cattle	6/1	9/30	17
02612	Custodial	40	1 Cattle	3/1	4/1	1
02632	Custodial	80	1 Cattle	4/1	12/31	5
02635	Custodial	289	3 Cattle	4/1	10/19	20
02639	Custodial	429	6 Cattle	3/1	11/10	50
02660	Custodial	280	3 Cattle	3/1	1/30	11



## Herbert Asher Allotment 02501

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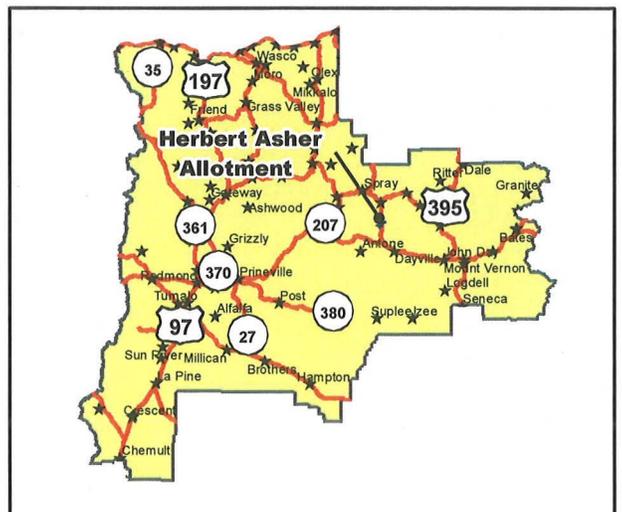
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- State
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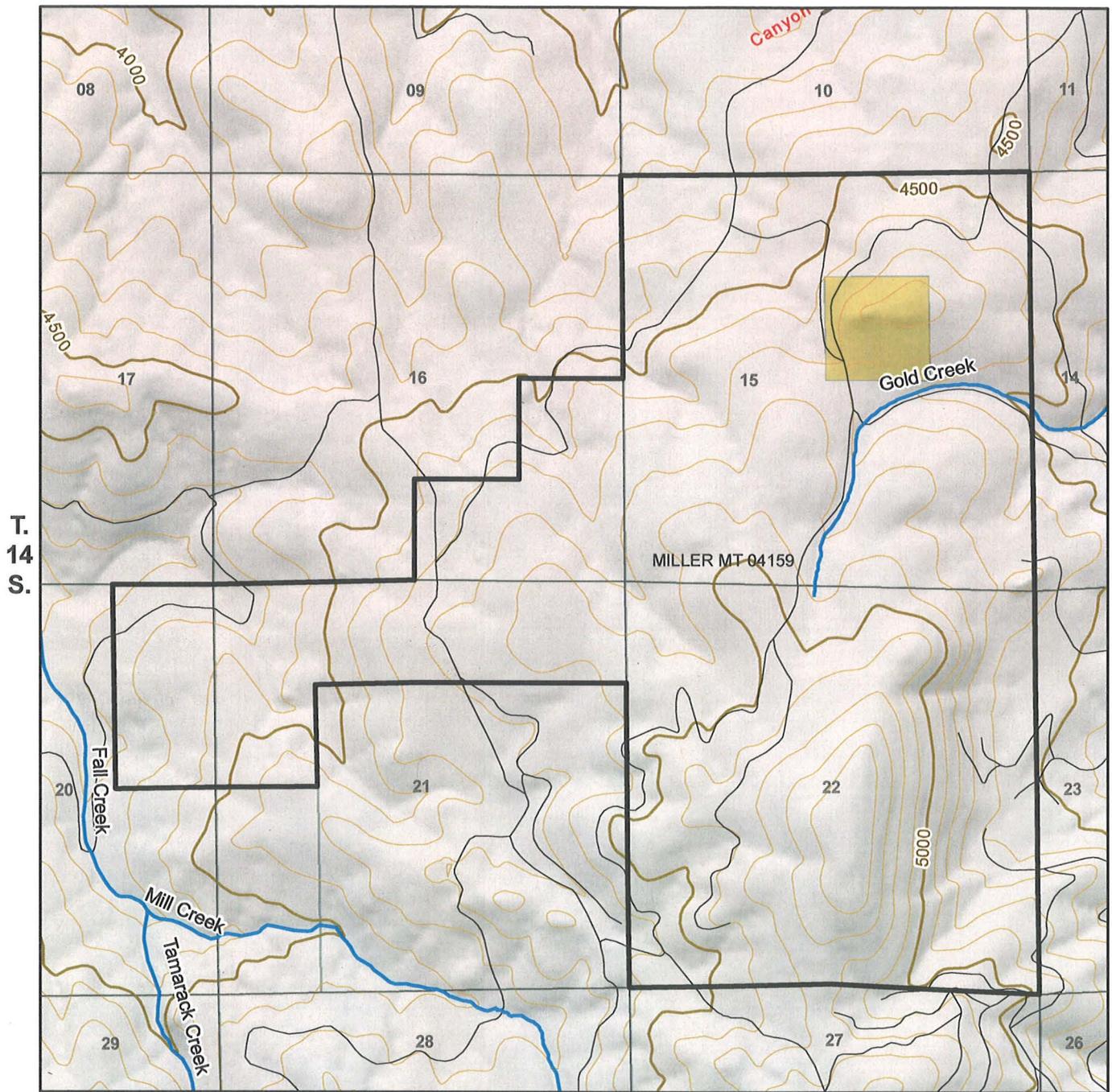


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R. 31 E.

## Miller Mtn. Allotment 04159

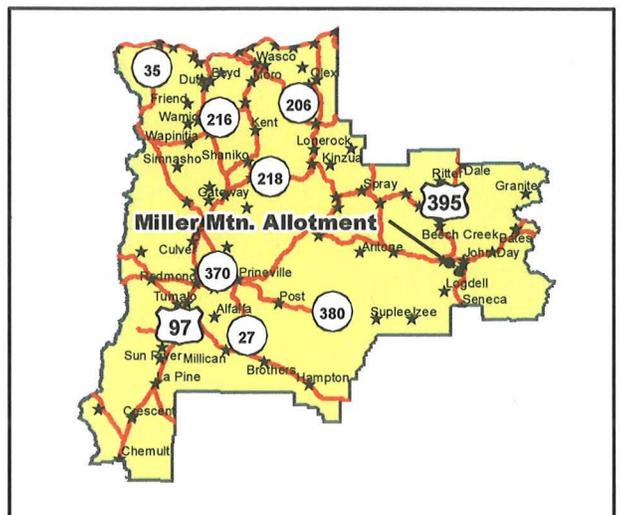
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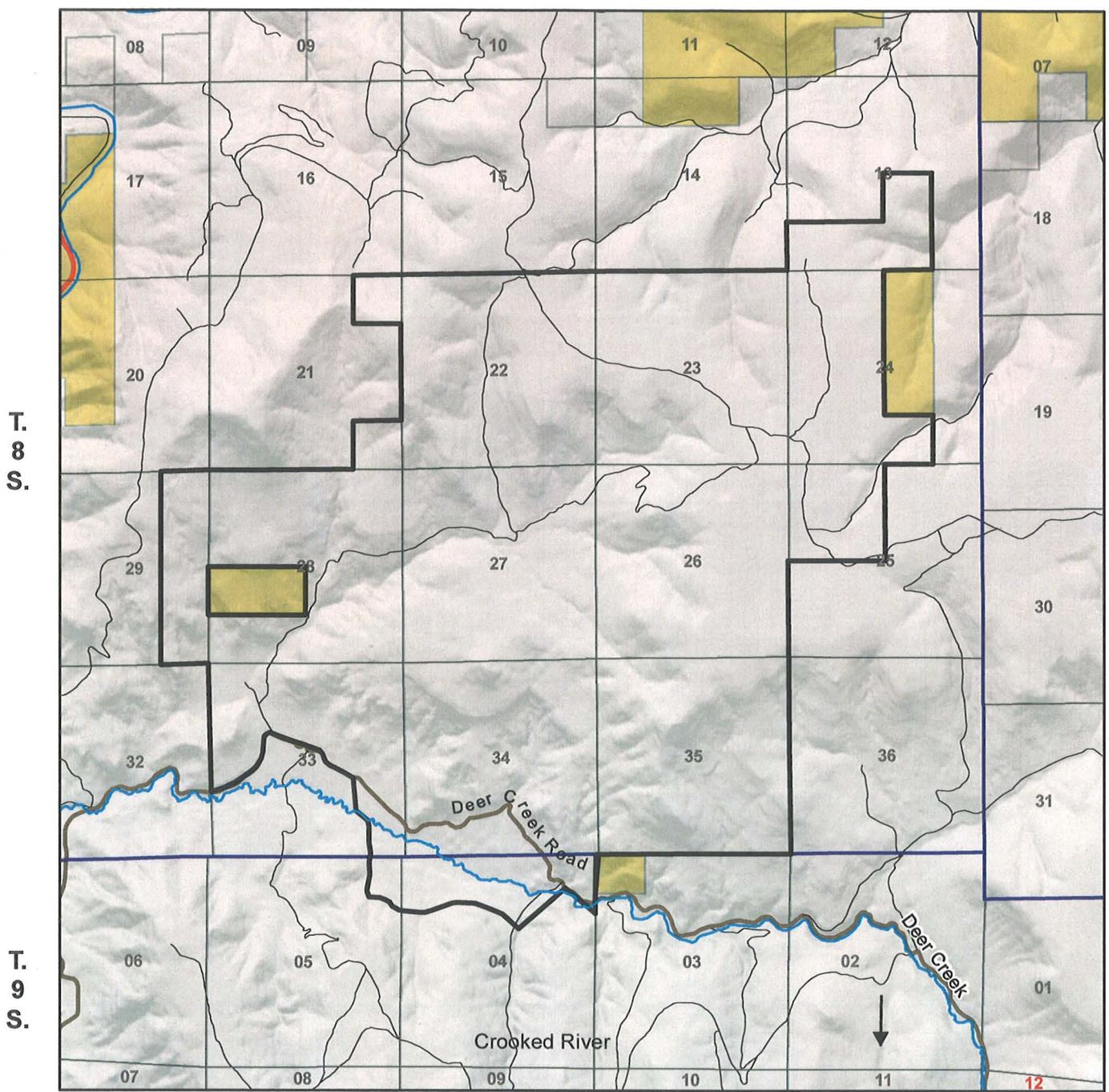
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# Jinks Creek Allotment 04050

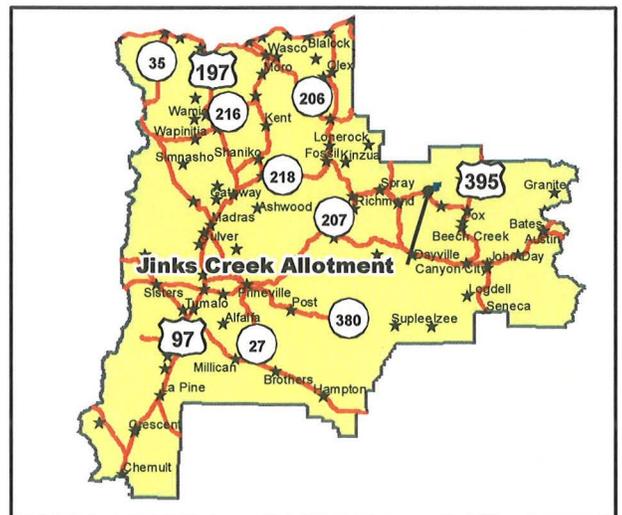
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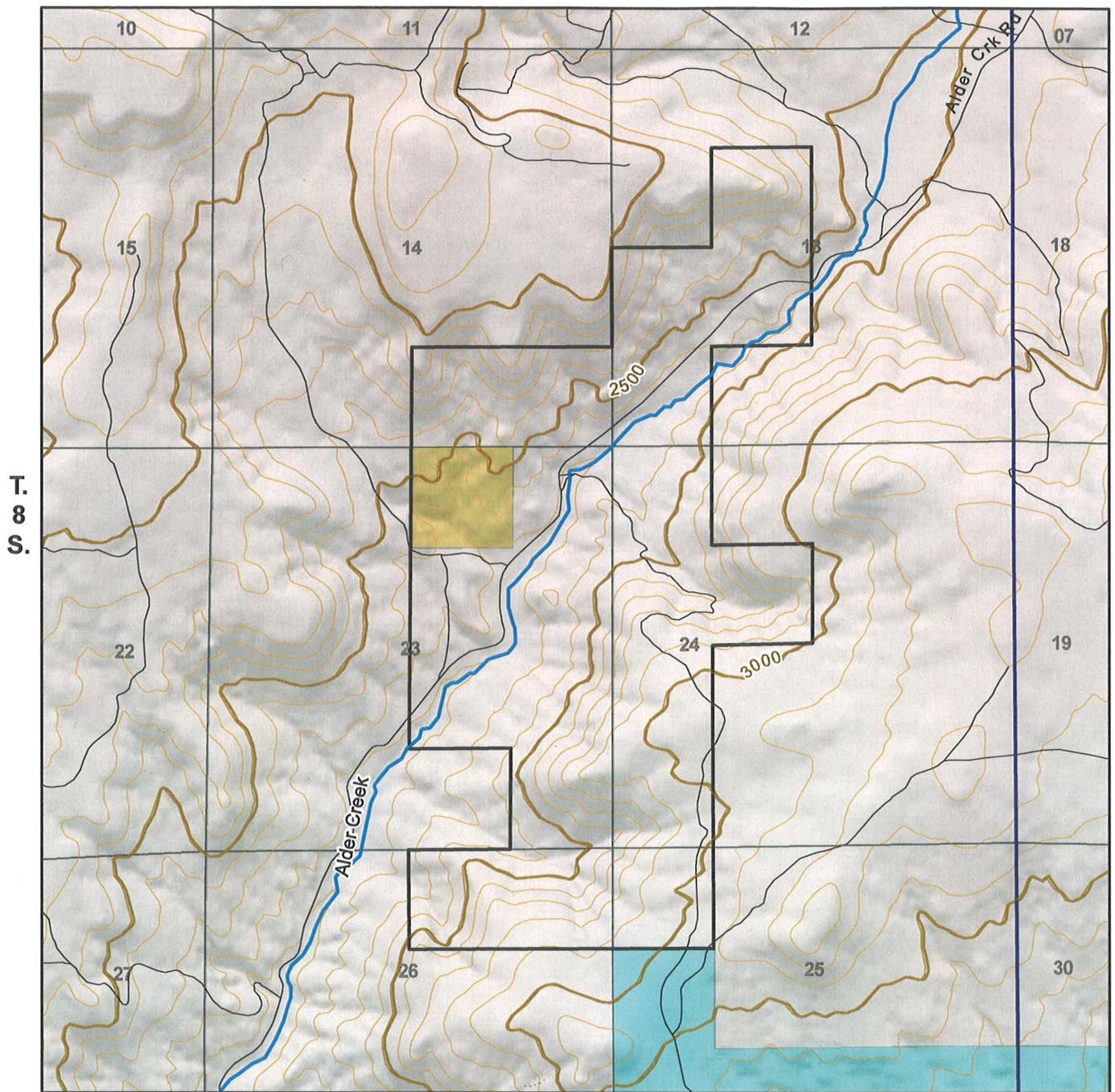
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R. 23 E.

## Arthur N. Robinson Allotment 02612

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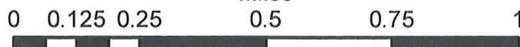
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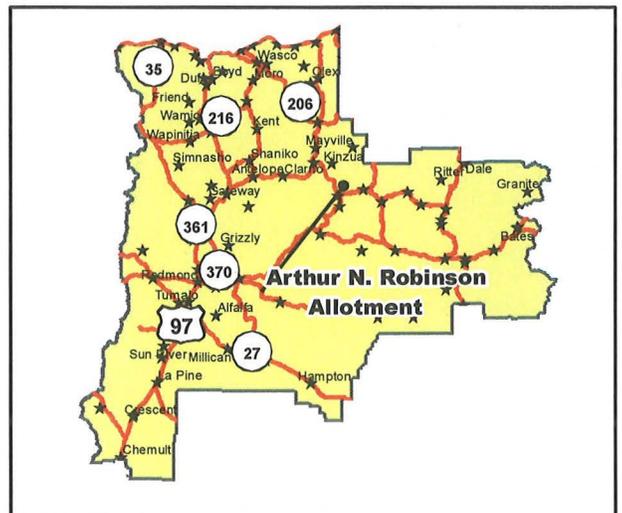


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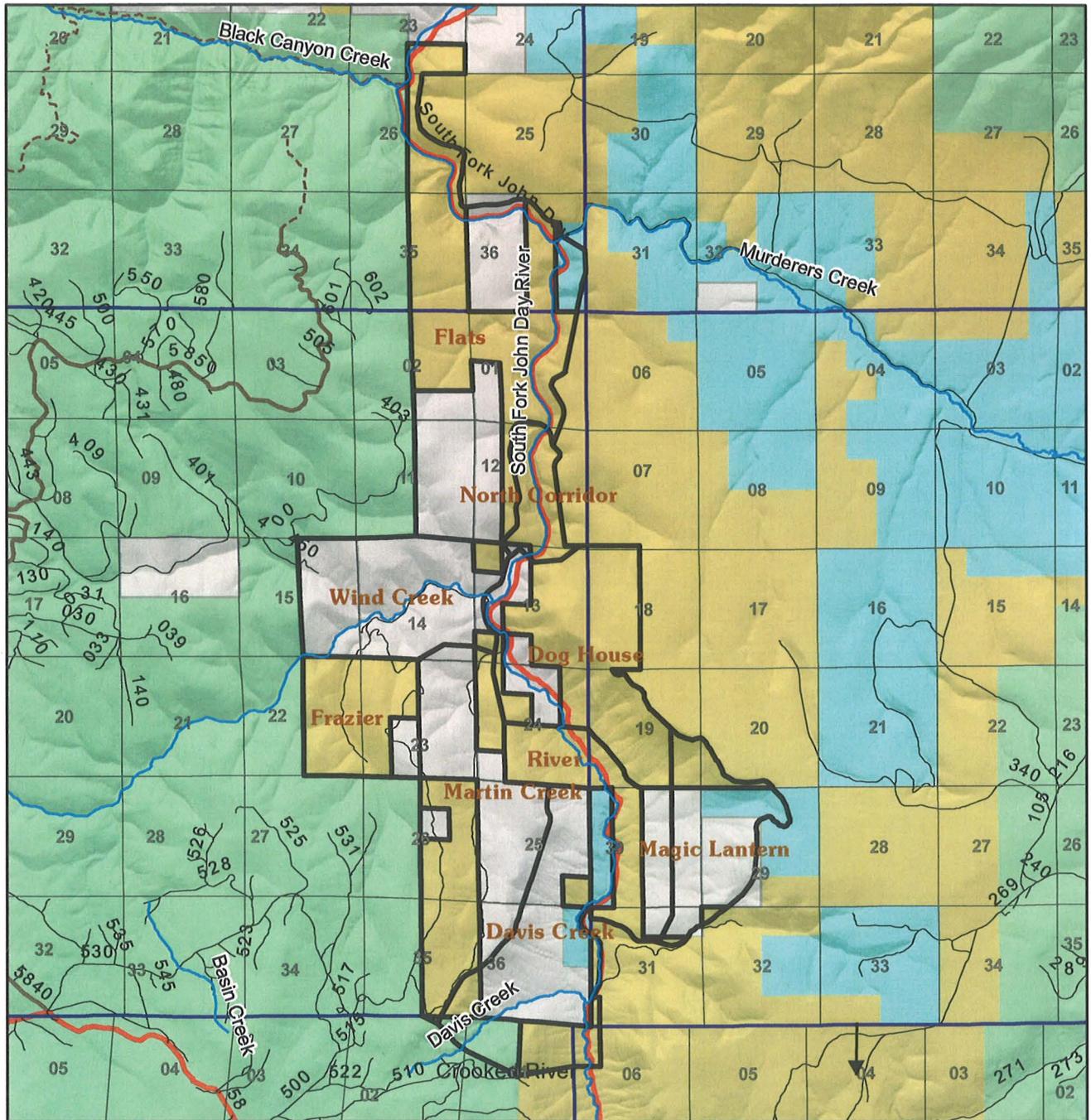
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T. 14 S.

T. 15 S.

T. 16 S.



R. 26 E.

R. 27 E.

# Rockpile Allotment 04103

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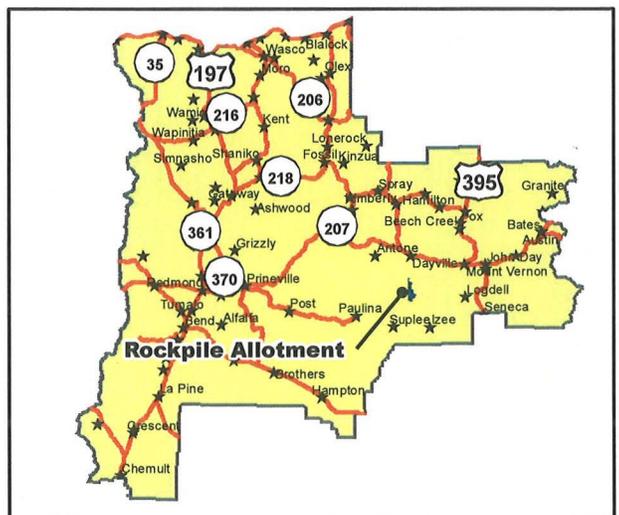
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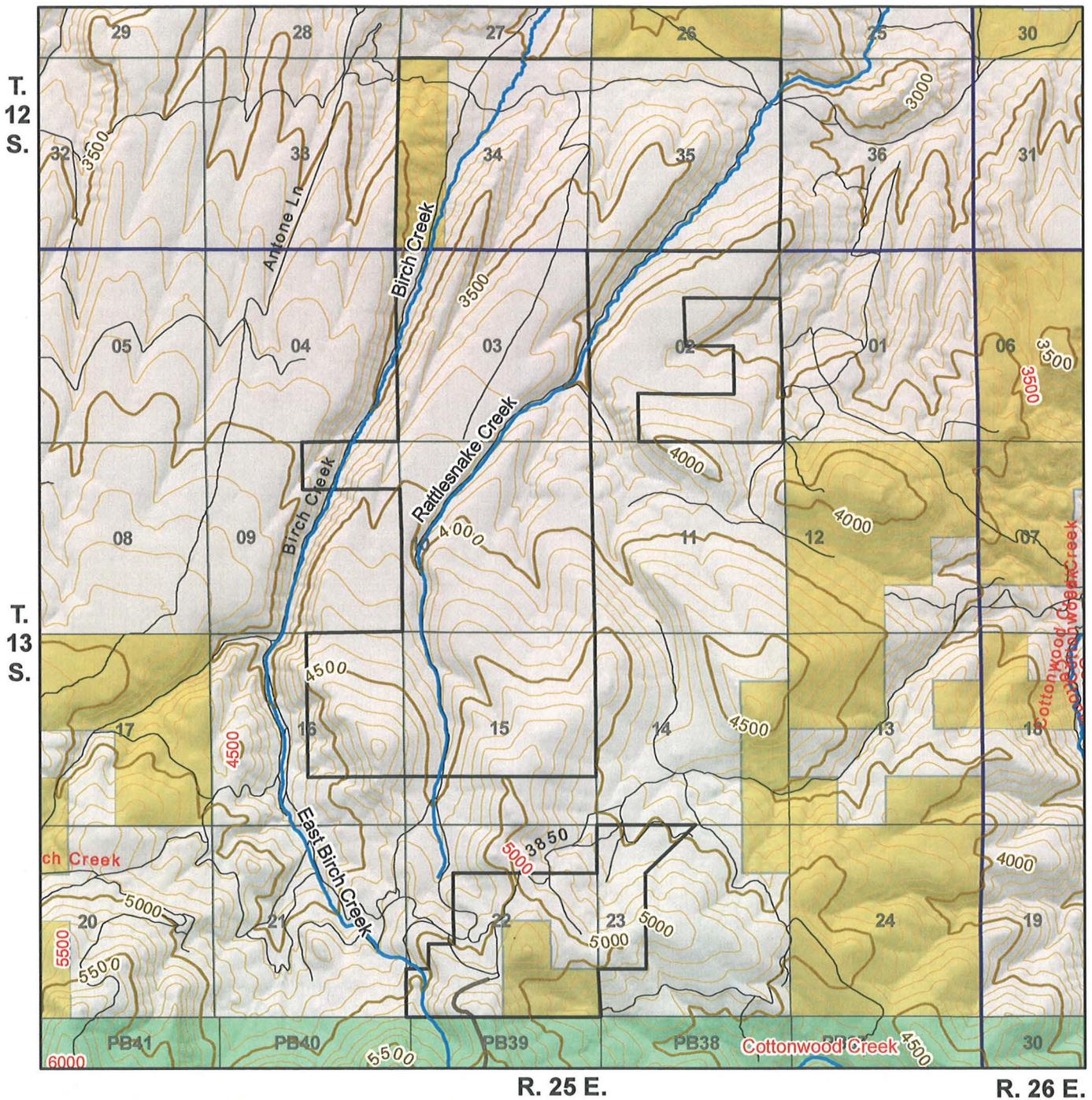


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# Rattlesnake Creek Allotment 02660

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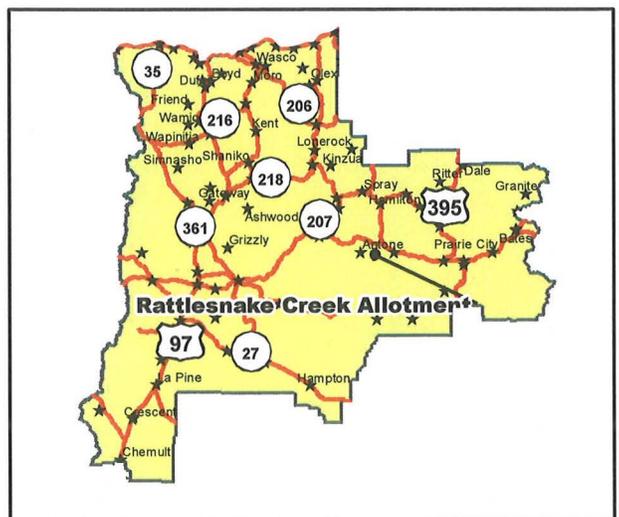
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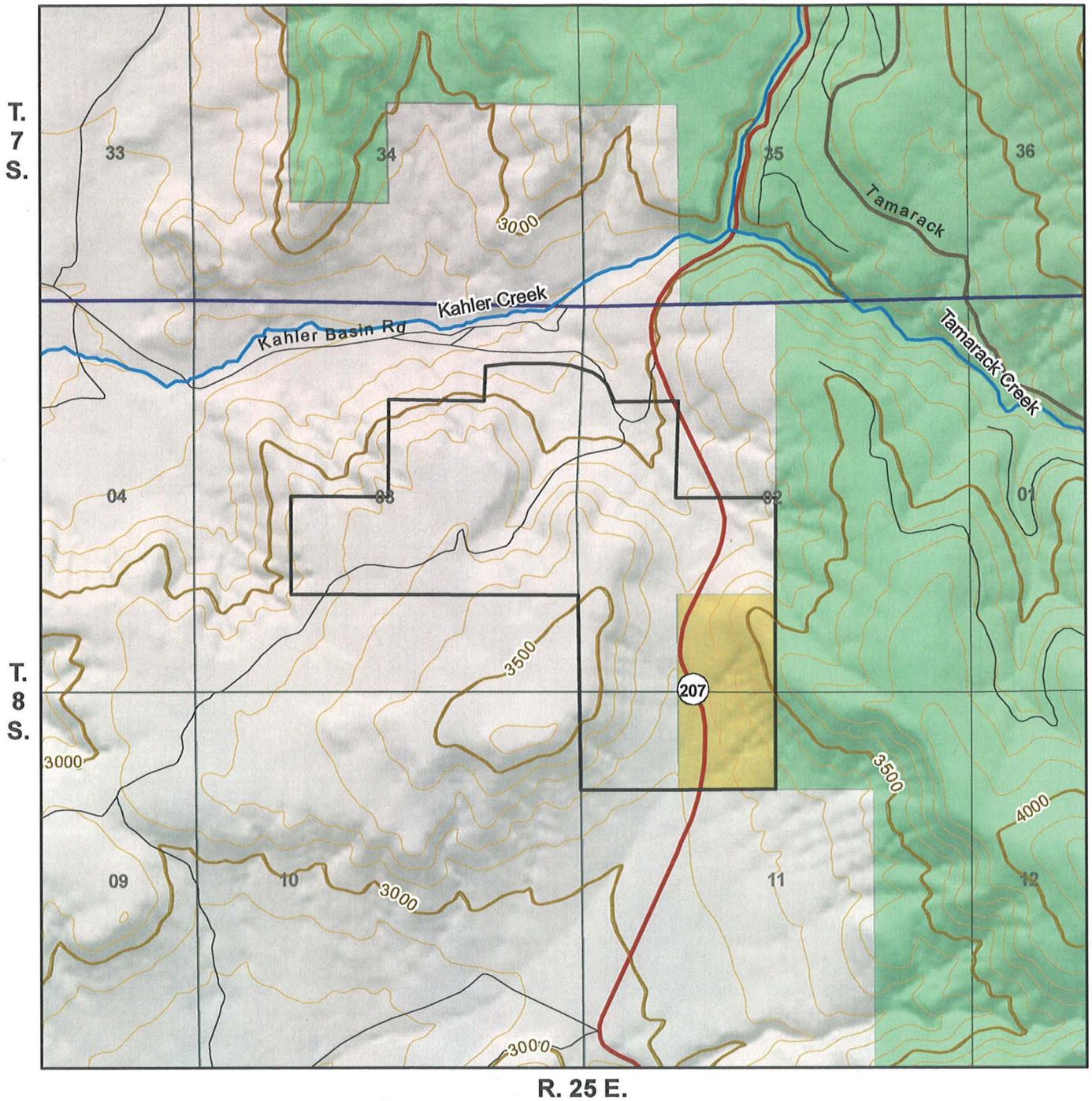


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## Larson Allotment 02632

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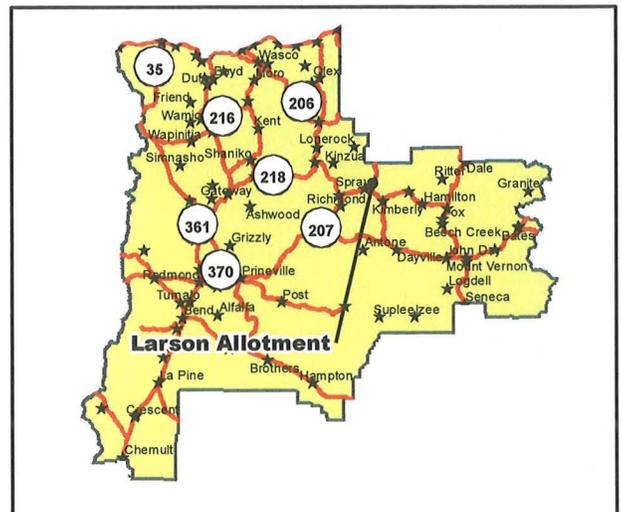
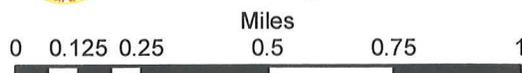
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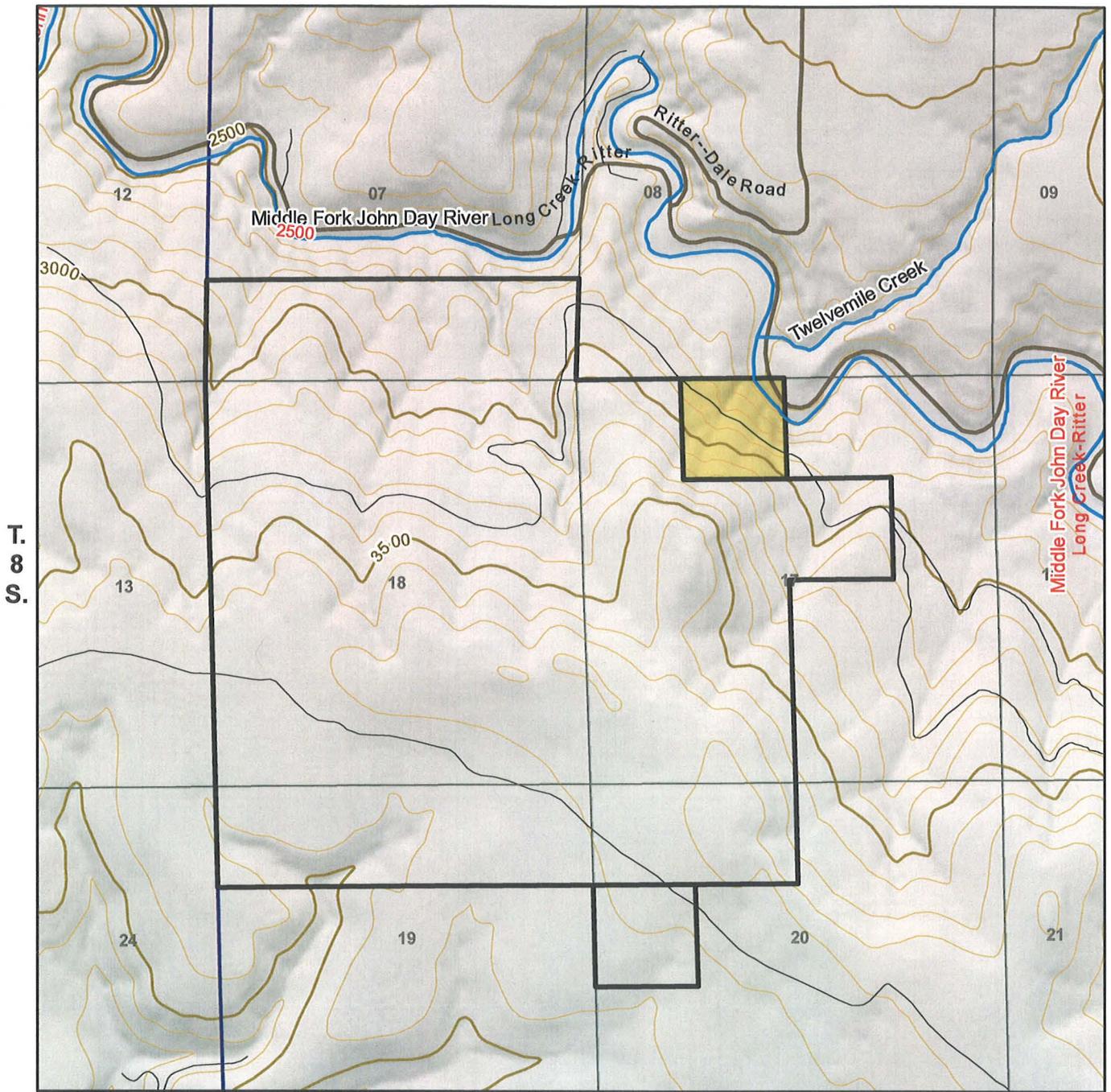
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R. 30 E.

# Gibson Creek Allotment 04135

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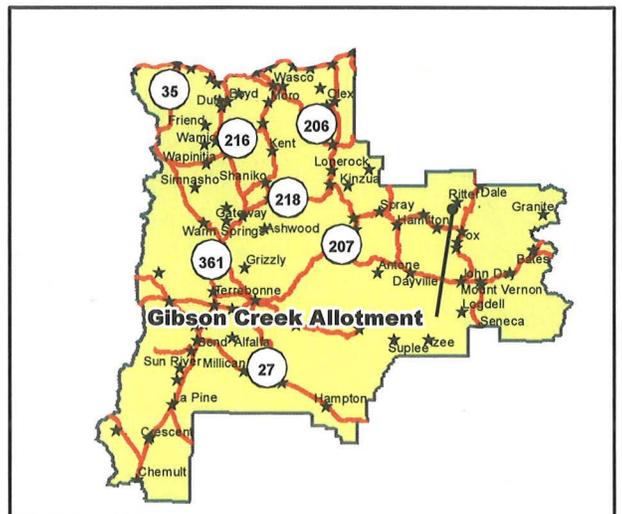
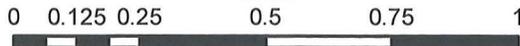
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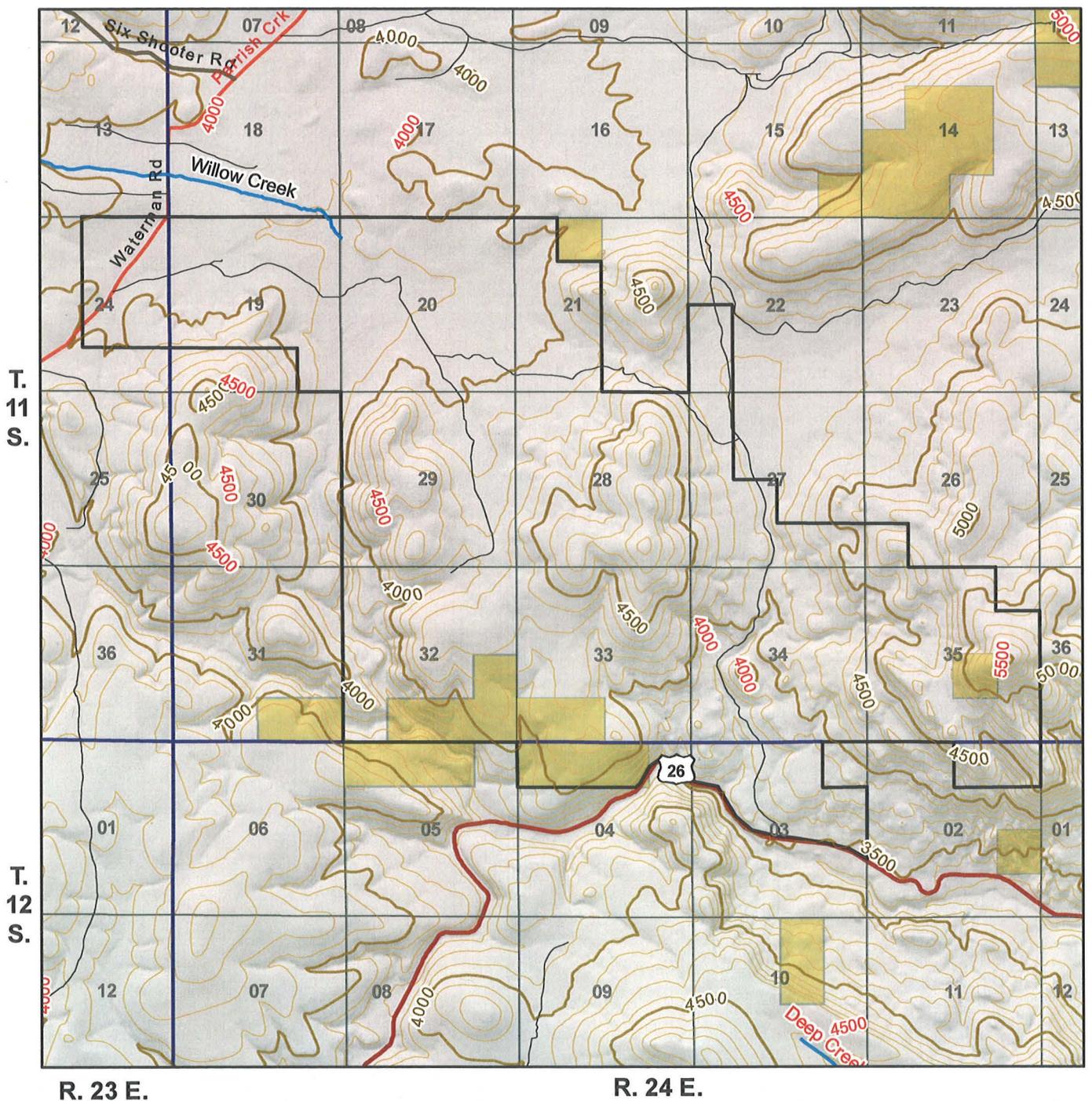


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R. 23 E.

R. 24 E.

## Tubb Creek Allotment 02639

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- State
- Private/Unknown

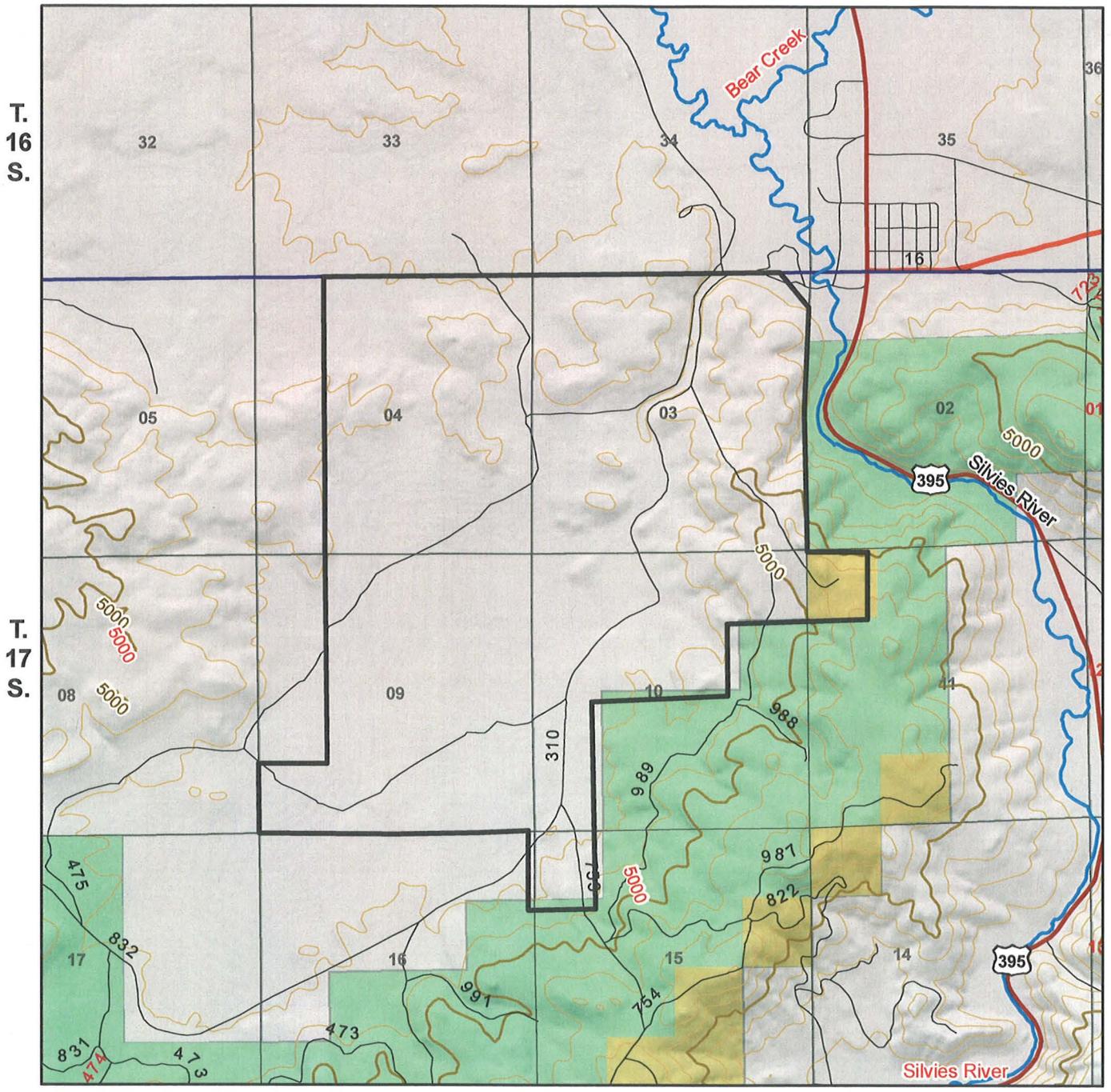


1:55,000



Miles





R. 31 E.

# Shirt Tail Creek Allotment 04140

Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

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 were compiled from various sources and may be updated without notification.

- Legend**
- Major Streams and Rivers
  - Allotment and Pasture Boundary
  - Highways
  - Collector Roads
  - Resource Roads
  - Bureau of Land Management
  - U.S. Forest Service
  - Bureau of Indian Affairs
  - State
  - Private/Unknown

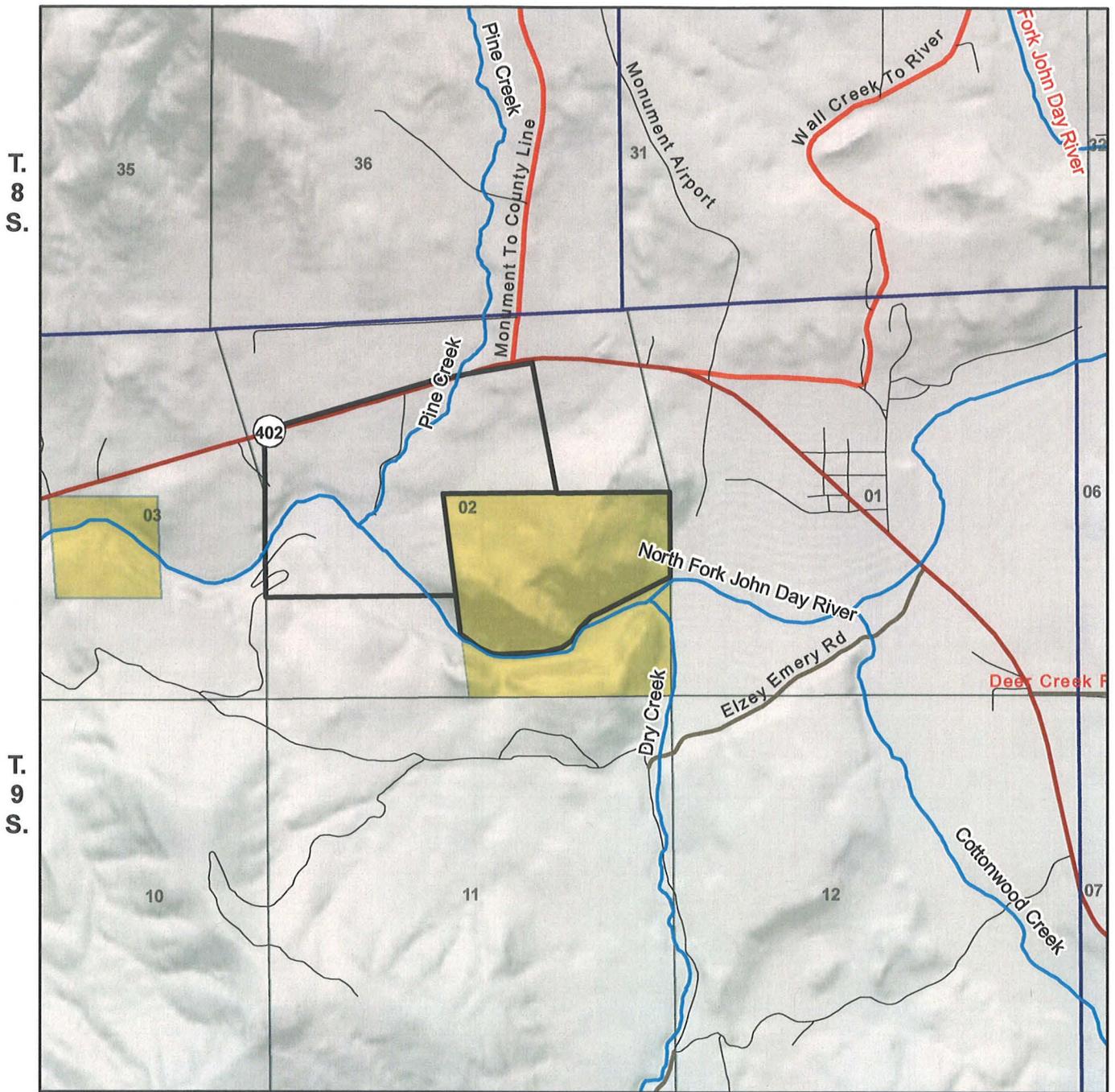


1:35,000



Map created by: J. Rodgers, 08/23/2011

MYD:\V\indogore RIM\Project GIS Maps\Allotment Maps\EV11 Lease Renewals\Base Allotment Map.mxd



R. 27 E.

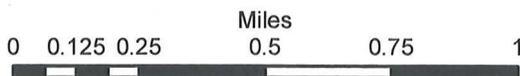
# River Allotment 04012

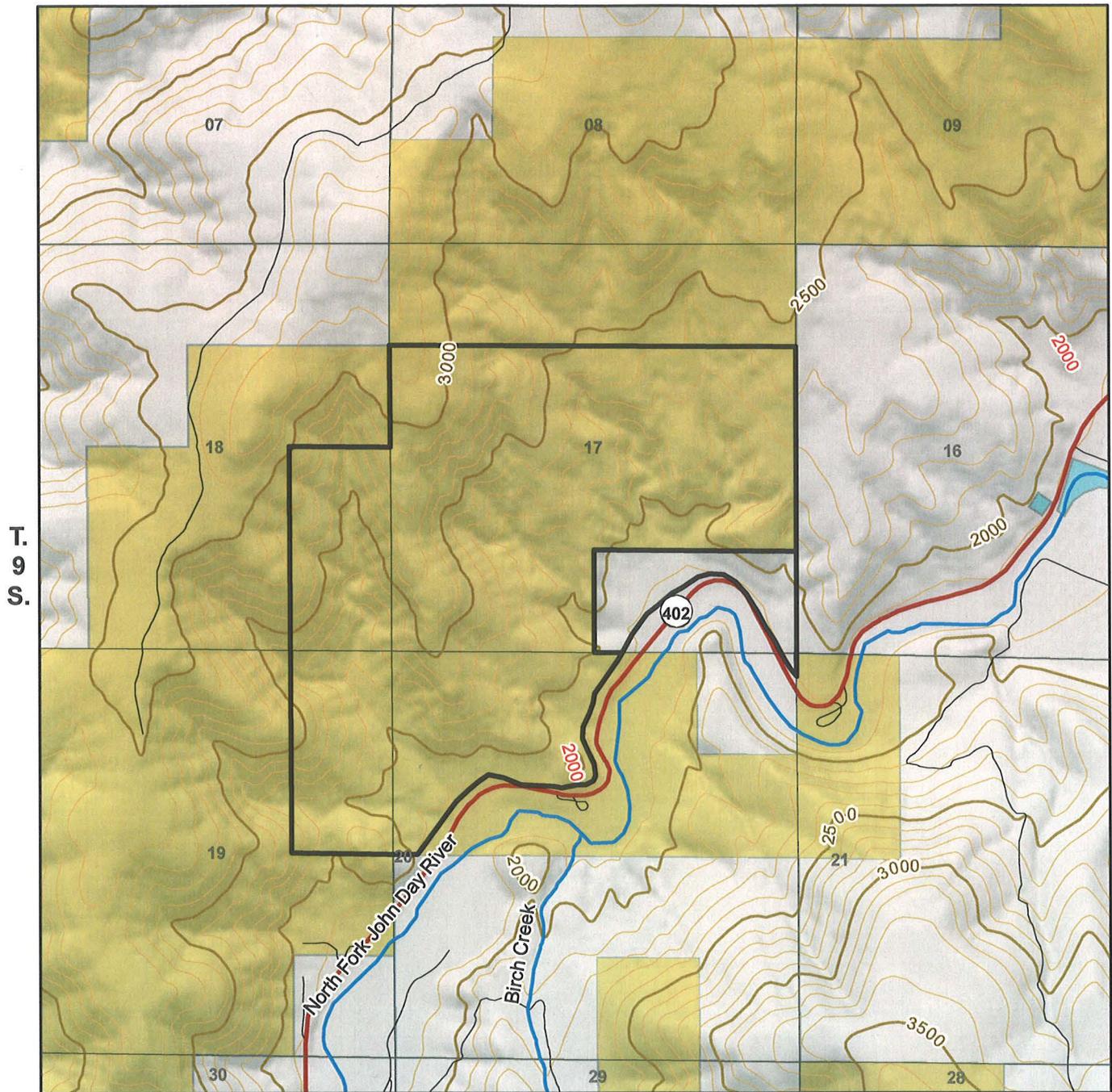
Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

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1:24,000





R. 26 E.

## Rim Allotment 04035

Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

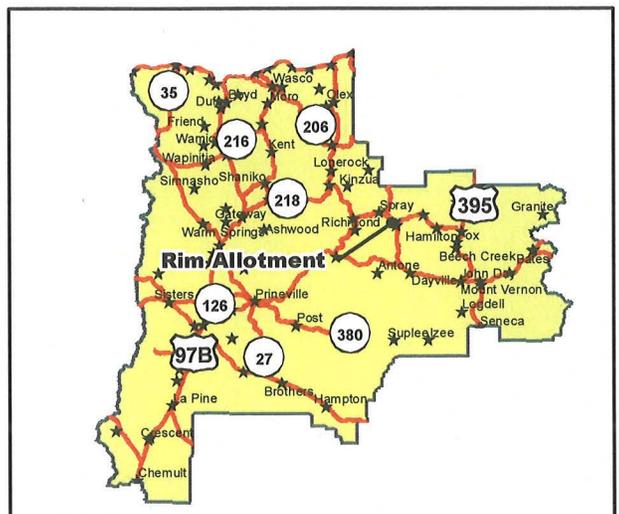
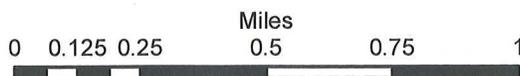
No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and may be updated without notification.

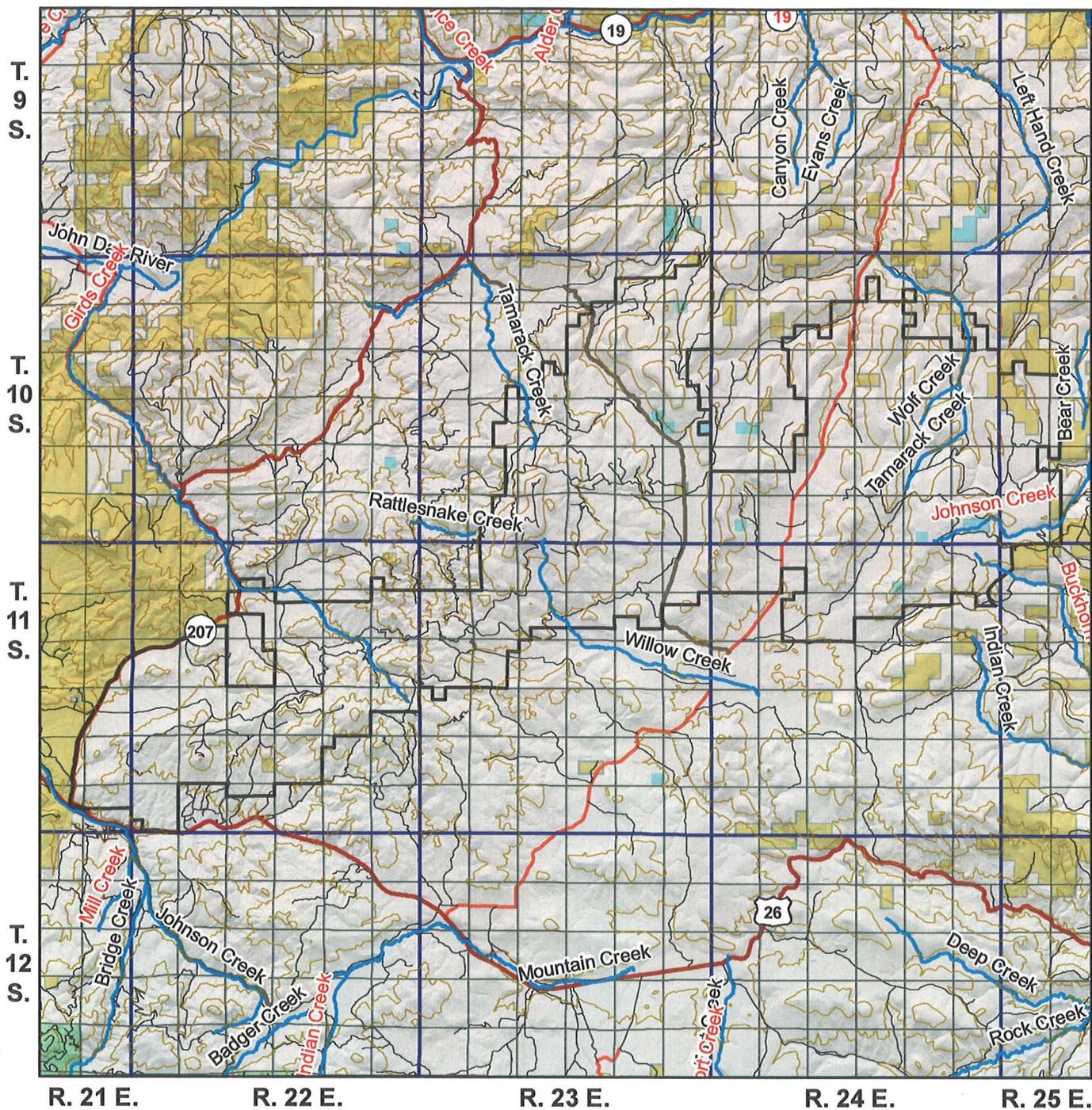
### Legend

-  Major Streams and Rivers
-  Allotment and Pasture Boundary
-  Highways
-  Collector Roads
-  Resource Roads
-  Bureau of Land Management
-  U.S. Forest Service
-  Bureau of Indian Affairs
-  State
-  Private/Unknown



1:24,000





# F.C. Cherry Allotment 02529

Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

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 were compiled from various sources and may be updated without notification.

### Legend

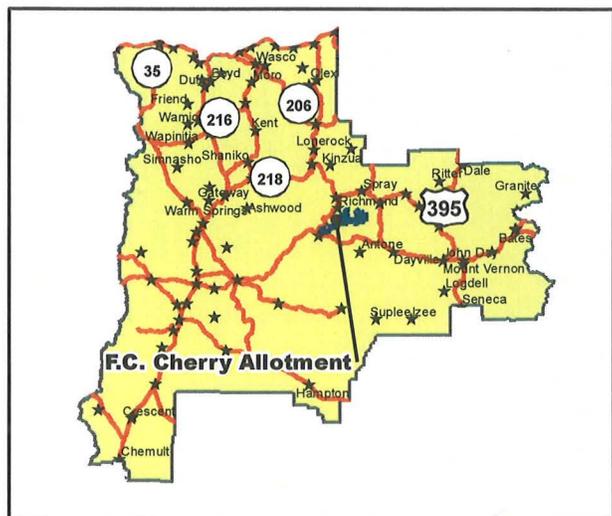
- 500ft Contours Simplified
- Major Streams and Rivers
- Allotments (Archival)
- Highways
- Collector Roads
- Resource Roads
- Bureau of Land Management
- U.S. Forest Service
- Bureau of Indian Affairs
- State
- Private/Unknown

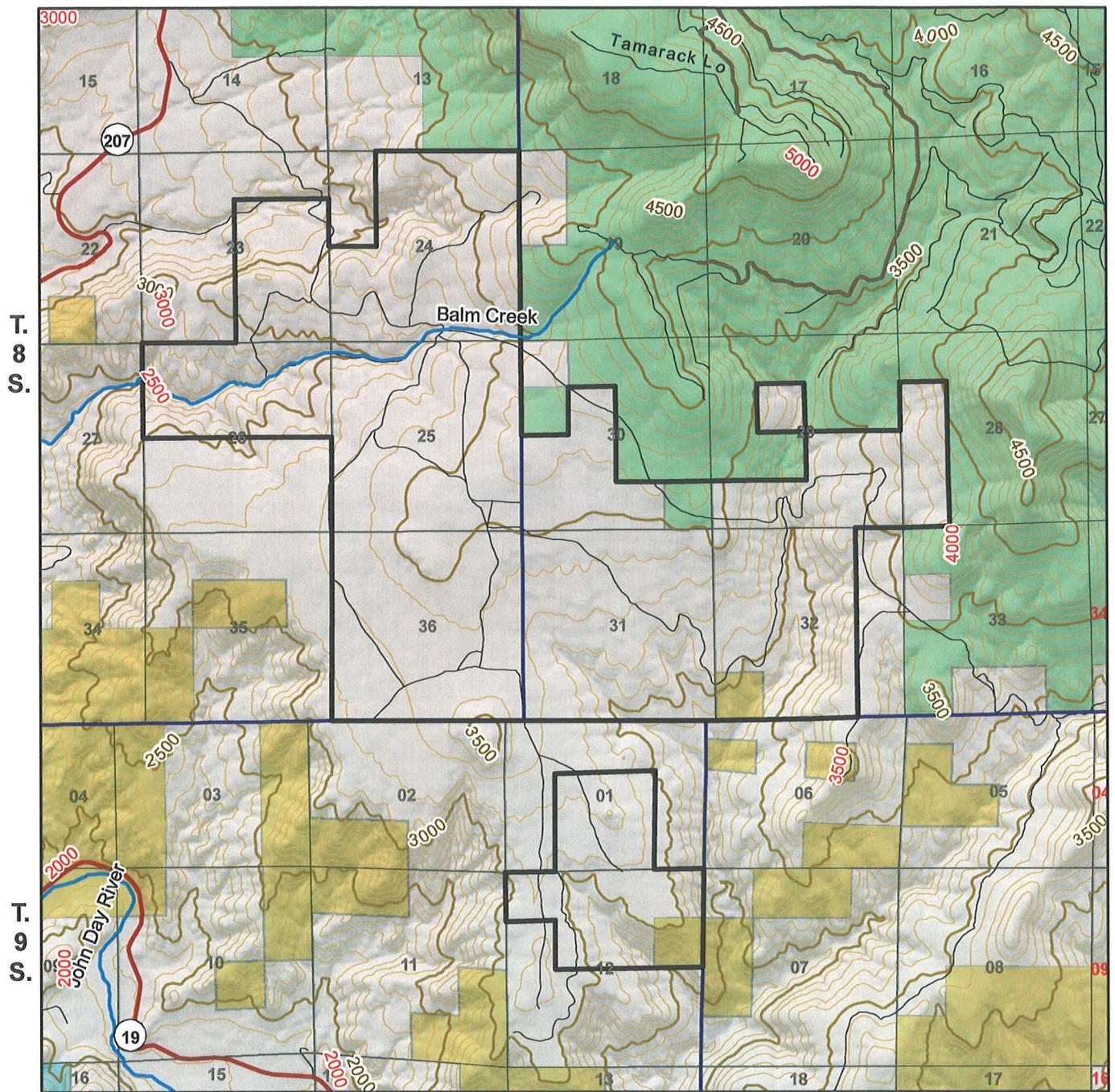


1:200,000



Miles





R. 25 E.

R. 26 E.

# West Bologna Cr. Allotment 04093

Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

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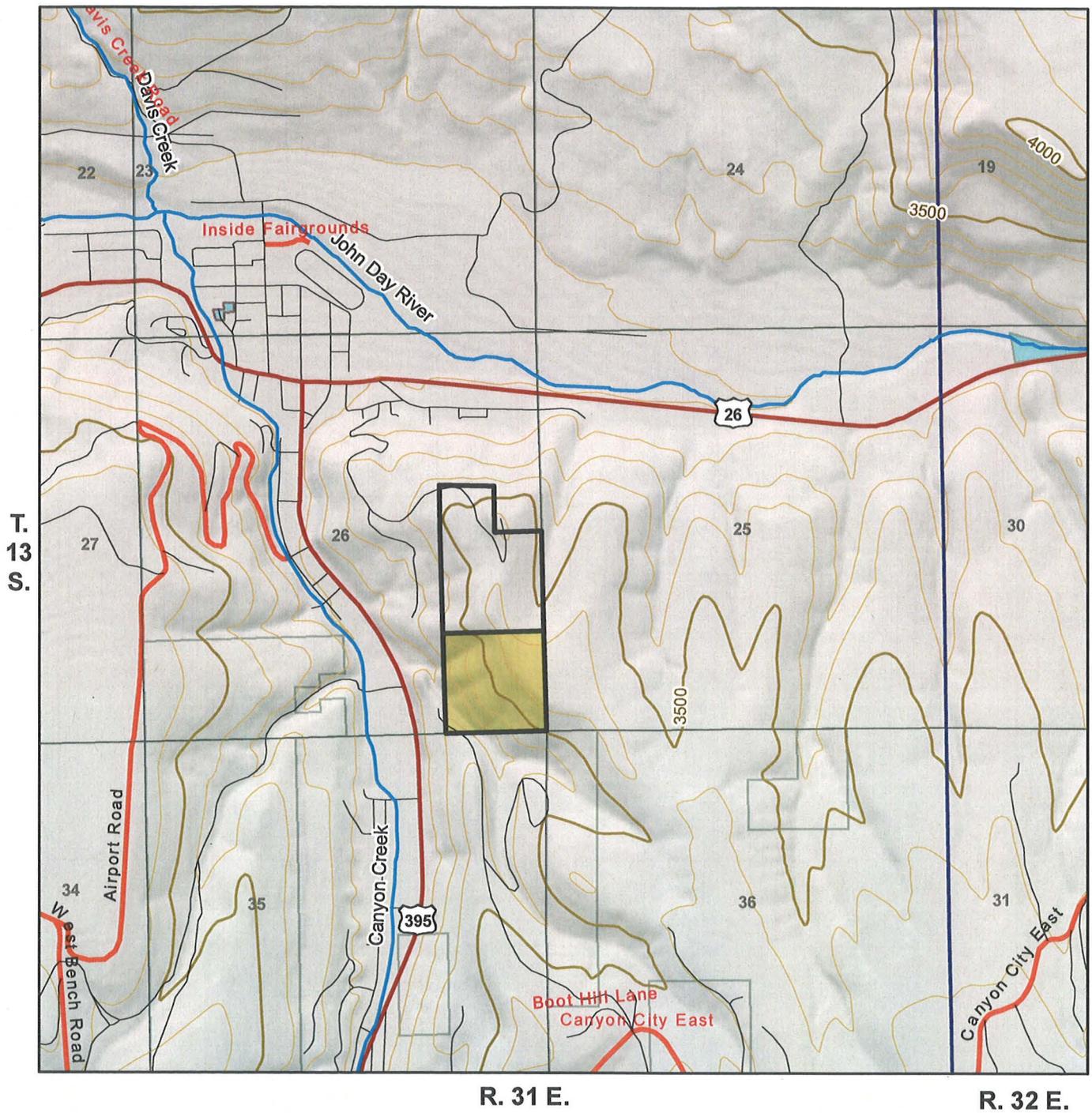
### Legend

- Major Streams and Rivers
- Allotments (Archival)
- Highways
- Collector Roads
- Resource Roads
- Bureau of Land Management
- U.S. Forest Service
- Bureau of Indian Affairs
- State
- Private/Unknown



1:50,000





# John Day Allotment 04013

Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

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 were compiled from various sources and may be updated without notification.

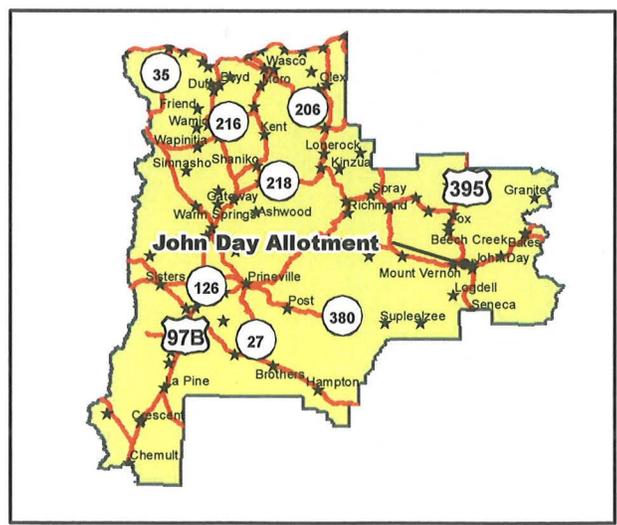
Legend	
	Major Streams and Rivers
	Allotment and Pasture Boundary
	Highways
	Collector Roads
	Resource Roads
	Bureau of Land Management
	U.S. Forest Service
	Bureau of Indian Affairs
	State
	Private/Unknown

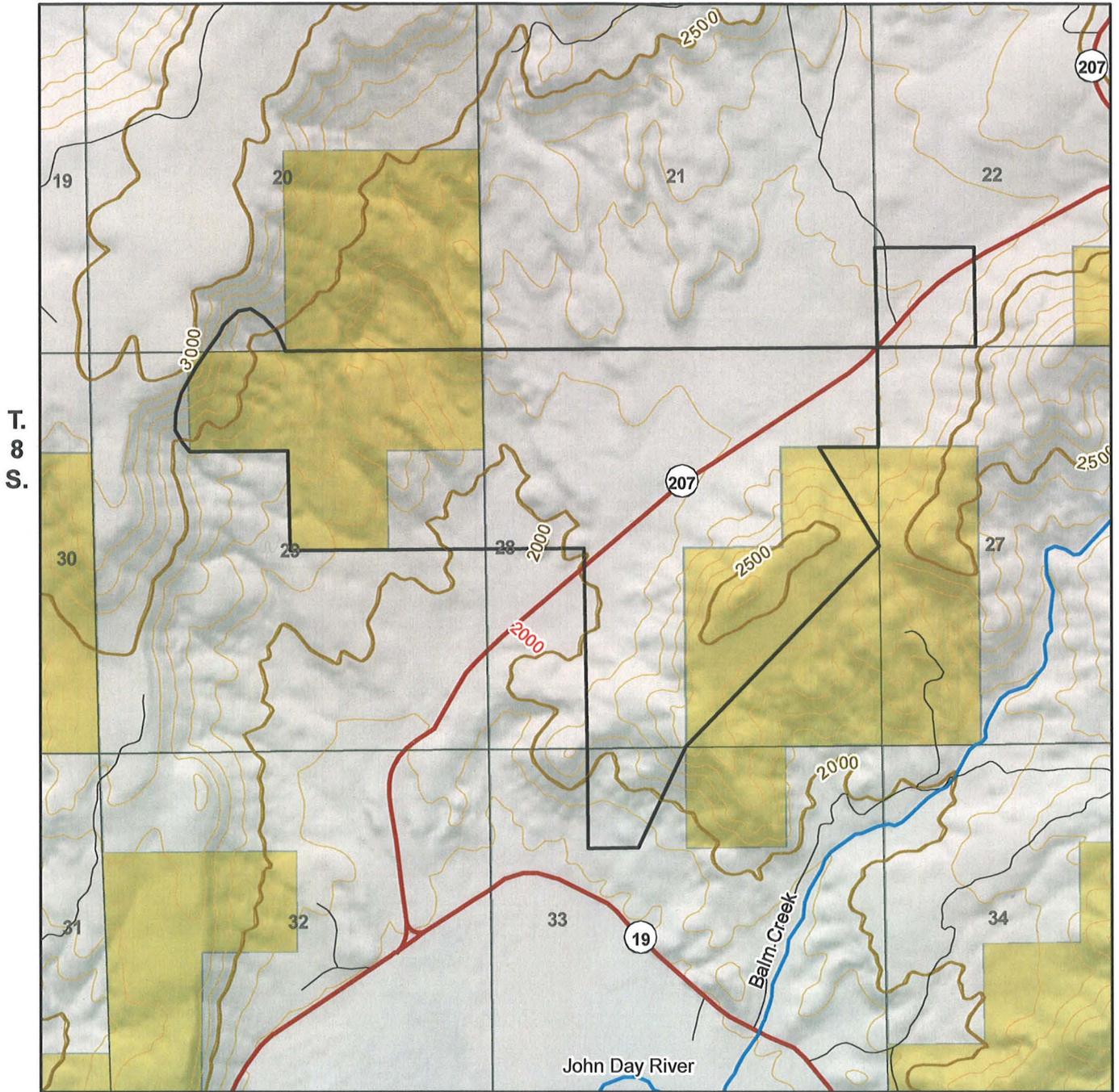


1:24,000



Miles





R. 25 E.

## Richard Foster Allotment 02635

Department of Interior  
 Bureau of Land Management  
 3050 NE Third Street  
 Prineville, OR 97754  
 541-416-6700

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 were compiled from various sources and may be updated without notification.



1:24,000



Miles

0 0.125 0.25 0.5 0.75 1

### Legend

- 500ft Contours Simplified
- Major Streams and Rivers
- Allotments (Archival)
- Highways
- Collector Roads
- Resource Roads
- Bureau of Land Management
- U.S. Forest Service
- Bureau of Indian Affairs
- State
- Private/Unknown

