

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

A. Background

Name of Proposed Action: Oertle and Hutton Grazing Permit Renewal

DNA Number: DOI-BLM-OR-P060-2011-0052-DNA

Location of Proposed Action: nine miles east of Bend, Oregon (see attached map)

Allotment Summaries: Oertle allotment #5121 – 2,318 acres of public land; 120 AUMs (120 active, 67 suspended); season of use, May 01 to June 15. Hutton allotment #5120 – 4,062 acres of public land; 231 AUMs (231 active, 167 suspended); season of use, April 15 to September 10.

Description of the Proposed Action: The proposed action is to renew the grazing permit for a term of ten years (Title 43 CFR 4110.1(1) (i) § 4130.2(d)). The terms and conditions of the existing permit would be reissued unchanged.

B. Land Use Plan Conformance

Land Use Plan:

Upper Deschutes Record of Decision (ROD) and Resource Management Plan (RMP), 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:

Objective LG-1: ...provide for continued livestock grazing... (Page 76)

Allocations/Allowable Uses: No. 8. Livestock grazing will continue to be allowed for allotments in the "Open" category on the Grazing Matrix (Table3). (Pages 78 - 86)

Page 248, Appendix G, Livestock Grazing Management Summary: *Oertle and Hutton allotments are classified as "G" which is defined as open for livestock grazing (entire allotment).*

C. Applicable National Environmental Policy Act (NEPA) document and related documents to the Proposed Action

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

Proposed Upper Deschutes RMP and Final EIS (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 proposed action is essentially the same as the Preferred Alternative analyzed in the Upper Deschutes RMP FEIS, Volume 2, pages 183 – 192 and Volume 3, Appendix G pages 207 – 211. The proposed action is located within the same geographic area previously analyzed in the listed NEPA documents.

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, and resource values?

Yes, the Upper Deschutes RMP FEIS compared the relative likelihood of grazing conflicts across allotments within the Planning Area, and analyzed the effects of discontinued grazing in areas where potential for conflicts was highest. This approach is still appropriate for the proposed action.

3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, and 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 is essentially valid; however, the Hutton Allotment failed Standard 3 Ecological Processes of the Standards for Rangeland Health & Guidelines for (S&Gs) assessment which was completed in 2009. It was cited as not meeting; making significant progress towards meeting, livestock were not the casual factor. Existing Rights of Ways (ROWs) and the Bend City Sewage Treatment Plant found within the allotment are primary reasons for allotment failure. This is due to the higher potential for weed infestations along those ROWs. Currently the margins of the paved roads and rows have few weed infestations. The Oertle allotment failed Standards 1, Watershed Function- Uplands, and 3, Ecological Processes, due to recreational pressure in 2005. Livestock grazing was not the casual factor. The creation of new roads was cited as a contributing factor as well as trash and shooting sites. The assessments verified that both allotments conform to the Guidelines for Livestock Grazing Management. This new information and circumstances would not substantially change the analysis of renewing the grazing permit.

There are no wilderness qualities on public lands within the Oertle and Hutton Grazing Permit Renewal area. These public lands did not contain wilderness qualities in the past 1978-9 BLM Wilderness Intensive Inventory. There is no new information or circumstances that would result in a finding that these public lands contain Wilderness Characteristics. The past and current findings are based on the small size, numerous vehicle routes that bisect these public lands and lack of outstanding solitude or primitive, unconfined recreation opportunities.

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 same effects that would result from the proposed action were analyzed in the Upper Deschutes RMP FEIS for the alternatives in Volume 2, pages 5 – 154 and pages 183 – 192.

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

Yes, the list of “interested publics” is updated on a regular basis and many of the individuals and organizations on the current “interested publics” list are the same as those on the mailing list for the planning and NEPA documents listed. A final copy of this DNA and the subsequent Proposed Decision will be posted on the Prineville District’s internet page for public review. A printed copy of these documents would be available on request.

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Emily Hurd	Rangeland Management Specialist	Range
JoAnne Armson	Biological Science Technician	Botany, Special Status Plants
Rick Demmer	Wildlife Biologist	Wildlife
Henry Goodman	Archeologist	Cultural Resources
Mike McKay	Hydrologist	Hydrology, Riparian, Watershed
Berry Phelps	Recreation & Wilderness	Recreation & Wilderness
Teal Purrington	Planning and Environmental Coordinator	NEPA Compliance
Michelle McSwain	Assistant Field Manager, DRA	Management

Note: Refer to the listed EIS 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 constitute BLM’s compliance with the requirements of the NEPA.

Signature

Responsible Official: _____

Molly Brown, Deschutes Resource Area Field Manager



8/17/11

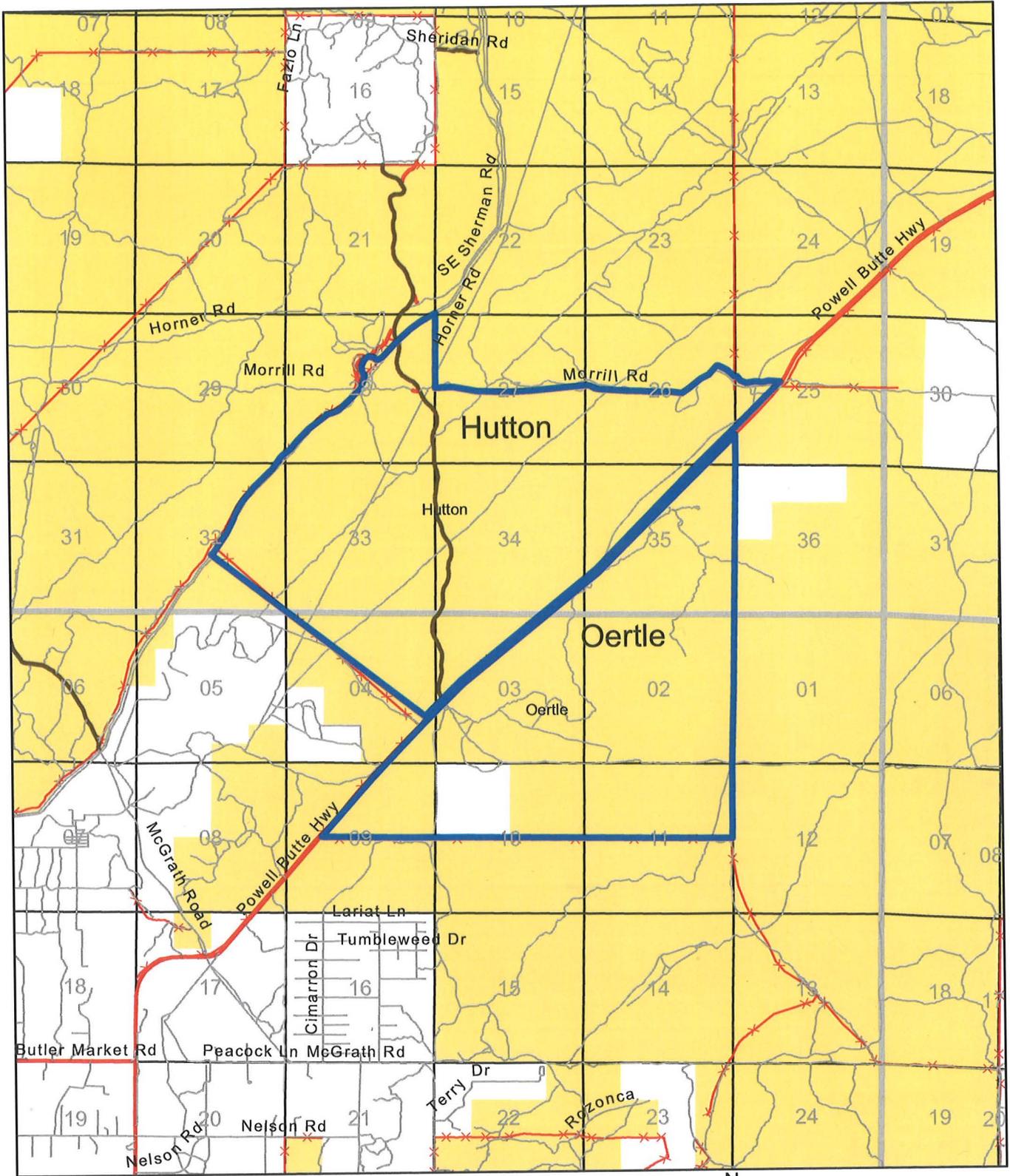
Date

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: Emily Hurd, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, 541-416-6789, Emily_Hurd@or.blm.gov.

Oertle #5121 & Hutton #5120 Allotments



Legend

-  Oertle&Hutton_Allotments
-  Major Highways with shields DISTRICT
-  Arterial Road
-  Collector Road
-  Local or Resource Road
-  Trails
-  Bureau of Land Management



No warranty is made by the Bureau of Land Management as to the security, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources and are