Worksheet
Determination of NEPA Adequacy (DNA)

U.S Department of the Interior, Bureau of Land Management

A. Background

BLM Office: Prineville District
NEPA Log #: DOI-BLM-OR-P040-2015-0024-DNA
Case File #: 3605283
Applicant: John Misener
Location: Approximately twelve miles north of Mitchell OR, T. 10 S., R. 21 E. (see map).
Proposed Action Title: Mary Misener Boundary Fence Removal and Reconstruction

Description of the Proposed Action and any applicable mitigation measures: The proposed action is to remove approximately one half mile of incorrectly placed fence on private property and to construct approximately one half mile of fence on the allotment boundary. Design is a four-wire fence with construction specifications described in the Sutton Mountain Coordinated Resource Management Plan Environmental Assessment (EA) #OR-054-2-44 (Sutton Mountain CRMP) with the exception that wire spacing will be 18, 22, 26, and 38 inches above the soil surface. Mitigation measures would include the following (as listed on page 5 of the Removal, Replacement, Reconstruction of Existing Fences EA #OR-056-06-067 (District Fence EA):

Soil/Vegetation/Watershed

1. Contractors or other project entities would be given a noxious weed information pamphlet; be required to ensure their vehicle and equipment were checked for weed matter prior to entering the project area, and requested to report any weed discoveries in their work areas. Any weed sighting information would be forwarded to the District Noxious Weed Coordinator for follow-up action.
2. Surface disturbance would be held to a minimum and be rehabilitated to blend with surrounding soil surfaces. Emphasis would be placed on avoiding repeated entry of vehicles or equipment on sites where this activity previously occurred.
3. Work activities would be scheduled to minimize compaction and rutting to road surfaces.
4. Neither old growth juniper trees nor any other species of tree showing obvious signs of wildlife occupation would be felled.
5. Natural materials (such as vegetative matter from fence line clearing work) would be applied to new vehicle tracks and other vehicle/equipment activity areas.
6. Neither bulldozer nor other heavy equipment use would be allowed.

Fish and Wildlife

1. Unless otherwise approved by the Field Manager, fencing activities within 4 miles of sage-grouse leks during the sage-grouse nesting period would be avoided. Note: The project area is not within sage-grouse habitat.

2. When possible, treatment activities would occur outside of the reproductive period for neotropical migratory birds (April15 through July 30), especially in areas near springs or other high-quality nesting areas.
3. Should the fish or wildlife situation change (such as new species found to be present or the status of a species changes), additional operational restrictions might be applied.
4. A BLM Wildlife Biologist would be notified if ferruginous hawks, or goshawk nests or individual birds, are discovered prior to or during fencing project. The biologist would determine appropriate protection measures; treatment activities would be adjusted accordingly.
5. For activities within one mile of eagle nests (during critical reproductive periods), seasonal operating restrictions would be in place between February 1 and August 31. As long as the project is completed outside of the golden eagle nesting season, no protection or mitigation is necessary for golden eagles. If the project is proposed to be implemented during golden eagle nesting season, the BLM wildlife staff will monitor the nest during the implementation period to determine nest occupancy and use.

Cultural Resources

1. Cultural resource inventory methods would be in accordance with OR BLM/SHPO standards and protocols.
2. All observed and recorded cultural resources determined to be at risk from project activities would be protected from damage or disturbance.
3. Trees having historical significance (survey trees, blaze trees, juniper structures, etc.) would be retained.

Recreation/Visuals Management

1. In visually sensitive areas, efforts would be made to blend the fence in with the surrounding environment. Examples of potential actions include the following:
   - Use of gray or brown fence posts
   - Routing fences behind visual obstacles (such as trees or shrubs), or in front of topographic features, such as rock cliffs or outcroppings.
   - Placement of braces or other fence components away from topographic crests (such as ridgelines and/or rimrocks).
2. In heavy recreation use corridors, gates and stiles would be installed in a manner that facilitates ease of visitor passage.

B. Land Use Plan Conformance

Land Use Plan Name: John Day Basin Record of Decision and Resource Management Plan (JDB RMP).
Date approved (ROD): April 2015.

The proposed action is in conformance with the applicable plan, even though it is not specifically provided for, because it is clearly consistent with the following land use plan

decisions (objectives, terms, conditions): "One or more of the following adjustments can be made ... to meet other resource objectives in the John Day Basin RMP ... modify existing or install new range developments (§ 4120.3)" (JDB RMP, p. 86) and "Range developments will be designed to achieve both wildlife and livestock grazing management objectives" (JDB RMP, p. 166).

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: District Fence EA - Prepared Oct. 2, 2006 (Decision Record signed Feb. 1, 2007), and Sutton Mountain Coordinated Resource Management Plan (CRMP) EA #OR-054-2-44 - Prepared Mar. 1995 (Decision Record signed Feb. 21 1996). The Section 32 Fence is shown on Map T (page 72) and described in Appendix J (page 144).

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 the same as the Preferred Alternative of the Central Oregon Resource Area's Sutton Mountain CRMP EA. The proposed action (pages 68-84) included construction of the Section 32 fence. The proposed action is located within the same geographic area previously analyzed in the CRMP EA.
>
> The proposed action is also the same as the proposed action in the District Fence EA. The proposed action (p. 2 of the District Fence EA) included reconstruction and removal of existing fences. In addition, the proposed action included moving the replacement fence if an old fence is located along a circuitous route and building the new fence on a more direct route could reduce the net mileage (and cost); or an existing fence does not follow land ownership or allotment boundaries. By building the replacement fence consistent with recognized boundaries, potential land tenure issues could be resolved (p. 4 of the District Fence EA).

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 Sutton Mountain CRMP EA addressed the appropriate range of alternatives given the proposed action, and current environmental concerns, interests, and resource values. The Sutton Mountain CRMP EA included a Continue Existing Management (that is, No Action) alternative and a range of alternatives including no authorization of

livestock grazing (pages 16-88). Given current environmental concerns, interests, and resource values, the ranges of alternatives in the existing NEPA document is still appropriate.

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. There has not been any new information that would cause the analysis of the proposed action to be substantially different. Public land in the area has been in Wilderness Study Area status since the signing of the Sutton Mountain CRMP EA Decision Record in 1996. Senate Bill 1255 introduced in May 2015 would designate the area as Wilderness. However, the fence location (on the public – private land ownership boundary) was selected to avoid conflicts with Wilderness or Wilderness Study Area status.

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 that would result from the Proposed Action would fall within the range of effects that would result from the alternatives that were analyzed in the Sutton Mountain CRMP EA (pages 103-128).

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

Yes, the CRMP EA that analyzed the range of alternatives that this action is falling within went through public and interagency reviews in the form of scoping and comment periods. The project would only impact the land owner who requested it. There are no known issues which have not been addressed in the Sutton Mountain CRMP EA.

E. Persons/Agencies/BLM Staff consulted

Name	Title	Resource/Agency represented
Sarah Canham	Natural Resource Specialist	Botany and Special Status Plants
Ryan Griffin	Archeologist	Cultural Resources
Christopher Anthony	Wildlife Biologist	Wildlife
Craig Obermiller	Rangeland Mgt. Specialist	Range
Teal Purrington	Planning & Environ. Coordinator	NEPA Compliance
Michelle McSwain	Assistant Field Manager, CORA	Management

Note: Refer to the EA/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 constitutes BLM's compliance with the requirements of the NEPA.

Signature

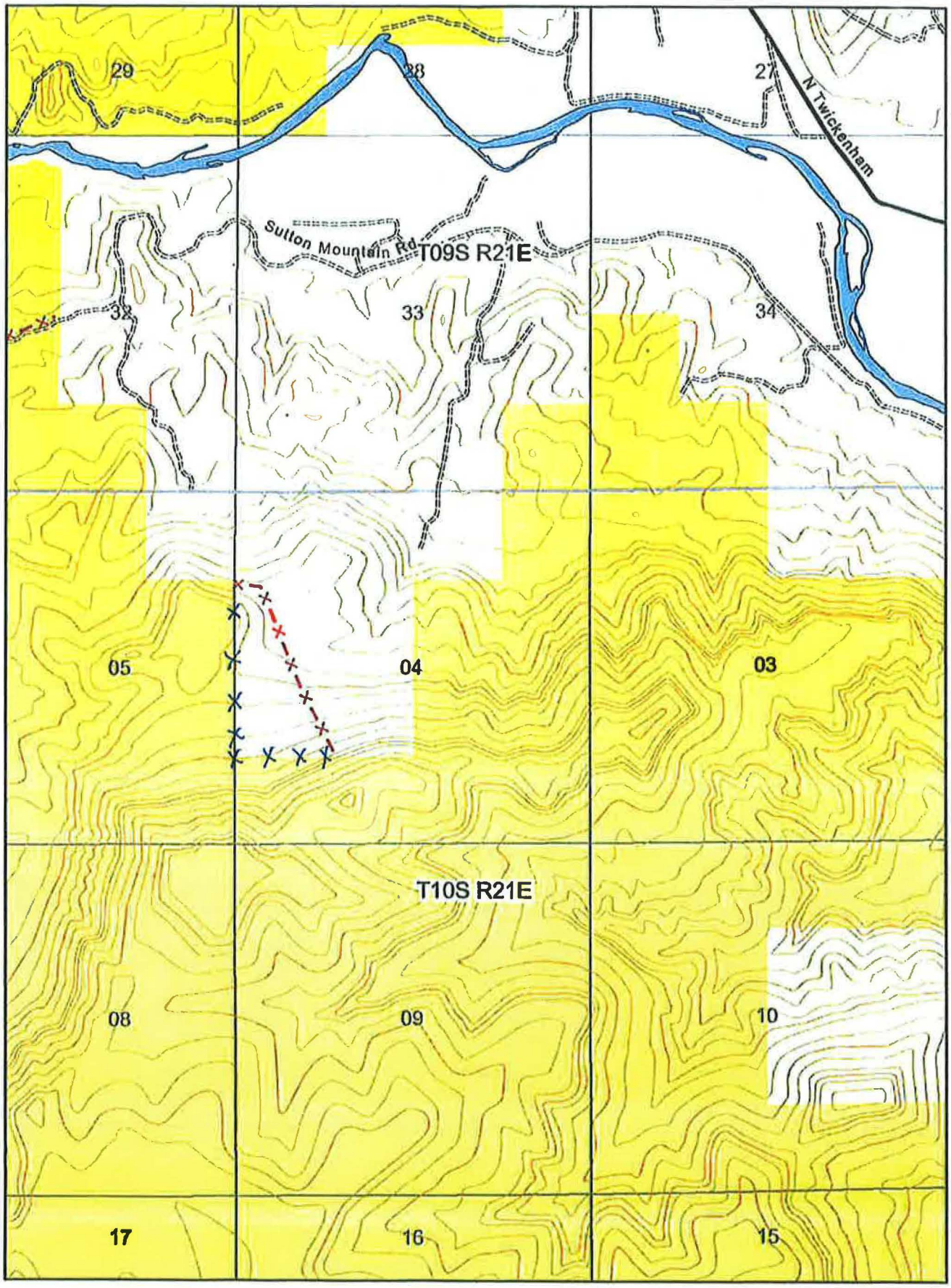
Responsible official: H.F. "Chip" Faver 8.17.15

H. F. "Chip" Faver 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: Craig Obermiller, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6761, e-mail cobermil@blm.gov.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