

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)

Note: This worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled “Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy” transmitting this worksheet and the “Guidelines for Using the DNA Worksheet” located at the end of the worksheet. (Note: The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM’s internal analysis process and does not constitute an appealable decision.)

A. BLM Office: Lower Sonoran Field Office (LSFO) Serial/Case File No. AZA-34636

Proposed Action Title/Type: DHS, U.S. Customs and Border Protection - SBInet

Location of Proposed Action: T. 14 S., R. 5 W., sec. 15, S½SE¼, G&SRM (AJO-216)
T. 14 S., R. 6 W., sec. 16, S½SW¼, G&SRM. (AJO-004)

Description of the Proposed Action: The two (2) SBInet towers

Applicant (if any): DHS, U.S. Customs and Border Protection

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name* Lower Gila South RMP & EIS Date Approved: 06/88

LUP Name* _____ Date Approved: _____

LUP Name* _____ Date Approved: _____

Other document** _____ Date Approved: _____

*List applicable LUPs (e.g., Resource Management Plans or applicable amendments).

**List applicable activity, project, management, water quality restoration, or program plans.

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

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

Lower Gila South Resource Management Plan and Final Environmental Statement (June 1988), states on page 11: “Lower Gila Resource Area processes a variety of lands actions in the Lower Gila South RMP/EIS area – rights-of way, communication sites, easements, permits and unauthorized occupancy. All lands cases would continue to be evaluated on a case by case basis.”

The proposed action does not occur in an area with any existing utility corridors, there are no known planned or proposed energy developments, and no applications for such use have been received by the LSFO. It has been determined by resource specialists that the proposed action will not have a direct or indirect impact on energy development, production, supply and/or distribution.

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action:

Finding of No Significant Impacts (dated 12/23/09) or the Environmental Assessment for the Proposed SBInet Ajo-1 Tower Project, Ajo Station’s Area of Responsibility, U.S. Border Patrol, Tucson Sector, Arizona, dated December 2009

List by name and date other documentation relevant to the proposed action (e.g., source drinking water assessments, biological assessment, biological opinion, watershed assessment, allotment evaluation, rangeland health standard’s assessment and determinations, and monitoring the report).

U.S. Fish and Wildlife Service Biological Opinion 22410-F-2009-0089, dated December 10, 2009

D. NEPA Adequacy Criteria

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

Documentation of answer and explanation:

Yes. The proposed action is part of the action analyzed in the EA for the SBInet Ajo-1 Tower Project.

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?

Documentation of answer and explanation:

Yes.

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?

Documentation of answer and explanation:

Yes, because there is no new information or new circumstances that apply to the proposed action.

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

Documentation of answer and explanation:

Yes. The proposal contains the common elements of the proposed action of the Finding of No Significant Impact and the Environmental Assessment.

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?

Documentation of answer and explanation:

Yes.

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)?

Documentation of answer and explanation:

Yes. The cumulative impacts of the proposed action is unchanged because actions will continue to be similar to those previously covered in the Finding of No Significant Impact and Environmental Assessment.

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

Documentation of answer and explanation:

Yes. The proposed action is the same as that covered in the Finding of No Significant Impact and Environmental Assessment. Additional public and interagency involvement would be redundant.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
<u>Jim Andersen</u>	<u>Lead Realty Specialist</u>	<u>Lands</u>

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

Performance Measures

All applicable regulations in accordance with 43 CFR 2800.

Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the holder or any person working on the holders behalf, on public or federal land shall be immediately reported to the authorized officer. The holder shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made the authorized officer to determine the appropriate actions to prevent the loss of significant cultural or scientific values. The holder will be responsible for the cost of the evaluation and any decision as to the proper mitigation measures will be made by the authorized officer after consulting with the holder.

Any “offsetting measures” as outlined in the U.S. Fish and Wildlife Service Biological Opinion 22410-F-2009-0089, dated December 10, 2009, that pertain to towers AJO-004 and AJO-216.

Any offsetting measures/mitigating measures that are presented in Finding of No Significant Impacts (dated 12/23/09) or the Environmental Assessment for the Proposed SBInet Ajo-1 Tower Project, Ajo Station’s Area of Responsibility, U.S. Border Patrol, Tucson Sector, Arizona, dated December 2009, that pertain to towers AJO-004 and AJO-216.

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the proposed action and constitutes BLM’s compliance with the requirements of NEPA.

Note: If one or more of the criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made and this box cannot be checked

/s/ 1/19/2010
Signature of the Responsible Official

Date

DECISION. I have reviewed this plan conformance and NEPA compliance record and have determined that the proposed project is either (a) in conformance with or (b) clearly consistent with terms, conditions, and decisions of the approved land use plan and that no further environmental analysis is required. It is my decision to implement the project, as described, with the mitigation measures identified below.

Mitigation Measures/Other Remarks: See Performance Measures listed above

Authorized Official: /s/ 1/19/2010 Date: _____