

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-CO-110-2011-0067-DNA

PROJECT NAME: Piceance Weed and Pest District PUPs

LEGAL DESCRIPTION:

Township	Range	Sections, Lots, or portions thereof
2 South	95 West	All
2 South	96 West	All
2 South	97 West	All
2 South	98 West	All
2 South	99 West	All
2 South	100 West	All
3 South	95 West	All
3 South	96 West	All
3 South	97 West	All
3 South	98 West	All
3 South	99 West	All
3 South	100 West	All
4 South	95 West	All
4 South	96 West	All
4 South	97 West	All
4 South	98 West	All
4 South	99 West	All
4 South	100 West	All
5 South	95 West	All
5 South	96 West	All
5 South	97 West	All
5 South	98 West	All
5 South	99 West	All
5 South	100 West	All

APPLICANT: Piceance Weed and Pest District

ISSUES AND CONCERNS: None.

DESCRIPTION OF PROPOSED ACTION: Piceance Pest and Weed District has hired Dave Allen (Applicator # 07776) to be the designated applicator to spray noxious weeds within the Piceance Weed and Pest District's private property and adjacent BLM lands within the Piceance Basin (Figures 1-3). The goal of this PUP is to aid in the control of state listed noxious weeds on private properties and adjoining grazing allotments.

Treatments are going to focus on a large infestation of leafy spurge (*Euphorbia esula*) in Hunter Creek (Figure 4) and a large infestation of yellow toadflax (*Linaria vulgaris*) in Bull Fork (Figure 5). The leafy spurge in Hunter Creek and the yellow toadflax in Bull Fork is mainly on steep side-slopes of the drainages where it is tough to access. Some of the infestations have made it into the bottoms, but it is not as heavy.

Remaining treatments will focus on wide-spread spot-treatments of houndstongue and thistles located within the weed and pest district boundary. Pesticides will be applied using truck mounted equipment or backpack sprayers, and care will be taken to minimize effects on non-target species. It is estimated that 100 acres will be treated with chemical on BLM lands annually. The table below lists the herbicides and rates to be used.

HERBICIDES	RATES
Telar XP	0.5 - 2 oz/acre
Escort XP	0.5 - 2 oz/acre
Tordon 22K + 2,4-D LV6	0.5 - 1 qt/acre + 1.4 pints/acre

LAND USE PLAN (LUP) CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

X The Proposed Action is in conformance with the LUP because it is specifically provided for in the following LUP decision(s):

Decision Number/Page: Page 2-13

Decision Language: "Manage noxious weeds so that they cause no further negative environmental aesthetic or economic impact."

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the proposed action.

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: July 1, 1997

Name of Document: Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement.

Date Approved: September 30, 2007

Name of Document: White River Field Office Integrated Weed Management Plan
DOI-BLM-CO-110-2010-0005-EA

Date Approved: March 19, 2010

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?

Documentation of answer and explanation: Yes, the proposed chemical treatments in the proposed action were a feature of the analysis in the White River Field Office Integrated Weed Management Plan (DOI-BLM-CO-110-2010-0005-EA). This environmental assessment (EA) covers the alternatives for doing noxious weed treatments within the field office boundary using these herbicides. The integrated weed control strategy is improving vegetation conditions.

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?

Documentation of answer and explanation: Four alternatives, the Proposed Action, the No Action Alternative, No Aerial Application of Herbicides Alternative, and the No Herbicide Use Alternative were analyzed in DOI-BLM-CO-110-2010-0005-EA. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid 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, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Documentation of answer and explanation: Yes, the analysis in the EA listed above is still valid. There is no new information or circumstances would substantially change the analysis of the new proposed action.

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?

Documentation of answer and explanation: Yes, the direct, indirect, and cumulative effects that would result from implementation of the new proposed action is similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document, DOI-BLM-CO-110-2010-0005-EA.

5. 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, consultation occurred between the BLM and the US Fish and Wildlife Service for environmental assessment, DOI-BLM-CO-110-2010-0005-EA. In addition, lists of the current NEPA documents (projects) are available for review on the White River Field Office webpage.

INTERDISCIPLINARY REVIEW

The proposed action was presented to, and reviewed by the White River Field Office interdisciplinary team on March 1, 2011. A list of resource specialists who participated in this review is available upon request from the White River Field Office.

REMARKS:

Cultural Resources: Spraying herbicides on existing, previous disturbance has no potential to impact cultural resources. If vehicles with mounted sprayers are restricted to existing roads and trails there are likely to be no vehicle related impacts to cultural resources. If there is no manual cultivation of vegetation outside of identified existing ground disturbance there is little chance of impacting cultural resources. (MRS 3/14/2011)

Native American Religious Concerns: No Native American Religious Concerns are known in the area, and none have been noted by Northern Ute tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken. (MRS 3/14/2011)

Threatened and Endangered Wildlife Species: There are no threatened or endangered species that are known to inhabit or derive important use from the project area. Overall range for the greater sage-grouse, a BLM sensitive species and a candidate for listing under the Endangered Species Act occurs in the following areas: All sections of 2S 99W, 4S 96W, 4S 97W, 4S 98W and 4S 99W; 2S 100W sections 1-4, 9-16, 21-24 and 34-36; 3S 97W sections 31-34; 3S 98W sections 6, 7, 17-22 and 25-36; 3S 99W all sections except 30 and 31; 4S 95W all sections except 1-6; 4S 100W sections 11-15, 21-28, and 33-36; 5S 95W sections 1, 5 and 7; 5S 96W sections 1-22 and 24; 5S 97W all sections except 25 and 36; 5S 98W sections 1-16 and 22-26; and 5S 99W sections 1-16. Both the Bull Fork and Hunter Creek treatment areas are located within overall sage-grouse range. There are three leks within a two mile radius of the treatment areas. Two of the leks are considered to be inactive and one was last active in 2006. Colorado Division of Wildlife telemetry data indicates use by one bird in the vicinity of the Bull Fork treatment area during the late-spring/early-summer of 2007. In general, core grouse use areas are between four to six miles east of the proposed treatment areas.

Hunter Creek and Bull Fork do not support any fish populations, nor do the reaches found within these treatment areas support any riparian resources. A dozen or so perennial streams are found within the overall project area. Several of these systems (e.g., East Douglas, Cathedral, Willow, Lake, Soldier, Fawn and Black Sulphur Creeks) provide habitat for native and BLM sensitive fish and amphibian species. Additionally, East Douglas, Lake, Soldier and Black Sulphur Creeks support populations of Colorado River cutthroat trout. Portions of the East Douglas Creek/Soldier Creek Area of Critical Environmental Concern (ACEC) lie within the overall project area (3S 99W sections 19, 29 and 32 3S 100W sections 9-36; 4S 99W section 18; 4S 100W sections 1-21, 24, and 29-31 and 5S 100W sections 6, 7, and 18). This ACEC was designated due to riparian habitat and Colorado River cutthroat trout habitat. (LRB 03/15/11)

Threatened and Endangered Plant Species: Occupied, suitable, and potential habitat for Dudley Bluff bladderpod and Dudley Bluffs twinpod do occur within the project area (Figures 6-13). Since there are special status plant species located in the project area, there is the potential for mortality due to direct spray of herbicide or off-site drift. There is also the potential for trampling or crushing during herbicide application activities. Locations of plant habitat are listed in Table 1.

Table 1: Legal Descriptions of Occupied, Suitable, and Potential Plant Habitat

TOWNSHIP	RANGE	SECTIONS, LOTS, PORTIONS THEREOF
2 South	95 West	3, 10, 11, 12, 26
2 South	96 West	1, 2, 4, 7, 16, 19, 20, 21, 29
2 South	97 West	1-6, 8-16, 21-24, 27
2 South	98 West	8, 17, 18
2 South	99 West	13, 22, 23, 26
2 South	100 West	13, 16, 27, 28, 34
3 South	95 West	8, 9, 11, 12, 14, 15, 23, 24, 25, 26, 36

TOWNSHIP	RANGE	SECTIONS, LOTS, PORTIONS THEREOF
3 South	99 West	7, 19, 20, 29, 30, 32
3 South	100 West	2, 11, 12, 13, 14, 24
4 South	96 West	21
4 South	100 West	10, 11, 12

MITIGATION:

Cultural Resources

1. The operator is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during any project or construction activities, the operator is to immediately stop activities in the immediate area of the find that might further disturb such materials, and immediately contact the authorized officer (AO). Within five working days the AO will inform the operator as to:

- whether the materials appear eligible for the National Register of Historic Places
- the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary)
- a timeframe for the AO to complete an expedited review under 36 CFR 800-11 to confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

2. If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation cost. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

3. Pursuant to 43 CFR 10.4(g) the holder of this authorization must notify the AO, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

4. All vehicle activity must be restricted to existing roads and/or trails as shown on the 2009 NAIP air photos of areas to be sprayed.

Terrestrial Wildlife:

1. The applicator should be aware of all SOPs (Appendix C), mitigation measures (Appendix D) and conservation measures (Appendix E) regarding terrestrial wildlife/migratory birds required in DOI-BLM-CO-110-2010-0005-EA.
2. To minimize disturbance to nesting sage-grouse, no herbicide treatments or vehicular travel shall be allowed on the eastern ridgeline boundary of the Bull Fork treatment site from April 15 – July 7. All vehicular travel/site access will be restricted to the Bull Fork drainage (BLM Road 1010). All herbicide treatments shall be confined to the Bull Fork drainage and north and south facing slopes. Ridgeline herbicide treatments within the following areas are required to take place after July 7: All sections of 2S 99W, 4S 96W, 4S 97W, 4S 98W and 4S 99W; 2S 100W sections 1-4, 9-16, 21-24 and 34-36; 3S 97W sections 31-34; 3S 98W sections 6, 7, 17-22 and 25-36; 3S 99W all sections except 30 and 31; 4S 95W all sections except 1-6; 4S 100W sections 11-15, 21-28, and 33-36; 5S 95W sections 1, 5 and 7; 5S 96W sections 1-22 and 24; 5S 97W all sections except 25 and 36; 5S 98W sections 1-16 and 22-26; and 5S 99W sections 1-16. If timing limitations compromise the effectiveness of weed treatments for a specific species, treatments will be analyzed and evaluated on a site specific basis.
3. Since 2,4-D poses a high risk to a variety of migratory birds and special status species, it is recommended that its use be restricted within suitable habitats for these species. Other herbicides that are not as toxic to these species could be used to treat most of the weeds (except for leafy spurge and toadflax) that can be treated using 2,4-D. Site specific proposals shall be evaluated based on the application method (i.e., spot spray or broadcast), condition of the treatment area in respect habitat requirements, and whether or not there are other effective treatment methods for the target weed. It should not be used as a matter of convenience or habit when there are other treatment methods available and site specific proposals should document the reason why the use of 2,4-D is critical to achieving objectives.

Aquatic Wildlife:

1. The applicator should be aware of all SOPs (Appendix C), mitigation measures (Appendix D) and conservation measures (Appendix E) regarding aquatic wildlife required in DOI-BLM-CO-110-2010-0005-EA.
2. Implement all conservation measures for aquatic animals developed during consultation for the BLM WRFO Programmatic Weed Management Plan Environmental Assessment.
3. Special care should be taken to follow all instructions and SOPs to avoid spill and direct spray scenarios in aquatic habitats during transport and application.
4. Use appropriate herbicide-free buffer zones for herbicides not labeled for aquatic use based on risk assessment guidance, with minimum widths of 100 feet for aerial, 25 feet for vehicle, and use of only herbicides that pose no to low risk to fish or amphibians within 10 feet of riparian areas.

5. Use appropriate buffer zones based on label and risk assessment guidance.
6. Minimize treatments near fish-bearing water bodies during periods when fish are in life stages most sensitive to the herbicide(s) used, and use spot rather than broadcast or aerial treatments.
7. Use appropriate application equipment/method near water bodies if the potential for offsite drift exists.
8. For treatment of aquatic vegetation, 1) treat only that portion of the aquatic system necessary to achieve acceptable vegetation management, 2) use the appropriate application method to minimize the potential for injury to desirable vegetation and aquatic organisms, and 3) follow water use restrictions presented on the herbicide label.
9. Limit the use of terrestrial herbicides in watersheds with characteristics suitable for potential surface runoff, and have fish-bearing streams, during periods when fish are in life stages most sensitive to the herbicide(s) used.
10. Establish appropriate herbicide-specific buffer zones for water bodies, habitats, or fish or other aquatic species of interest (see Appendix C and recommendations in individual ERAs).
11. Avoid using the adjuvant R-11® in aquatic environments and do not use glyphosate formulations containing the POEA surfactant to reduce risks to aquatic organisms.
12. Do not broadcast spray triclopyr BEE or Tordon (picloram) in riparian systems that support special status aquatic wildlife under conditions that would likely result in off-site drift.
13. Chlorsulfuron and Tordon (picloram) have not been specifically evaluated for effects on amphibians. Where feasible, avoid the use of this herbicide in occupied amphibian habitats (i.e., East Douglas and Cathedral Creeks).
14. Escort (metsulfuron methyl) has not been specifically evaluated for effects on amphibians. Where feasible, avoid the use of this herbicide in occupied amphibian habitats (i.e., East Douglas and Cathedral Creeks).

Special Status Plant Species

1. Buffer distances outlined in table 7 of the WRFO IWMP (see below) will be adhered to while treating weeds around occupied, suitable, or potential habitat.

Table 7. Herbicide Buffer Distances from Terrestrial Special Status Plant Species^{1,2}

Active Ingredient	Buffer Width	Method(s) to Which Applied
2,4-D	0.5 mile	All

Table 7. Herbicide Buffer Distances from Terrestrial Special Status Plant Species ^{1,2}

Active Ingredient	Buffer Width	Method(s) to Which Applied
Bromacil	1,200 feet	All
Chlorsulfuron	1,200 feet	Ground
	1,500 feet	Aerial
Clopyralid	900 feet	Ground, typical rate
	0.5 mile	Ground, maximum rate; aerial
Dicamba	1,050 feet	Ground
Diflufenzopyr	100 feet	Low boom, typical rate
	500 feet	Low boom, maximum rate; high boom
	900 feet	Aerial
Diquat	900 feet	Ground, typical rate
	1,000 feet	Ground, maximum rate
	1,200 feet	Aerial
Diuron	1,100 feet	All
Fluridone	0.5 mile	All
Glyphosate	50 feet	Ground, typical rate
	300 feet	Ground, maximum rate; aerial
Hexazinone	300 feet	Ground, typical rate
	900 feet	Ground, maximum rate
Imazapic	25 feet	Ground, typical or maximum rates
	300 feet	Aerial, typical rate
	900 feet	Aerial, maximum rate
Imazapyr	900 feet	Ground or aerial, typical rate
	0.5 mile	Ground or aerial, maximum rate
Metsulfuron Methyl	900 feet	Ground or aerial, typical rate
	0.5 mile	Ground or aerial, maximum rate

Table 7. Herbicide Buffer Distances from Terrestrial Special Status Plant Species ^{1,2}

Active Ingredient	Buffer Width	Method(s) to Which Applied
Overdrive®	100 feet	Low boom, typical rate
	900 feet	Low boom, maximum rate; high boom
Picloram	0.5 mile	All
Sulfometuron Methyl	1,500 feet	All
Tebuthiuron	25 feet	Low boom, typical rate
	50 feet	Low boom, maximum rate; high boom, typical rate
	900 feet	High boom, maximum rate
Triclopyr	300 feet	Ground, typical rate
	500 feet	Aerial, typical rate
	0.5 mile	Ground or aerial, maximum rate

¹ Source: BLM 2007a

² See Appendix C for information related to aquatic species and other specific situations (e.g., areas vulnerable to wind erosion of treated soil).

COMPLIANCE PLAN (optional): On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Matthew Dupire

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

DATE: 3/25/2011

ATTACHMENTS:

- Figure 1: Map 1 of Piceance Weed and Pest District Project Area
- Figure 2: Map 2 of Piceance Weed and Pest District Project Area
- Figure 3: Map 3 of Piceance Weed and Pest District Project Area
- Figure 4: Map of Leafy Spurge Treatment Area in Hunter Creek
- Figure 5: Map of Yellow Toadflax Treatment Area in Bull Fork
- Figure 6: Map 1 of Special Status Plant Species Habitat
- Figure 7: Map 2 of Special Status Plant Species Habitat
- Figure 8: Map 3 of Special Status Plant Species Habitat
- Figure 9: Map 4 of Special Status Plant Species Habitat

Figure 10: Map 5 of Special Status Plant Species Habitat
Figure 11: Map 6 of Special Status Plant Species Habitat
Figure 12: Map 7 of Special Status Plant Species Habitat
Figure 13: Map 8 of Special Status Plant Species Habitat

CONCLUSION

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Based on the review documented above, I conclude that this proposal in consort with the applied mitigation conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL:



Field Manager

DATE SIGNED:

3/25/11

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.

Figure 1: Map 1 of Piceance Weed and Pest District Project Area

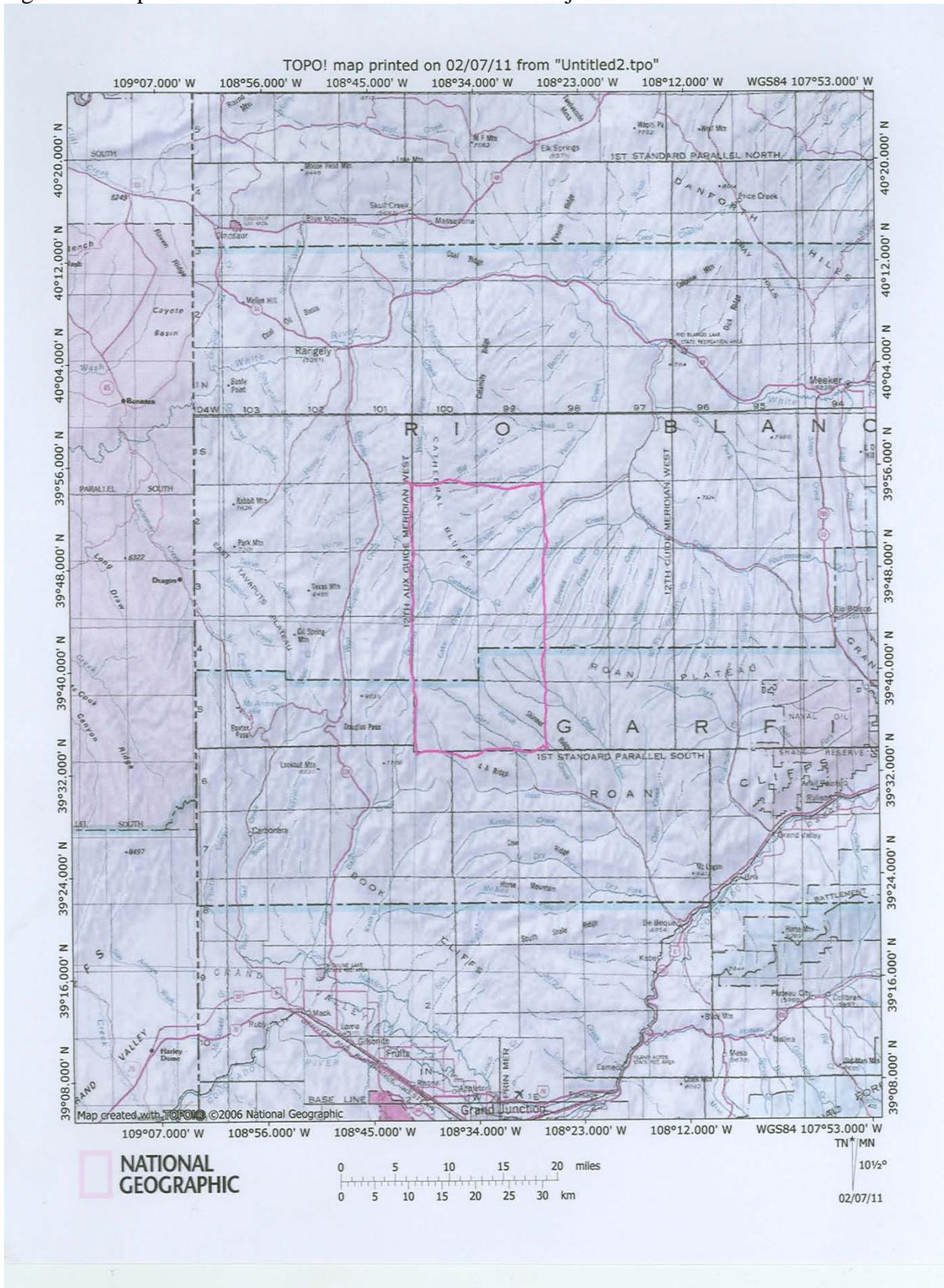


Figure 3: Map 3 of Piceance Weed and Pest District Project Area

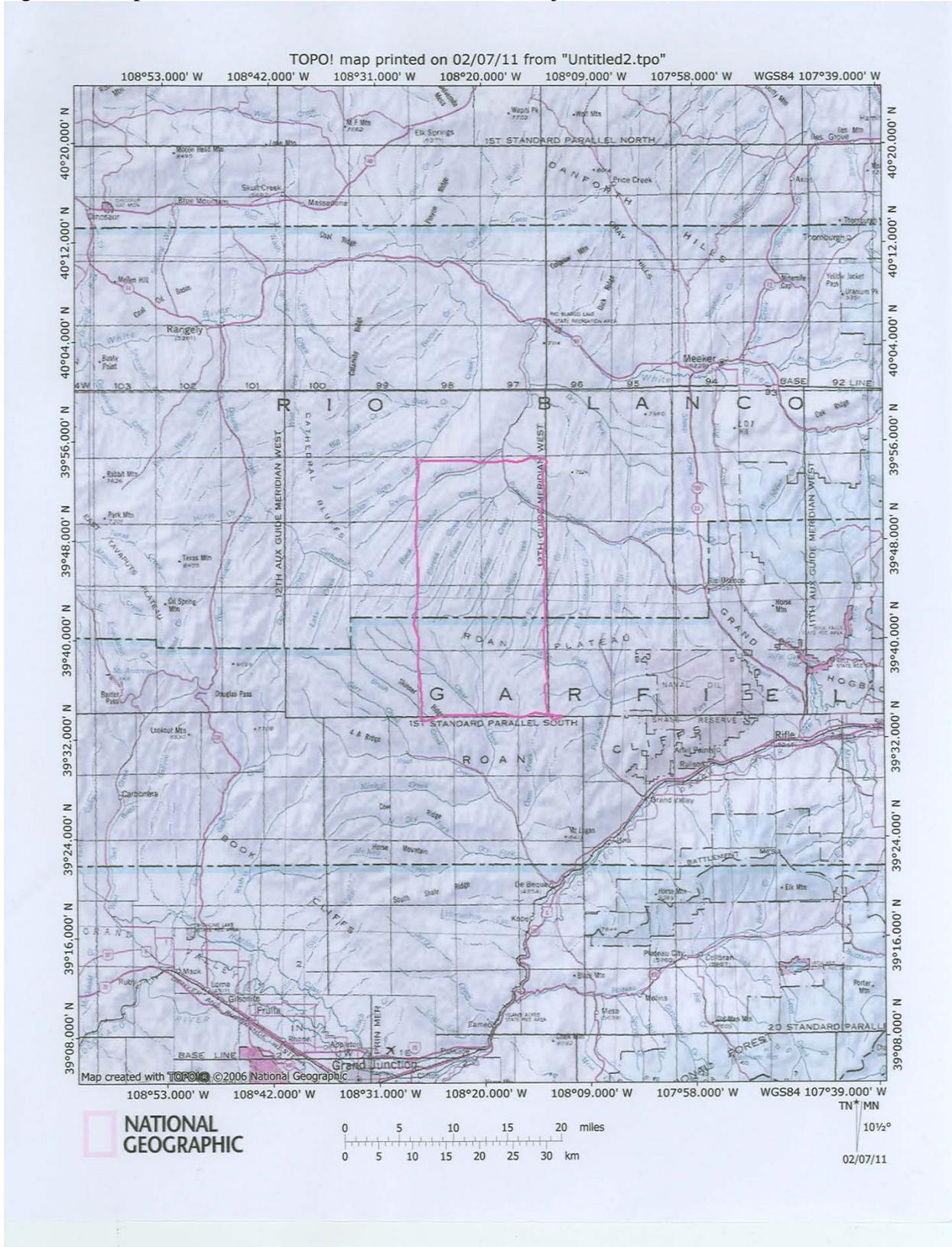


Figure 4: Map of Leafy Spurge Treatment Area in Hunter Creek

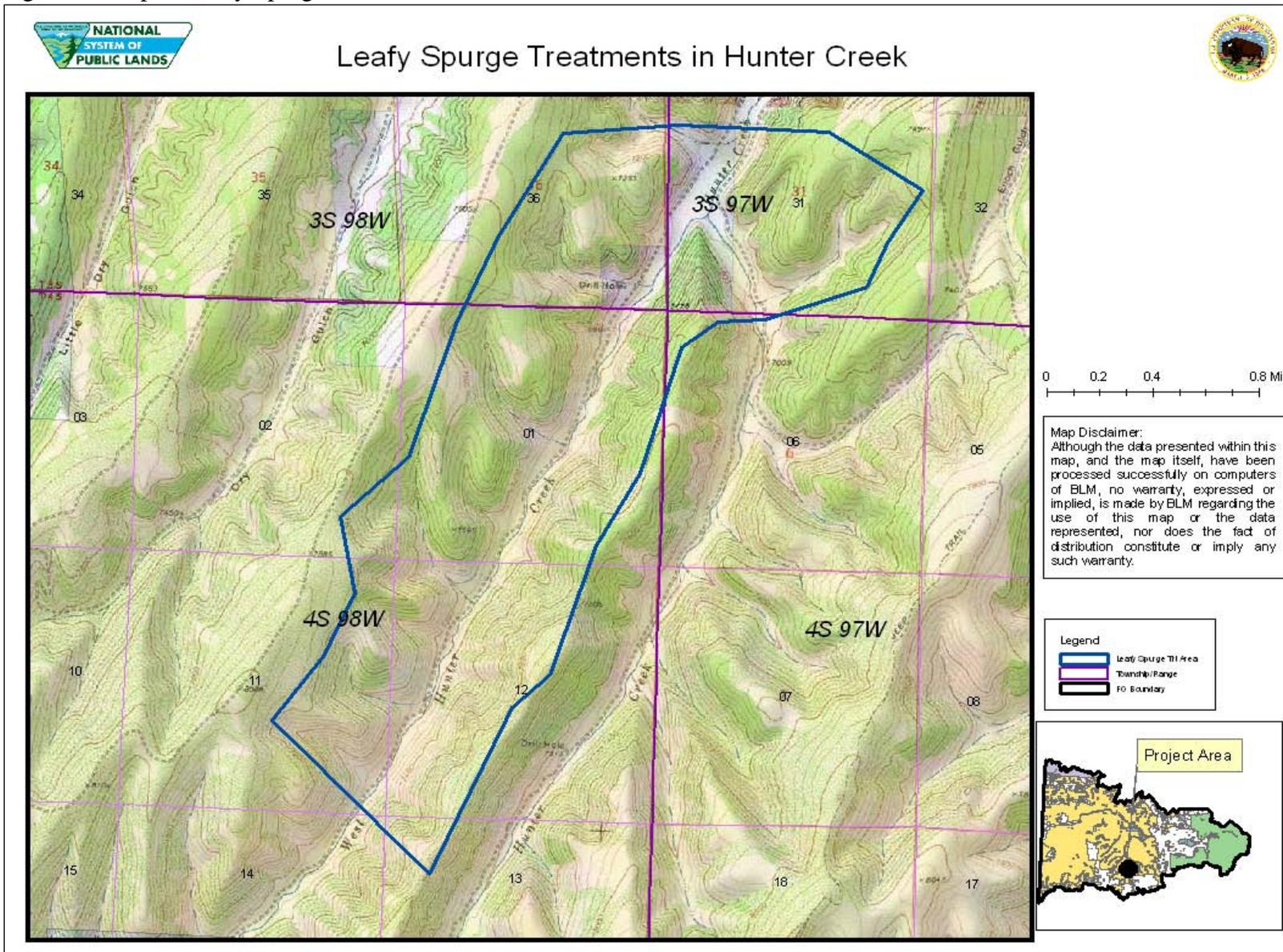


Figure 5: Map of Yellow Toadflax Treatment Area in Bull Fork

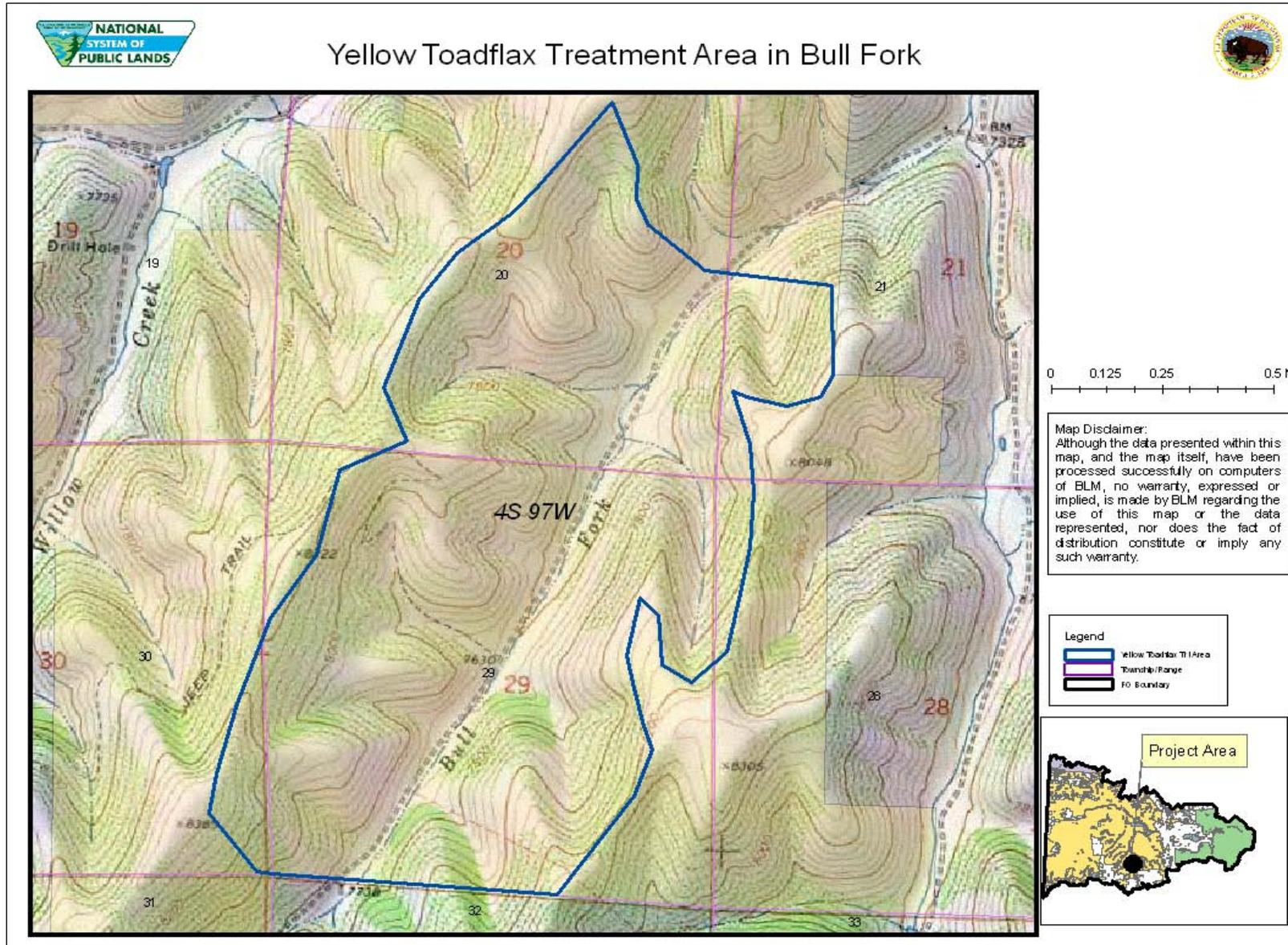


Figure 6: Map 1 of Special Status Plant Species Habitat

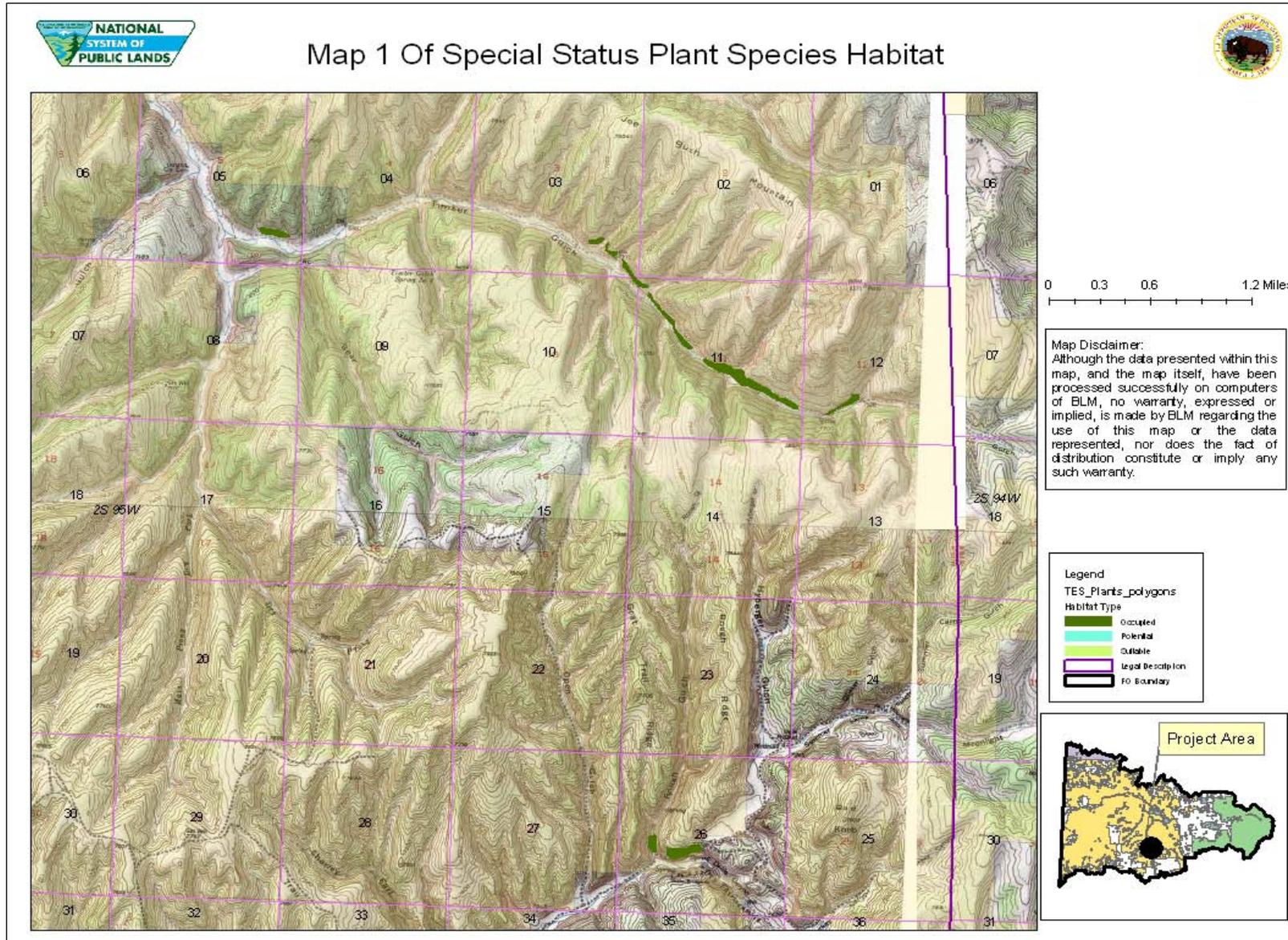


Figure 7: Map 2 of Special Status Plant Species Habitat

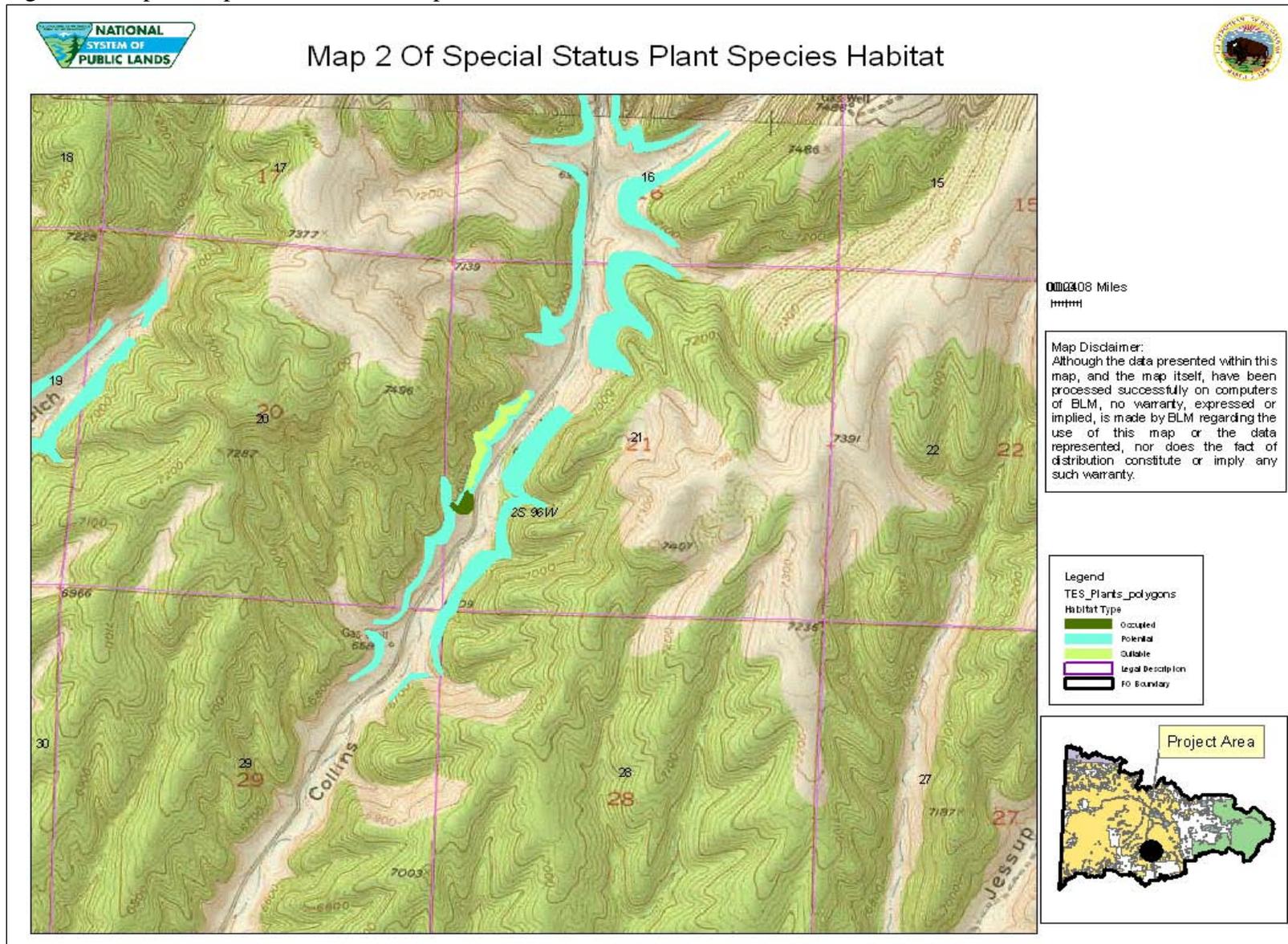


Figure 8: Map 3 of Special Status Plant Species Habitat

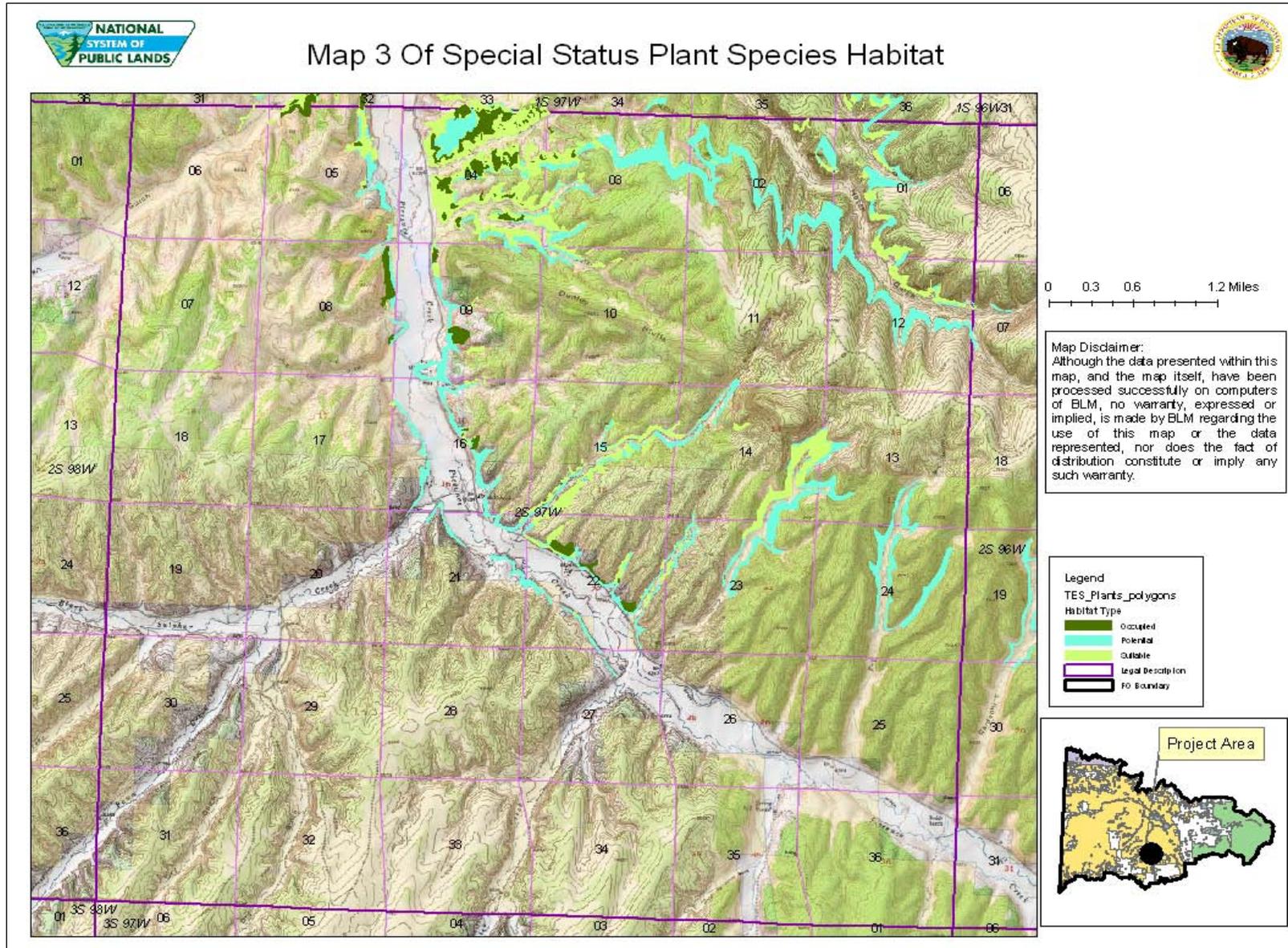


Figure 9: Map 4 of Special Status Plant Species Habitat

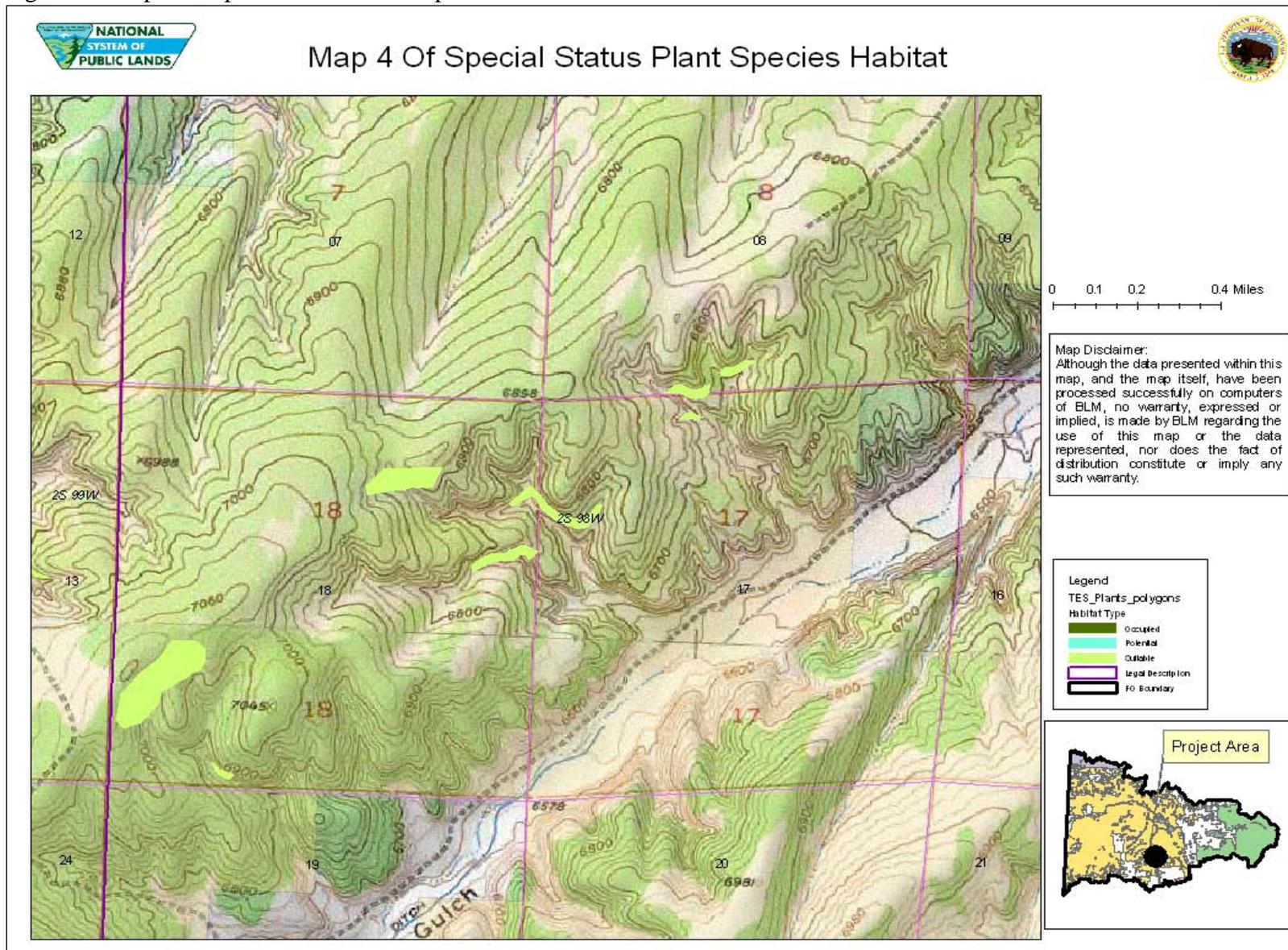


Figure 10: Map 5 of Special Status Plant Species Habitat

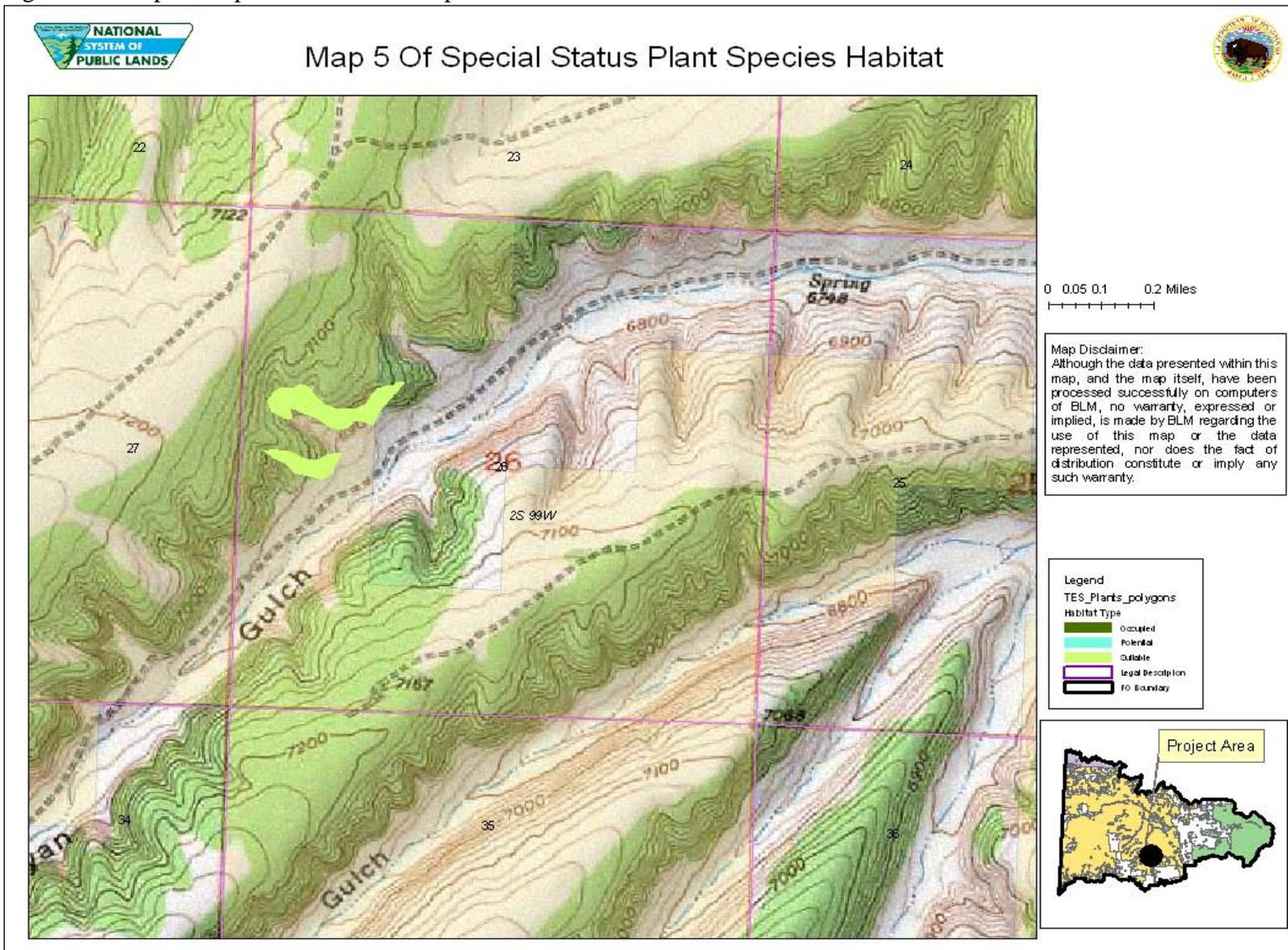


Figure 11: Map 6 of Special Status Plant Species Habitat

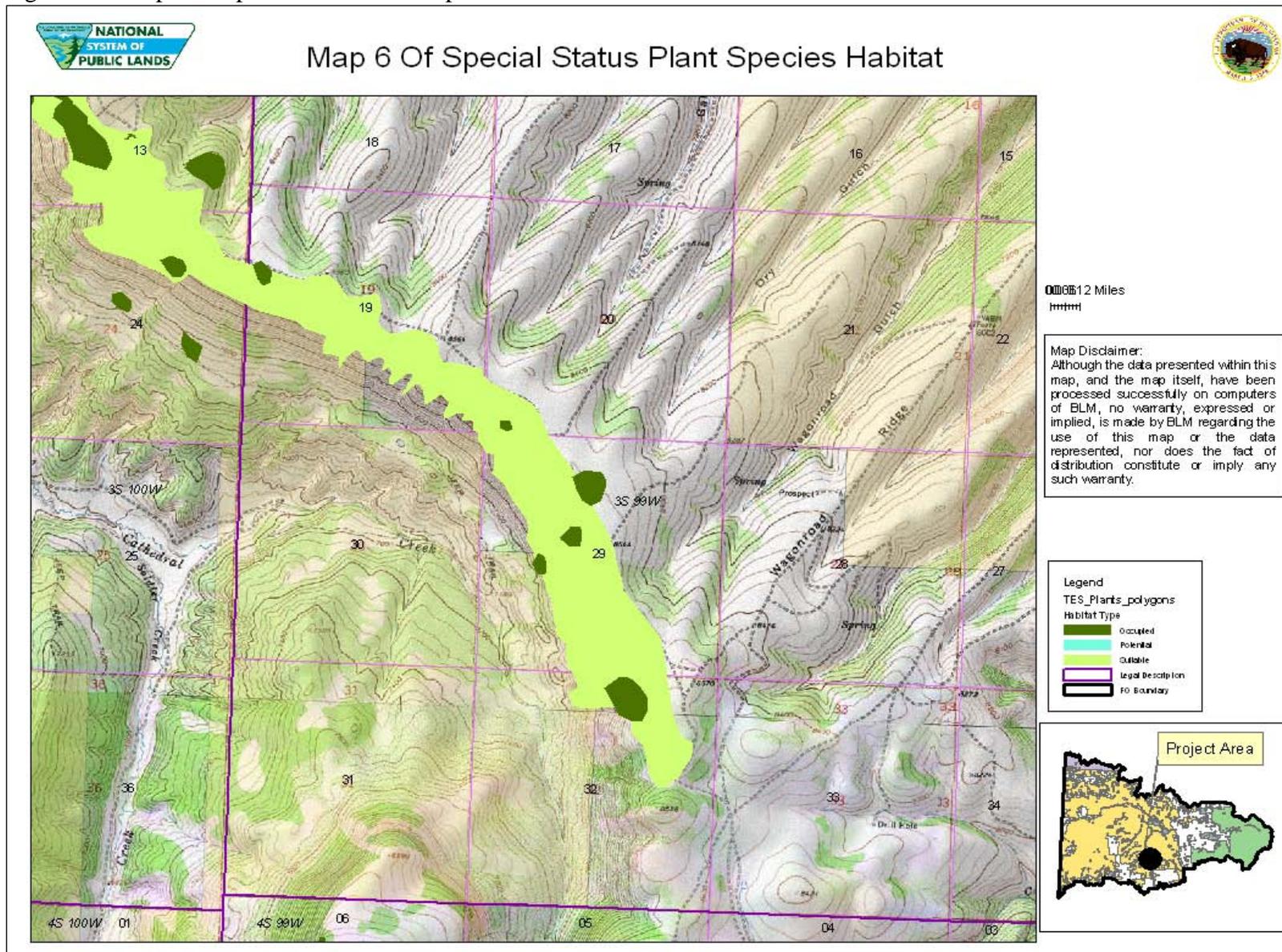


Figure 12: Map 7 of Special Status Plant Species Habitat

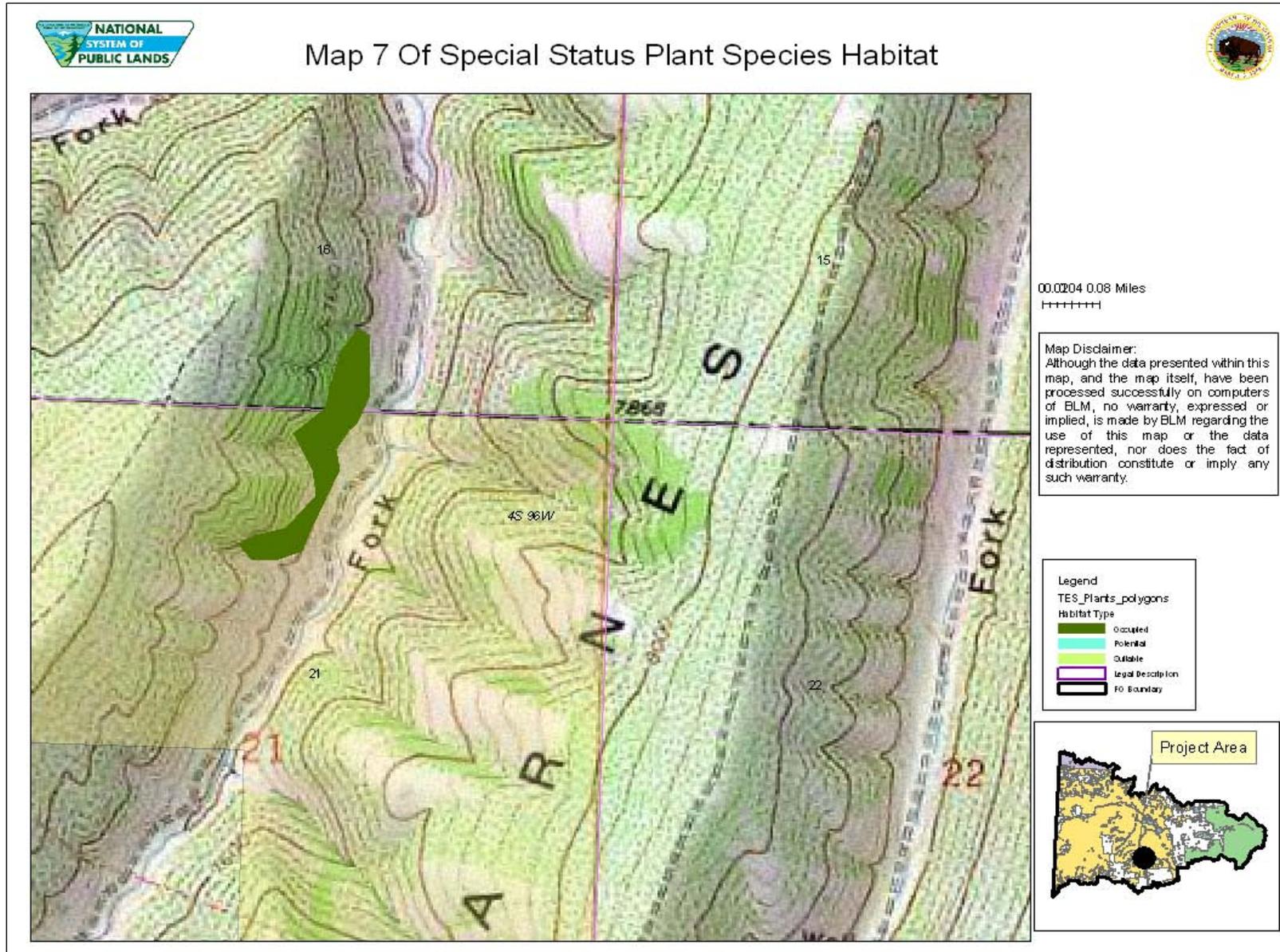


Figure 13: Map 8 of Special Status Plant Species Habitat

