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-110-2013-0064-DNA

PROJECT NAME: PMG Environmental Pesticide Use Proposal

LEGAL DESCRIPTION:

Township	Range	Sections, Lots, or Portions Thereof
5 South	96 West	6, 7, 17, 18

APPLICANT: PMG Environmental

DESCRIPTION OF PROPOSED ACTION: PMG Environmental has applied for a Pesticide Use Proposal (PUP) to complete bareground and noxious weed treatments on well pads, access roads, and pipeline rights-of-way associated with oil and gas development. Treatments will be completed use backpacks and truck/UTV mounted sprayer with handguns. Bareground treatments will be broadcast treatments aimed at removing all vegetation around well heads and production facilities out to 10 feet. Noxious weed treatments will be spot-spray treatments to control state listed noxious and undesirable species. Approximately 18 acres will be treated annually and all vehicular travel will be on existing disturbance. Herbicides and rates are outlined in Table 1.

Table 1: Proposed Herbicides and Rates for Vegetation Treatments

Trade Name	Active Ingredient	Rate
Veteran 720 + Telar XP	2,4-D + Dicamba + Chlorsulfuron	2 qts/acre + 1 oz/ac
Krovar I DF+Razor Pro	Bromacil+Diuron and Glyphosate	12 lbs/ac or 5 qts/ac

PLAN CONFORMANCE REVIEW:

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

Date Approved: July 1, 1997

Decision Number/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: June 1996

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

Date Approved: 03/19/2010

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? 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? 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), which analyzed 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 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 known new information or circumstances that 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. Is the public involvement and interagency review associated with existing NEPA documents 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 WRFO webpage.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 3/19/2013. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Kristin Bowen	Archaeologist	Cultural Resources, Native American Religious Concerns	3/20/2013
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	4/15/2013
Baili Foster	Ecologist Intern	Special Status Plant Species	3/26/2013

REMARKS:

Cultural Resources: All treatments are proposed for pads, roads, and rights-of-ways that should have been previously inventoried prior to the various developments. The normal half-life of herbicides is not expected to cause any impacts to cultural resources. There should be no new direct impacts to cultural resources. Indirect impacts of herbicide application are human impacts such as unlawful collection of artifacts, inadvertent damage, and intentional vandalism.

Native American Religious Concerns: No Native American religious concerns are known for pesticide use in the WRFO. Should future consultations with Ute tribal authorities reveal

concerns, and the desire to be consulted with on weed spraying actions, additional measures may be taken.

Threatened and Endangered Wildlife Species: There are no known threatened or endangered animal species that are known to inhabit or derive important use from the project area. The project area in its entirety is located within priority sage-grouse habitat. The greater sage-grouse is a candidate for listing under the Endangered Species Act (ESA) and is considered a sensitive species by the BLM. Priority habitats are those that support nearly all of the lekking (courtship), nesting and brood-rearing activities (typically mid- March through early-July) of this species and may also support some winter use. There are several active and inactive leks in and around the project area (T5S, R96W sections 5 and 6; T5S, R97W sections 1 and 12). Activities associated with the Proposed Action (vehicle traffic, human activity) may have the potential to disrupt birds during the nesting season which may influence nesting success.

There are no systems known to support higher order aquatic vertebrate populations within the project area however there is a small, unnamed perennial drainage (T5S, R96W section 7) which contains riparian plant species. The west fork of Parachute Creek and Wolf Creek (all privately-owned) are located approximately 100 meters from the project area boundary. Both support riparian communities, but none are known to support fisheries or amphibian populations.

Threatened and Endangered Plant Species: The closest known suitable habitat is over 600 m to the north of the project area. There are no other habitats associated with special status plant species within the survey buffers required in DOI-BLM-CO-110-2010-0005-EA. There are no concerns related to special status plant species associated with the Proposed Action.

MITIGATION:
The following applicable mitigation from DOI-BLM-CO-110-2010-0005-EA has been carried forward:

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, specifically those listed below:

2. To minimize disturbance to nesting sage-grouse, treatments shall not occur from March 15th through June 15th within the project area.

3. To minimize risks to terrestrial wildlife, do not exceed the typical application rate for applications of dicamba, diuron, and glyphosate where feasible.

4. Minimize the size of application areas, where practical, when applying 2,4-D, bromacil, and diuron, to limit impacts to wildlife, particularly through contamination of food items.

5. Where practical, limit glyphosate to spot applications in rangeland and wildlife habitat areas to avoid contamination of wildlife food items.

6. Do not apply bromacil or diuron in rangelands, and use appropriate buffer zones to limit contamination of offsite vegetation, which may serve as forage for wildlife.

7. Implement all conservation measures for aquatic animals developed during consultation for the BLM WRFO Programmatic Weed Management Plan Environmental Assessment.

8. 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.

9. Use appropriate application equipment/method near water bodies if the potential for offsite drift exists.

10. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts. If archaeological materials are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.

11. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and 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), the applicant must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after herbicide application. 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

CONCLUSION

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

SIGNATURE OF AUTHORIZED OFFICIAL: _____

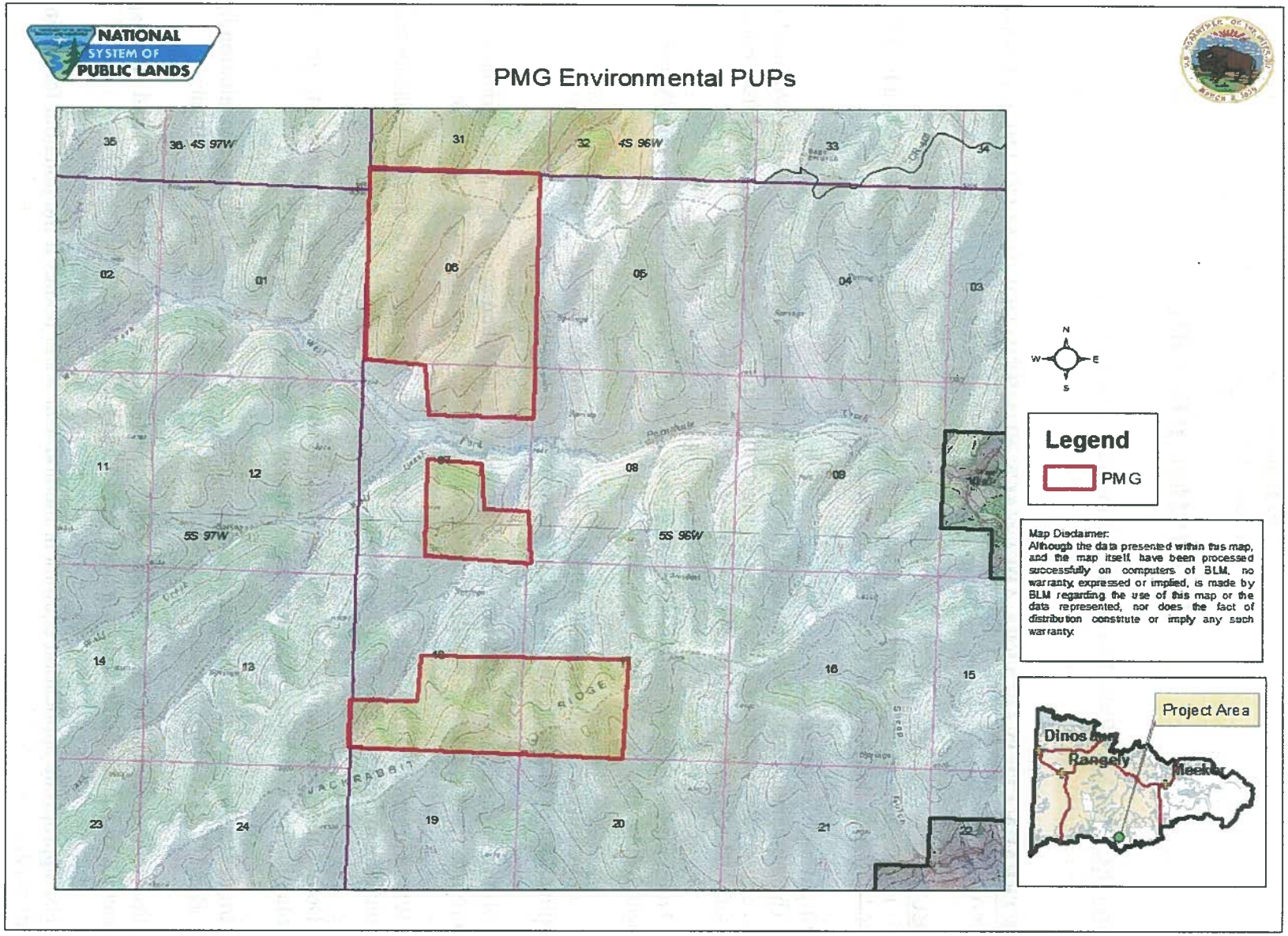
Field Manager

DATE SIGNED: 04/23/13

ATTACHMENTS:
Figure 1: PMG Environmental PUP Locations

Note: The signed Conclusion in this DNA 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.

Figure 1: PMG Environmental PUP Locations



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DECISION RECORD

PROJECT NAME: PMG Environmental Pesticide Use Proposal

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-110-2013-0064-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-110-2013-0064-DNA, authorizing the Pesticide Use Proposal (PUP)

Mitigation Measures

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, specifically those listed below:

2. To minimize disturbance to nesting sage-grouse, treatments shall not occur from March 15th through June 15th within the project area.

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COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT

The BLM informed the public about this project by listing it on the online White River Field Office National Environmental Policy Act Register on 5/22/2012 and a copy of the completed Documentation of NEPA Adequacy will be posted on the WRFO website.

RATIONALE

The proposal for a PUP in concert with the applied mitigation conforms to the land use plan, and the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA. A PUP is needed to control noxious weeds in the White River Field Office.

ADMINISTRATIVE REMEDIES

Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

SIGNATURE OF AUTHORIZED OFFICIAL: Kent F. Walter

Field Manager

DATE SIGNED: 04/23/13