

**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-N05-2014-0114-DNA

CASEFILE/PROJECT NUMBER: None

PROJECT NAME: Mechanical Treatment of Encroaching Pinyon-Juniper Woodlands in the Piceance Basin

LEGAL DESCRIPTION: Galloway Ridge Site: T3S, R99W, portions of Sections 3, 9, 10
Ryan Ridge Site: T2S, R99W, portion of Section 34; T3S, R99W, portions of Sections 3, 4, 9

APPLICANT: Colorado Parks and Wildlife

ISSUES AND CONCERNS: None. This project is being tiered to environmental assessment (EA) [CO-110-2008-044-EA](#). Similar projects were also considered in NEPA documents CO-110-2007-145-CX, CO-110-2008-169-DNA, CO-110-2009-159-DNA, CO-110-2010-0031-DNA and CO-110-2011-0141-DNA. The CO-100-2008-044-EA analyzed the impact of mechanically removing up to 3,000 acres of encroaching pinyon pine and juniper within the overall range of the Piceance-Parachute-Roan (PPR) greater sage-grouse population. To date, projects which have been either completed or planned total 1,530 acres (i.e., Barnes, Bailey, Black Sulphur, Ryan, Bar D, Galloway, Magnolia Bench, Stewart and Cottonwood).

Background/Introduction: On March 5, 2010, the US Fish and Wildlife Service (FWS) concluded that the greater sage-grouse warranted listing as an endangered species under the Endangered Species Act, but that listing was precluded by the need to complete listing actions of higher priority. Range-wide, this species is considered a candidate for listing – a designation that affords management attention equivalent to that of species considered “sensitive” by the BLM. The PPR greater sage-grouse population is experiencing loss of habitat not only from increased development of natural gas resources but also from the encroachment of pinyon-juniper into sagebrush parks. Conifer encroachment into sagebrush parks is identified as a conservation threat in both the statewide Colorado Greater Sage-Grouse Conservation Plan and the local PPR Greater Sage-Grouse Conservation Plan. Both plans advocate use of mechanical methods as a means to address habitat degradation due to conifer encroachment. The Proposed Action is strictly limited to pinyon-juniper encroachment within sagebrush parks that are within the overall range of the PPR greater sage-grouse population. This Proposed Action does not include treatment in mature pinyon-juniper woodlands or treatment in which sagebrush cover is removed or altered in conjunction with pinyon-juniper removal.

DESCRIPTION OF PROPOSED ACTION: Colorado Parks and Wildlife (CPW), in partnership with WPX Energy, proposes to selectively remove (by mulching in situ) pinyon pine and juniper trees that are encroaching into sagebrush habitat on BLM managed lands in the Piceance Basin, Rio Blanco County, Colorado. This proposed work is part of an ongoing research project by CPW's Avian Research Section on greater sage-grouse in the Piceance Basin. One component of this research, of which BLM has been a partner, is to measure if/how sage-grouse respond to the removal of encroaching pinyon-juniper woodlands, and ultimately determine the efficacy of these types of projects for improving habitat conditions for sage-grouse where natural disturbance regimes (e.g., fire) have been altered or interrupted. WPX Energy will be a partner as part of ongoing mitigation work for current and future proposed energy development within their lease holding.

This proposal is to complete pinyon-juniper encroachment work on 338.9 acres of BLM land managed by the White River Field Office (Figure 1). There are two proposed treatment units: 1) lower Galloway Ridge, entirely on BLM and totaling 176.7 acres, and 2) lower Ryan Ridge, split between BLM and WPX private land and totaling 216.5 acres. Of these 216.5 acres, a total of 162.2 acres are BLM and the remaining 54.3 acres are on WPX private land. In total, the two proposed treatment units total 393.2 acres.

CPW proposes to complete this work by mulching all pinyon pine and juniper trees in situ with a boom-mounted cutting head attached to a tractor, skid steer, Hydro-axe, or equivalent machine equipped with rubber tires or, if deeper snow conditions require, rubber tracks. CPW and WPX would like to complete this work during fall or early winter 2014. The proposed project area falls mostly within preliminary priority habitat (PPH) for greater sage-grouse (~80 percent), with the remainder falling within preliminary general habitat (PGH). The entire proposed treatment area occurs on slopes <25 percent. Lastly, recent habitat modeling by CPW's Avian Research Section utilizing resource selection functions based on an abundance of sage-grouse location data from the Piceance Basin indicate a high probability of project success. This project is being tiered to CO-110-2008-044-EA.

Design Features:

1. Bull hogs, hydro-axes, or similar equipment will be mounted on rubber-tired tractors. The entire canopy and bole will be mulched and evenly scattered. The cutting head will be turned off or raised to a minimum of 30 inches when traveling between trees so that sagebrush at the site is not mowed.
2. To minimize the disturbance to sage-grouse broods and migratory birds, the Proposed Action would occur in late summer through early-winter (August through December).
3. To ensure that this treatment has minimal soil disturbance, equipment operation will not be permitted when muddy conditions exist. Additionally, all equipment used for the project will be washed and free of mud and debris prior to moving the equipment onto public lands to prevent the introduction of noxious weeds.

4. 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.
5. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.
6. Pursuant to 43 CFR 10.4(g) the applicant 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), the applicant must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.
7. Refueling rubber-tired tractors will be done with proper protection measures, including a cloth or plastic undercloth to protect soils and on a flat existing road.
8. The release of any chemical, oil, petroleum product, produced water, or sewage, etc., (regardless of quantity) must be reported by the contractor, to the BLM – WRFO Hazardous Materials Coordinator at (970) 878-3800.
9. Workers conducting vegetation treatments will only travel with off-road vehicles (e.g., ATVs) on existing roads and trails. The tractor(s) used to conduct the actual tree removal will be allowed to travel off of existing roads.
10. The operator of the heavy equipment shall have a shovel and a 10 pound fire extinguisher to suppress any accidental ignition. All ignitions will be called into Craig Interagency Dispatch (970-826-5037) so that all of the BLM Fire crew can properly inspect and manage the incidents in accordance with the Fire Management Plan.
11. Efforts will be made to place tree debris in such a way to reduce bare ground and be as dispersed as possible.
12. The applicant is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

13. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project area.
14. The applicant is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.
15. Prior to solicitation of any contracts to conduct the tree removal, CPW or the BLM WRFO shall obtain written permission from the appropriate landowner for the contractor to use existing two-track roads on private property to access BLM land.

Decision to be Made: The BLM WRFO will decide whether or not to approve CPW's Mechanical Treatment of Encroaching Pinyon-Juniper Woodlands in the Piceance Basin project, and if so, under what conditions.

PLAN CONFORMANCE REVIEW:

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

Date Approved: July 1, 1997

Decision Language: "Restore, maintain, or enhance habitat conditions and features conducive to the maintenance or expansion of native grouse populations." p.2-31

"Reduce the pinyon-juniper tree component where pinyon or juniper has dominated or is invading other ecological sties." p.2-12

REVIEW OF EXISTING NEPA DOCUMENTS:

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: Mechanical Removal of Pinyon & Juniper Encroachment into Sagebrush Parks within the Range of the Parachute-Piceance-Roan (PPR) Greater Sage-grouse Population; CO-110-2008-044-EA.

Date Approved: August 12, 2008

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?

Yes, the Proposed Action is the same action and is within the identified potential treatment area analyzed in CO-110-08-044-EA. Treatment timeframes would be similar to those analyzed in the original EA (i.e., August through early-winter). This is not anticipated to have any substantive influence on sage-grouse as treatments would not occur during the breeding or lekking season.

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?

Two alternatives (Proposed Action and the No Action Alternative), covering a reasonable range of alternatives, were analyzed in CO-110-2008-044-EA. The use of prescribed fire was considered in the original EA, but due to the loss of sagebrush associated with burning was not carried forward. 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?

Yes, the existing analysis remains valid in light of new status (see Background Information above regarding status of sage-grouse).

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?

Yes, the direct and indirect impacts as well as the cumulative effects remain unchanged from those identified and analyzed in the White River ROD/RMP and CO-110-08-044-EA. Including the acreage proposed for treatment with this action, total treatment acreage is 1,869 acres, well within the 3,000 acres analyzed in the original EA.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

Yes, public involvement conducted for the White River ROD/RMP and CO-110-08-044-EA is adequate for this Proposed Action. Also this project has been planned in coordination with CPWs sage-grouse research objectives in the Piceance Basin.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 08/19/2014. 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
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	8/19/2014
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	10/1/2014
Matt Dupire	Ecologist	Special Status Plant Species	10/2/2014
Aaron Grimes	Outdoor Recreation Planner	Lands with wilderness characteristics	8/29/2014

REMARKS:

Cultural Resources: The proposed treatment area has been inventoried at the Class III (100 percent pedestrian) level Kramer 2014 compliance dated 8/8/2014). The inventory identified a segment of a historic road and two isolated finds. Using a hydroax to remove intrusive pinyon and juniper trees will not have any effect on the identified cultural resources. There should not be any cumulative impacts to known cultural resources in the Piceance Creek drainage from this project.

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.

Threatened and Endangered Wildlife Species: There are no threatened or endangered wildlife species that are known to inhabit or derive important use from the project area. As addressed in the Proposed Action, the project will take place outside of the sage-grouse, raptor and migratory bird nesting season and therefore would not be expected to have any conceivable influence on the reproductive activities of these species.

Threatened and Endangered Plant Species: There is no occupied, suitable, or potential habitat in the project area; therefore the project is expected to have no impacts on special status plant species.

Lands with wilderness characteristics: Portions of the northern treatment polygon are located within lands with wilderness characteristics polygon 5 (Wagonroad/Galloway Gulch 5,200 acres) and the entire southern treatment polygon is located within lands with wilderness characteristics polygon 5. This project is likely to temporarily impact the wilderness characteristic of solitude during the relatively short time period when the removal of the vegetation is taking place and is small localized areas. This will not cause any long term impacts to this “lands with wilderness characteristics” polygon. The appearance of the pinyon-juniper removed by bull hog, hydro-axe, or other similar type of mechanical vegetation removal will likely impact the wilderness characteristic of naturalness of these areas. According to BLM Manual 6310-Conducting Wilderness Characteristics Inventory on BLM Lands, “Apparent naturalness refers to whether or not an area looks natural to the average visitor who is not familiar with the biological composition of natural ecosystems versus human-affected ecosystems.” This project in these areas is likely to be viewed and perceived as a noticeable human impact over one to two growing seasons until the slash created by this project has started to decompose, settled into, and/or blended into sagebrush in these localized areas. This will likely be a minor short-term impact in localized areas. Similar treatments have been conducted within this “lands with wilderness characteristics” polygon. When this polygon was inventoried for wilderness characteristics in 2011, these treatments were perceived by those doing the inventory as natural. Therefore, no long term impacts to lands with wilderness characteristics are expected as a result of implementing this project.

REFERENCES CITED:

Conner, Carl E., Barbara Davenport, and Hannah Mills
2014 Class III Cultural Resource Inventory Report for the Proposed Ryan Gulch CPW Sage Grouse Improvement project in Rio Blanco County, Colorado, for WPX Energy Rocky Mountain, LLC. Grand River Institute, Grand Junction, Colorado. (14-11-07: OAH # RB.LM.R1376).

MITIGATION: See mitigation outlined in the Proposed Action.

COMPLIANCE PLAN: 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: Lisa Belmonte

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:

10/06/14

ATTACHMENTS:

Figure 1: Piceance Basin Pinyon-Juniper Removal – 2014: Project Overview

Figure 2: Piceance Basin Pinyon-Juniper Removal – Treatment Sites

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: Piceance Basin Pinyon-Juniper Removal Project Overview

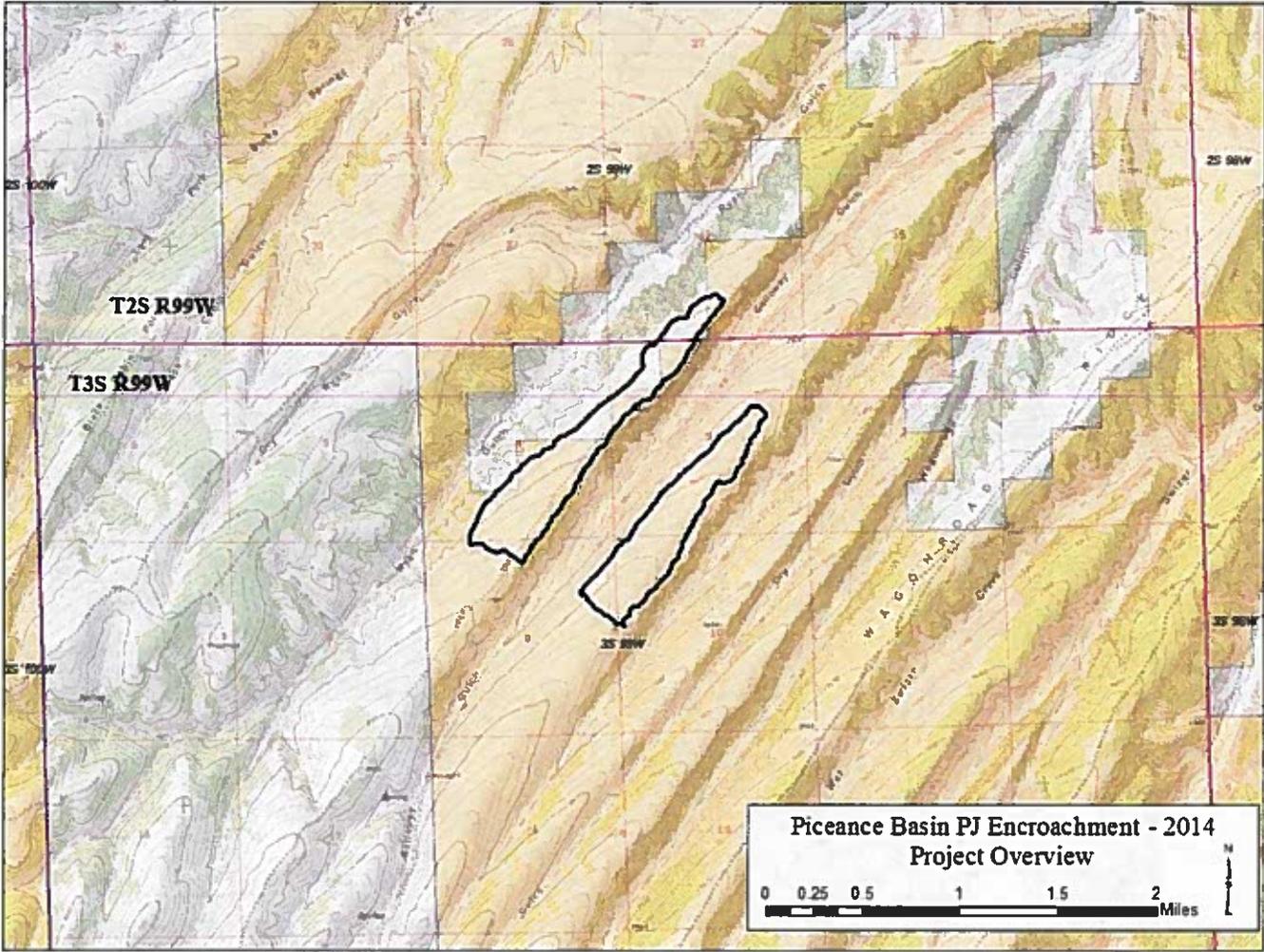
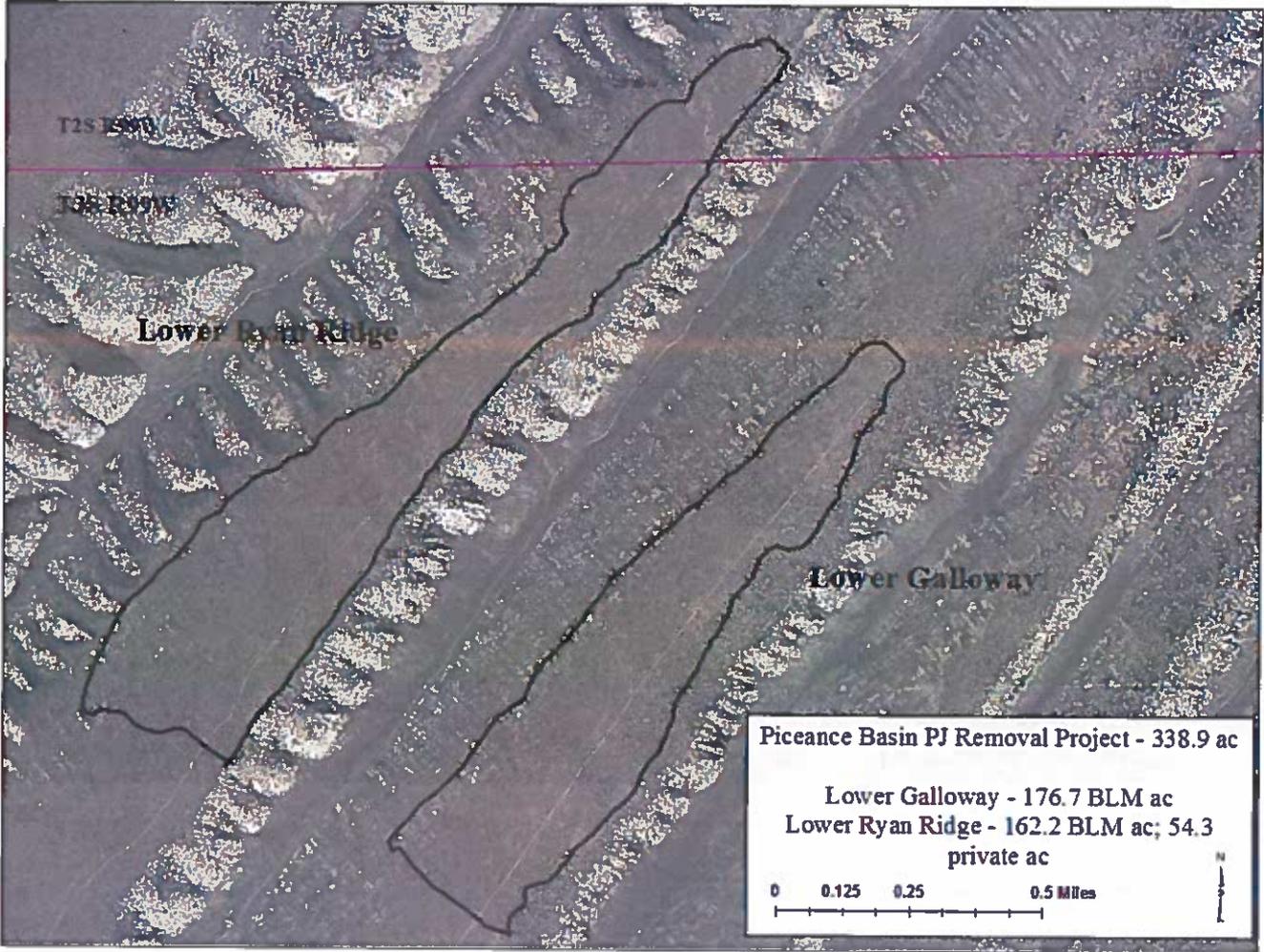


Figure 2: Piceance Basin Pinyon-Juniper Removal – Treatment Sites



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DECISION RECORD

PROJECT NAME: Mechanical Treatment of Encroaching Pinyon-Juniper Woodlands in the Piceance Basin

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-N05-2014-0114-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-N05-2014-0114-DNA, authorizing CPW/WPX to mechanically remove pinyon pine and juniper that is encroaching into adjacent sagebrush parks on 338.9 acres of BLM administered lands.

Design Features

1. Bull hogs, hydro-axes, or similar equipment will be mounted on rubber-tired tractors. The entire canopy and bole will be mulched and evenly scattered. The cutting head will be turned off or raised to a minimum of 30 inches when traveling between trees so that sagebrush at the site is not mowed.
2. To minimize the disturbance to sage-grouse broods and migratory birds, the Proposed Action would occur in late summer through early-winter (August through December).
3. To ensure that this treatment has minimal soil disturbance, equipment operation will not be permitted when muddy conditions exist. Additionally, all equipment used for the project will be washed and free of mud and debris prior to moving the equipment onto public lands to prevent the introduction of noxious weeds.
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within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

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13. If any paleontological resources are discovered as a result of operations under this authorization, the applicant or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the operator will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing

construction through the project area.

14. The applicant is responsible for informing all persons who are associated with project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands. If any paleontological resources are discovered as a result of operations under this authorization, the applicant must immediately contact the appropriate BLM representative.
15. Prior to solicitation of any contracts to conduct the tree removal, CPW or the BLM WRFO shall obtain written permission from the appropriate landowner for the contractor to use existing two-track roads on private property to access BLM land.

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

External scoping was conducted by posting this project on the WRFO's on-line National Environmental Policy Act (NEPA) register on 8/20/2014. As of 10/5/2014, no comments or inquiries have been received.

RATIONALE

Analysis of the Proposed Action has concluded that there are no significant negative impacts and that it meets Colorado Standards for Public Land Health. The project was in fact designed to benefit greater sage-grouse, a BLM sensitive species and candidate for listing under the ESA. The removal of encroaching pinyon and juniper within this expansive sagebrush park would be expected to improve habitat quality for sage-grouse over time.

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:



Field Manager

DATE SIGNED:

10/06/14

