

Q&As for Record of Decision for Vegetation Treatments Programmatic Environmental Impact Statement

Notice of Availability of the Record of Decision for the Final Programmatic Environmental Impact Statement for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States

What are the Final PEIS and Record of Decision?

The Final Vegetation Treatments Programmatic Environmental Impact Statement (Final PEIS) evaluates the viability of using aminopyralid, fluroxypyr, and rimsulfuron herbicides as part of Bureau of Land Management (BLM) vegetation treatment programs. The Final PEIS includes an analysis, per the National Environmental Policy Act (NEPA), on the effects of using the three new herbicide active ingredients to treat vegetation on public lands in the western U.S., including Alaska. The document incorporates by reference information from the 2007 Final Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States Programmatic Environmental Impact Statement (2007 PEIS). The preferred alternative in the Final PEIS is to approve the use of three new herbicide active ingredients on public lands, which would increase the number of approved active ingredients available for use on public lands from 18 to 21.

The Record of Decision selects for use the three herbicides identified in Alternative B of the Final PEIS (aminopyralid, fluroxypyr, and rimsulfuron), and increases the number of active ingredients approved for use on BLM public lands from 18 to 21. The Record of Decision identifies best management practices, standard operating procedures and mitigation measures for all vegetation treatment projects involving the use of these herbicides.

Where would the proposed actions occur?

The new herbicides could be utilized on public lands administered by the BLM in the Western U.S. and Alaska. The majority of these lands are in Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming. Field offices and personnel would not be required to use the three herbicides unless they deem it appropriate.

What are the key issues raised by the underlying decision documents for this notice?

The BLM, Washington, District of Columbia, has prepared a Record of Decision for the Final PEIS evaluating the use of aminopyralid, fluroxypyr, and rimsulfuron herbicides as part of the BLM's vegetation treatment programs on public lands in 17 Western States. The BLM issued a Notice of Availability of the Final PEIS on April 7, 2016. The Record of Decision selects for use the three herbicides identified in the Preferred Alternative (Alternative B) of the Final PEIS (aminopyralid, fluroxypyr, and rimsulfuron), and increases the number of active ingredients approved for use on BLM public lands from 18 to 21. The Record of Decision identifies best management practices, standard operating procedures, and mitigation measures for all vegetation treatment projects involving the use of herbicides. Included are new standard operating procedures to minimize impacts to pollinators, their host plants, and other vegetation that provides pollinator habitat. The BLM responded to 98 individual public comments during the Draft PEIS public review period. Comment responses and resultant changes in the impact analysis were documented

in the Final PEIS per requirements under 40 Code of Federal Regulations 1503.4. In addition, the Final PEIS contains Subsistence analysis required under Section 801(a) of the Alaska National Interest Lands Conservation Act (ANILCA).

The Final PEIS tiers to the 2007 PEIS, incorporating by reference information from the 2007 PEIS, as well as including updated analysis per the NEPA compliance document (Appendix A of the 2007 PEIS Record of Decision) on the effects of using herbicides for treating vegetation on public lands in the western U.S., including Alaska. The Final PEIS analysis is supplemented with human health and environmental risk assessment data from the three new active ingredients: aminopyralid (Milestone), fluroxypyr (Vista), and rimsulfuron (Matrix). The Final PEIS does not include sulfometuron methyl (Oust), which was analyzed in the 2007 PEIS. The Final PEIS includes a copy of the final Biological Assessment evaluating the effects of the three new herbicides on threatened, endangered, and sensitive animals, fish, and plants, and their critical habitats, which was prepared as part of consultation with the National Marine Fisheries Services and the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act (ESA).

Who are the primary users affected by or parties interested in the underlying decisions or actions? What are their concerns?

This project is integral to the continuation of the BLM's vegetation treatment program and implementation of the National Fire Plan, BLM's Healthy Lands Initiative, Sage-grouse Implementation Plans, and Secretarial Order 3336 - The Initial Report: A Strategic Plan for Addressing Rangeland Fire Prevention, Management, and Restoration in 2015. It will provide additional tools in the form of more available and effective herbicides and assist the field with subsequent Section 7 ESA consultations. The Bureau expects to use several of the approved herbicides for Emergency Stabilization and Restoration due to wildfire.

Explain who is interested in the underlying decisions and actions, and what the BLM has done to address their concerns or issues. How have we engaged them in the planning or decision-making process?

The National Office and State Offices support completion of this project as necessary to provide NEPA compliance for use of the proposed herbicides in conjunction with increased hazardous fuels reduction work that is planned for Fiscal Year 2016. There is a high level of public interest and sensitivity in the PEIS because of the use of herbicides. This project plays a key role for future vegetation treatments and the BLM's implementation of the National Fire Plan and Sage-grouse Implementation Plans. The BLM has received support from Western Weed Management Associations, local Coordinated Weed Management Areas (CWMAs), and various industry groups because this PEIS will lead to on-the-ground treatments.

Does the Final PEIS include National Monuments and National Conservation Areas?

Yes, since the Final PEIS included these lands in its analysis. These units are already included as part of the broad programmatic treatment area to the extent that conservation and restoration project work, including invasive and noxious weed treatments, are allowed by the individual National Landscape Conservation System proclamations.

PEIS Development Process

Why did the BLM develop the PEIS?

The BLM prepared the PEIS to evaluate the potential for use of three new herbicide active ingredients for the conservation and restoration of vegetation, watershed functions, and fish and wildlife habitat on surface lands administered by the BLM in the western U.S., including Alaska.

Is the PEIS a land-use plan?

No, the PEIS is not a land-use plan. The scope of the PEIS is restricted to assessing the viability of incorporating treatments with the three new herbicide active ingredients into existing vegetation treatment strategies.

What is the difference between a PEIS and project-specific EIS?

A PEIS is designed to look at the broad, general impacts associated with a decision to fully implement a program or additional treatment. A PEIS also allows for the tiering of more site-specific NEPA documents, such as land-use plans, eliminating the need for repetitive discussions of the same issues. A project-specific EIS looks at impacts associated with a site-specific project, such as vegetation treatment activities on 1,000 acres of BLM-administered lands.

Who developed the PEIS?

The BLM Office of Forest, Range, Riparian and Plant Conservation in Washington, D.C., led the project, supported by BLM technical resource specialists in BLM offices throughout the western U.S. and Alaska.

Potential Issues Examined in the PEIS

Does the PEIS involve controversial issues?

Most public scrutiny focuses on issues associated with the use of new herbicide active ingredients to control noxious weeds and other undesirable vegetation. Specific issues that were addressed in the PEIS include the effects of the three new herbicide active ingredients on human and environmental health, on threatened and endangered species, and on resources used by Native Americans and Alaska Native groups.

Did the BLM complete an assessment of risks to the public and the environment from the use of the three new herbicide active ingredients?

Ecological and human health risk assessments were completed as part of the PEIS process in support of the assessment of potential impacts of the new herbicide active ingredients. Aminopyralid, fluroxypyr, and rimsulfuron have been deemed effective in controlling target vegetation and have minimal effects on the environment and human health if used properly. Aminopyralid has been registered under the U.S. Environmental Protection Agency's (USEPA's) reduced risk initiative.

Is there a process to determine which new chemicals the BLM can use to control vegetation?

The 2007 PEIS includes protocols that the BLM follows to evaluate new chemicals that may be

used in the future by the agency. New herbicide active ingredients could only be used if they are: (1) registered for use by the USEPA; (2) used for treatment of appropriate vegetation types and at application rates specified on the label directions; and (3) determined by the BLM to be safe to humans and the environment, based on an analysis of their potential toxicological and environmental impacts.

Public Involvement

Describe what the BLM is doing to ensure these entities receive information related to the notice. Is the information available to the public on the internet, and if so, where?

For those members of the public that are not on the mailing list, the BLM has set up a website at <http://blm.gov/3vkd> where the public is able to view the Final PEIS and download a copy of the Record of Decision.

Is tribal consultation appropriate under Executive Order 13175, or other authorities? Will the action potentially impact tribes or generate their interest? If so, what consultation or other communication/outreach occurred?

The BLM consulted with all federally recognized tribes in accordance with BLM Native American Trust responsibilities and National Program direction for Native American Consultation as outlined in H-8160-1, Native American Consultation Handbook. The Final PEIS used current data on ethno-historical use of vegetative and wildlife resources, traditional cultural properties, and Native American subsistence practices.

Is there any additional pertinent, descriptive information that reviewers need to know or would increase understanding?

The PEIS website at <http://blm.gov/3vkd> provides a link to the Draft and Final PEIS, as well as the Final 2007 PEIS and its supporting documents.

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