



## Bureau of Land Management

Boise District Office  
Owyhee Field Office  
20 First Avenue West  
Boise, ID 83705  
<http://www.id.blm.gov>

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### Determination of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior - Bureau of Land Management

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#### A. BLM Office(s): Owyhee Field Office

**NEPA Log Number:** DOI-BLM-ID-B030-2012-0041-DNA

**Lease/Serial Case File No.:**

**Proposed Action Title/Type:** Grasshopper Fire G5H7 ESR Plan

**Location/Legal of Proposed Action:** South and east of the North Fork Crossing Campground /T09S R06W Section 36; T09S R05W Sections 31, 32, 33; T10S R05W Sections 04-08; T10S R06W Sections 01, 12

**Applicant (if any):** N/A

#### Description of the Proposed Action and any applicable mitigation measures:

##### **Emergency Stabilization (S) and Burned Area Rehabilitation (R) Treatments**

*S5 Noxious Weeds* - Noxious weed inventory and spot herbicide treatment would occur during the first three years following the fire within the burned area. Noxious weeds would be treated with BLM approved chemicals in accordance with the Boise District Noxious Weed EA and Record of Decision for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States, approved September 29, 2007 (Vegetation Treatment EIS). Appendix B of the Record of Decision includes a list of Standard Operating Procedures that would be strictly adhered to for vegetation treatments using herbicides.

The local weed coordinating group will monitor and treat noxious and invasive weeds along the Mud Flat Road which will help to reduce the likelihood of spread into the burned area.

*S7 Fence/Gate/Cattleguard* - Approximately 4 miles of allotment and pasture boundary fence burned in the fire and is in need of repair to restore the functionality of the fence to restrict livestock access into the burned area and also to control the movement of livestock between pastures after livestock grazing resumes.

*R11 Facilities*- Replace the carsonite posts and associated stickers that identify the wilderness boundary that were burned or destroyed in the wildfire.

*S12/R13 Closures* - The burned BLM acres will be closed to livestock grazing until plan objectives have been achieved.

*S13/R13 Monitoring* - Monitoring will be conducted on treatments and is described in detail in the Monitoring section of this plan.

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

<b>LUP/Document<sup>1</sup></b>	<b>Sections/Pages</b>	<b>Date Approved</b>
Owyhee Resource Management Plan	Objectives, Management Actions, and Allocations pp 9-48	December 30, 1999

<sup>1</sup>List applicable LUPs (e.g., Resource Management Plans, Management Framework Plans, or applicable amendments) and 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 1999 Owyhee LUP decisions:

- Improve unsatisfactory and maintain satisfactory watershed health/condition on all areas (SOIL 1 pages 9-10).
- Improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas (VEGE 1 pages 12-13 ).
- Maintain or enhance the condition, abundance, structural stage and distribution of plant communities and special habitat features to support a high diversity and desired populations of wildlife (WDLF 1 pages 15-17).
- Decrease soil erosion and sediment yield, restore forage values, and restore upland habitat values and riparian values using fire rehabilitation procedures following a wildfire (FIRE 2 pages 25-28).
- Protect and enhance habitat for a diversity of special status species through implementation of management actions identified in objectives SOIL 1 and 2, WATR 1 and 2, VEGE 1, RIPN 1, FORS 1 and 2, WDLF 1, FISH 1 and 2, RECT 3, WNES 1 and 2, HAZM 1, and ACEC 1 (SPSS 1 pages 20-21).

**C. Identify applicable NEPA documents and other related documents that cover the Proposed Action. List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).**

<b>NEPA/Other Related Documents</b>	<b>Sections/Pages</b>	<b>Date Approved</b>
Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS) and the Vegetation Treatments on BLM Lands in 17 Western States Programmatic Environmental Report	Record of Decision and Appendix B - Standard Operating Procedures	June, 2007

<b>NEPA/Other Related Documents</b>	<b>Sections/Pages</b>	<b>Date Approved</b>
( <a href="http://www.blm.gov/wo/st/en/prog/more/veg_eis.html">http://www.blm.gov/wo/st/en/prog/more/veg_eis.html</a> )		
Boise District Noxious and Invasive Weed Treatment EA	All	February 6, 2007
Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management	All	August 1997
Boise District and Jarbidge Field Office Normal Fire Emergency Stabilization and Rehabilitation Plan EA	All	May 12, 2005

#### **D. 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?**

**Yes**, a range of proposed actions were analyzed under the Normal Fire Emergency Stabilization and Rehabilitation Plan Environmental Assessment (NFESRP EA) for the Boise District BLM. These included; herbicide use for noxious weed treatments and livestock management actions. An interdisciplinary team review of this fire has determined that the resource values, concerns and rehabilitation needs are substantially similar to those discussed and approved in the Boise District NFESRP EA, May 2005 and best meet the vegetative, watershed, and soil objectives of the Plan.

- 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, resource values, and circumstances?**

**Yes**, the range of alternatives analyzed in the NFESRP EA is appropriate for this action. Two alternatives to the proposed action were analyzed in the NFESRP EA (p 8-30). They included an alternative action that would not implement ESR treatments, but was eliminated from detailed analysis because it was not consistent with BLM policy and the No Action Alternative, which would continue to use existing 1987/1988 NFESRP's. The overall objective of the Proposed Action of the NFESRP EA is to stabilize and return a burned site to its previous native and/or seeded condition in the shortest time frame to enhance and protect the watershed, soil, wildlife habitat, and livestock forage values of the area. The proposed actions of the Grasshopper ES&R plan are designed to accomplish that objective for the area burned by the Grasshopper Fire (G5H7).

- 3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (e.g., riparian proper functioning condition reports; rangeland health standards assessments; inventory and monitoring data; most recent**

**USFWS 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 would not substantially change the analysis of the new proposed action?**

**Yes**, the proposed treatments will promote soil stabilization and protect habitat for the Greater sage-grouse by reducing the potential for soil movement from the uplands into the river corridor. The proposed treatments are covered under the Biological Assessment for the 2004 Normal Fire Emergency Rehabilitation Plan addresses the proposed treatments, and the subsequent Biological Opinion is in concurrence with the Assessment.

The livestock closure will minimize potential displacement impacts to wintering big game from remaining patches of suitable habitat within the burned area. All fence reconstruction will be consistent with the NFESRP EA (p. 24) in big game habitat. The analysis in the NFESRP EA (p. 65) is valid.

Based on the new information gained during recent inventory and survey of the burn area, existing analysis from the Normal Year Fire Rehabilitation Plan is adequate. The proposed actions within the treatment area and their effects to the above species were analyzed in the plan and found to be insignificant.

**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 analyses of the direct and indirect impacts of the proposed action remain unchanged from those outlined in the existing NEPA document. The impacts outlined in the document directly correlate to those impacts expected from the current proposed actions of drill seeding, aerial seeding, noxious weed treatment, and infrastructure repair. The direct and indirect impact analysis does not analyze the impacts of the fire and the resulting loss of habitat, which is outside the scope of the document. The NFESRP EA analyzes site specific impacts to resources such as vegetation, wildlife, soils, and sensitive species as a result of the proposed treatments outlined in the ESR plans. All specific design features outlined in the NFESRP EA will be followed during implementation of the emergency stabilization and rehabilitation treatments.

The cumulative impacts analyzed in the existing NEPA document are adequate with the addition of the proposed action. Special status and non-status plants and animals would be protected by the general and species specific design features, and would benefit from a return to more natural fire cycles and improved ecosystem function including better habitat/population connectivity, migratory corridors, habitat structure, forage and suitability.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?**

**Yes**, the public involvement and interagency review of the existing NEPA document is adequate for the current proposed action. The EA states on page 77 that “scoping letters informing the public of the purpose and need for action were sent to 1,077 interested publics including organizations, and federal and state agencies in October, 2003.” The general publics and other agencies included interest from ranchers, academia, conservation groups, Tribal governments, Idaho Department of Fish and Game, and ESA consultation with the USFWS.

**E. Persons/Agencies/BLM Staff Consulted**

<b>Name</b>	<b>Title</b>	<b>Resource/Agency Represented</b>
Barbara Chaney	Biologist	US Fish and Wildlife Service
County Commissioners	Local Policymakers	Owyhee County
Shoshone Piute Tribes	Wings and Roots	Native American Nation

Note: Refer to the EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**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 have been incorporated and implemented.

No Mitigation Measures have been identified.

**G. Conclusion** (If one or more of these criteria is not met, you will not be able to check this box.)

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

/s/ Kathi G. Kershaw  
Kathi Kershaw  
Preparer

10/01/2012  
Date

/s/ Seth Flanigan  
Seth Flanigan  
NEPA Specialist

10/01/2012  
Date

/s/ Loretta V. Chandler  
Loretta Chandler  
Owyhee Field Manager

10/01/2012  
Date

**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. 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.