

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
U.S. Department of the Interior  
Bureau of Land Management

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OFFICE: Humboldt River Field Office, LLNVW01000

TRACKING NUMBER: DOI-BLM-NV-W010-2013-0023-DNA

CASEFILE/PROJECT NUMBER: G6LN

PROPOSED ACTION TITLE/TYPE: Coyote Point Fire (G6LN) Fire Emergency  
Grazing Closure

LOCATION/LEGAL DESCRIPTION: T 43 N, R 33 E, SEC.

APPLICANT (if any): Bureau of Land Management (BLM)

**BACKGROUND INFORMATION ON FIRE**

The Coyote Point Fire ignited on August 19, 2012 from a lightning strike within the Coyote Hills Allotment. It moved south and west, burning into the Happy Creek Allotment north of highway 140. Values immediately consumed by the fire included 900 acres of Sage Grouse (*Centrocercus urophasianus*) Winter Habitat within the Lone Willow PMU but not considered Preliminary Priority Habitat or Preliminary General Habitat, 5,409 acres of year-round habitat for pronghorn antelope (*Antilocapra Americana*), 2,808 acres of crucial mule deer (*Odocoileus hemionus*) winter range, and 787 acres of mule deer agricultural habitat.

Approximately 2,531 acres of the Coyote Hills Allotment and 2,878 acres of the Happy Creek Allotment were impacted by the Coyote Point Fire. Approximately 1.3 miles of allotment boundary fence, and the Lucky Horizon Spring development within the Coyote Hills Allotment were damaged by the fire.

Approximately 80% of the area affected by the Coyote Point Fire was within the Cherry Creek Fire of 2000. The area where the Coyote Point and Cherry Creek fires overlapped had been previously treated through the rehab efforts for the Cherry Creek Fire. As a result of this rehab 1,470 acres were aerially seeded with big sagebrush and Forage kochia, and 2,133 acres were drill seeded with a grass seed mix. No burned areas within the Happy Creek or Coyote Hills Allotments were reseeded due to the Coyote Point Fire.

Affected ecological sites on BLM lands included 3,251 acres of Sandy Loam 8-10" Precipitation Zone (P.Z.) between 5000-6000' in elevation. Basin big sagebrush, needle and thread and Indian ricegrass were the dominant vegetation species within this site. There were 1,136 acres of Sandy 8-10" P.Z. occurring from 4800-6000' elevation, which

included big sagebrush, needle and thread, and Indian ricegrass. These two ecological sites make up 81 percent of the total ecological site area. Other ecological sites that were minor components of the system were also affected. These ecological sites were: Droughty Loam 8-10" P.Z., Loamy Slope 5-8" P.Z., Dunes 6-10" P.Z., and Loamy 5-8" P.Z. Together these ecological sites made up the other 19 percent.

**A. Description of the Proposed Action with attached map(s) and any applicable mitigation measures.**

A partial temporary grazing closure would be implemented for the Coyote Hills and Happy Creek Allotments. This temporary closure would close the burned areas of the Happy Creek and Coyote Hills Allotments to all livestock grazing. Closures would be in effect until the vegetative objectives have been met. Closure objectives would be defined in the Notice of Grazing Closure Final Decision issued to the permittees by the authorized officer. Existing allotment and pasture fences damaged by the fire would be repaired in accordance with the current permanent fence specifications. Initial re-introduction dates for livestock would be dependent on monitoring results.

*Invasive species*

BLM standard operating procedures including monitoring and treatment of weeds within the fire would occur as appropriate. Located infestations, if any, would be treated with BLM approved herbicides as appropriate, and in compliance with BLM operating procedures and label requirements for BLM approved herbicides. No acres are identified for treatment at the current time. Any treatments would be subject to Environmental Protection Measures (Attachment A).

Treatments could include one or more of the following chemicals depending on species present in project location:

Imazipyr  
Glyphosate  
2,4-D  
Picloram  
Dicamba  
Metsulphuron methyl  
Clorsulphuron

*Monitoring*

Monitoring would continue during closure periods, before any reintroduction of livestock to the closure area, and, after livestock reintroduction, as a part of the monitoring schedule.

**B. Land Use Plan (LUP) Conformance**

LUP Name: Paradise-Denio Management Framework Plan (MFP)

Date Approved: 1982

Other document: Normal Year Fire Rehabilitation Plan Environmental Assessment EA# NV-020-04-21.

Date Approved: 2004

\*List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)

**The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:**

The proposed action is in conformance with **the Paradise-Denio MFP:**

**Wildlife MFPIII Decisions WL-1.21 P.D.:** Maintain and improve habitat for sensitive, protected, threatened and endangered species listed on the U.S. Fish and Wildlife Service Endangered and Threatened List, BLM-Nevada Department of Wildlife Sensitive Species List and those existing Federal and state laws and regulations.

**The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objective, terms, and conditions):**

**Paradise-Denio MFP (1982)**

Although not specifically addressed, the proposed action conforms to wildlife and watershed objectives WL-1, which state in part; “Provide for improvement or maintenances of wildlife habitat in the planning area in order to assure that sufficient quantity, quality and diversity of habitat exists to accommodate the needs of all species of wildlife...”

Additionally, the Paradise-Denio Standard Operating Procedure 45 Soil-Water-Air states in part:

1. “Consider rehabilitating areas which have had protective vegetative cover destroyed by wildfire.....”

Although not specifically addressed, weed treatments conform to wildlife, range, and watershed objectives (WLA 1.12, RM2.1), which includes improving and maintaining habitat quantity, quality, diversity, and production by artificial methods when appropriate.

**C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

- **Normal Year Fire Rehabilitation Plan Environmental Assessment EA# NV-020-04-21, Decision Record and Finding of No Significant Impact 8/19/04.**

- **Integrated Weed Management Environmental Assessment** NV-020-02-19, Decision Record and Finding of No Significant Impact 8/27/02.
- **Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States EIS (ROD 9/29/07).**

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).

- **Biological Assessment for the Normal Year Fire Rehabilitation Plan** (August 2004)
- **IM NV 2012-043 Greater Sage-Grouse Interim Management Policies and Procedures** (December 2011)
- **A Report on National Greater Sage-Grouse Conservation Measures.**  
Produced by: Sage-Grouse National Technical Team, 12/21/2011

#### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA documents(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 Normal Fire Rehabilitation Plan EA NV-020-04-21 (DR/FONSI 8/19/04), addresses closure. Control of noxious weeds is analyzed in the Normal Fire Rehabilitation Plan EA NV-020-04-21 (DR/FONSI 8/19/04), Integrated Weed Management EA NV-020-02-19 (DR/FONSI 8/27/02) and the Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States EIS (ROD 9/29/07).

**2. Is the range of alternatives analyzed in the existing NEPA documents(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Documentation of answer and explanation:

Yes, the range of alternatives analyzed in the existing NEPA documents is appropriate with respect to the current proposed action and current environmental concerns, interests, resource values and circumstances.

**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 existing analysis is adequate and there is no new information or circumstances known at this time. Recent guidance has been implemented based on the United States Fish and Wildlife Service determination of warranted but precluded status [2010]) for sage-grouse. Sage grouse and sage grouse habitat were analyzed in the Normal Year Fire Rehabilitation Plan Environmental Assessment (2004) and the Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States EIS (2007). New guidance for sage-grouse, IM 2012-043, "Greater Sage-Grouse Interim Management Policies and Procedures (December 2011) and the "Report on National Greater Sage-Grouse Conservation Measures" (December 2011), which guide policy in Sage Grouse habitat, should not substantially change the analysis in the existing NEPA documents since the project area is not located within Preliminary Priority Habitat (PPH) or Preliminary General Habitat (PGH) for the Greater 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?**

Documentation of answer and explanation:

Yes, the cumulative effects that would result from the implementation of the new proposed action are anticipated to be similar to those analyzed in the existing NEPA documents.

**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, public involvement and interagency review associated with existing NEPA documents are adequate

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

<b>Name /Title</b>	<b>Resource/Agency Represented</b>	<b>Signature/Date</b>	<b>Comments (Attach if more room is needed)</b>
Morgan Lawson	Range	\s\ Morgan Lawson 4/10/2013	
Rob Burton	Veg/Soils	\s\ Rob Burton 4/10/2013	
Mark Hall	NAC and Cultural	\s\ Mark E Hall 4/11/2013	
John McCann	Hydrology/Riparian	\s\ John W. McCann 4/10/2013	
Nancy Spencer-Morris	Wildlife	\s\ Nancy Spencer-Morris	
Greg Lynch	Fisheries	\s\ Greg Lynch 4/10/2013	
Allie Brandt	GIS	\s\ Allie Brandt 4/11/2013	
Eric Baxter	Invasive, non-native species	\s\ Eric Baxter 4/10/2013	
Melanie Mirati	Wild Horse and burro	\s\ Melanie Mirati 4/10/2013	
NEPA	Zwaantje Rorex	\s\ Zwaantje Rorex 4/11/2013	

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

**Conclusion** *(If you found that 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' compliance with the requirements of the NEPA.

\_\_\_\_\_ \s\ Morgan Lawson \_\_\_\_\_  
Signature of Project Lead

\_\_\_\_\_ \s\ Zwaantje Rorex \_\_\_\_\_  
Signature of NEPA Coordinator

\_\_\_\_\_ \s\ Gene Seidlitz \_\_\_\_\_ 4/25/2013  
Signature of the Responsible Official 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.

## **Attachment A: Environmental Protection Measures**

### **Invasive Plants Management**

- 1) Standard safety procedures and standard operating procedures would be strictly followed.<sup>i</sup>
- 2) During the raptor breeding season, January 1 through August 31, control of noxious weeds would be implemented or delayed in accordance with spatial and temporal recommendations defined in the Utah Field Office Guidelines for Raptor Protection from Human and Land Use Disturbances (USFWS 2002).

Control of noxious weeds would not be conducted within 0.6 miles of active Sage Grouse leks during lekking and nesting season from March 1<sup>st</sup> through June 30<sup>th</sup>. Greater Sage-Grouse nest and brood surveys in areas proposed for noxious weeds control efforts will be conducted no more than 10 days and no less than 3 days prior to initiation of disturbance. If active nests and/or broods are located, rehabilitation activities will be delayed until the grouse have voluntarily left the area.

In addition, a burrowing owl survey will be conducted in potential habitat areas no more than 10 days, and no less than 3 days prior to initiation of disturbance. If active burrows are located, a minimum 260 ft. protective buffer will be established or rehabilitation activities delayed until the birds have completed nesting and brood-rearing activities.

- 3) For any proposed actions that are not performed outside of the migratory bird breeding season (March 1- August 31), a migratory bird nesting survey will be conducted in potential habitat areas no more than 10 days and no less than 3 days prior to initiation of disturbance. If active nests are located, a minimum 260 ft. protective buffer will be established or rehabilitation activities delayed until the birds have completed nesting and brood-rearing activities.

- 4) All landowners within the treatment areas are welcome to attend training of proper identification and growth stages of noxious weeds before treatment. Periodic compliance checks of the weed control activities would be done during the treatment period with the BLM and the affected landowners. A monitoring and evaluation program would be cooperatively developed between all the affected landowners within the treated sites to assess annual progress of the Integrated Weed Management Program.<sup>ii</sup>

- 5) The Nevada Division of Water Resources (NDWR) would be given the opportunity to review and comment on any proposed monitoring program.<sup>ii</sup>

- 6) Prior to any control efforts, Native American concerns would be solicited in accordance with the Native American consultation regulation and policy.<sup>ii</sup>

- 7) The Ft. McDermitt Paiute and Shoshone tribe will be given 2 weeks notification before any spray operations are conducted. <sup>ii</sup>
- 8) Herbicides would be calculated and purchased only in quantities needed to complete each BLM spot treatment and contractor applied treatment. Label directions would be strictly followed. <sup>ii</sup>
- 9) Prior to any chemical treatment, areas would be evaluated for the presence of riparian areas, special status plants and animals, or if they are cultural sites. No chemical application would occur within 50 yards of any Threatened, Endangered, Sensitive, or Special Status species. <sup>ii</sup>
- 10) Re-applications of the herbicide would not be less than the persistence factor identified for any product selected for use. <sup>ii</sup>
- 11) Ground applications of herbicides (including backpack and power sprayer) would be limited to spraying the target weeds and the surrounding ground for 10 feet. Backpack applications of liquids would occur only at low nozzle pressure and at ground level. Granular formulations would be applied by broadcast spreaders or by hand within 3.5' of the ground. <sup>ii</sup>
- 12) Ground application of granular formulations would be done in wind speeds not exceeding 10 miles per hour (mph). Ground applications of liquids would not occur when wind speeds exceed 8 mph. <sup>ii</sup>
- 13) The BLM would notify the livestock grazing permittee(s) when herbicides are used on grazing allotments. Phenology of target species and multiple use objectives would also be considered. <sup>ii</sup>
- 14) The use of herbicides near water would be based on the buffer requirements established in the BLM Chemical Pest Control Manual, Handbook H-9011-1; distance from water (in horizontal feet) would be as follows: 10 feet backpack, 25 feet for vehicle mounted spreader of granular formulations, and 50 feet for vehicle mounted sprayer of liquids. <sup>ii</sup>
- 15) No herbicide application would be conducted when rain (greater than 50% chance) is predicted within 24 hours of treatment. The BLM would use the Interagency Fire Dispatch Center for weather reports for rain predictions. <sup>ii</sup>
- 16) Treatments will follow restriction based on avoidance buffers and season of use restriction within sage grouse habitat. All treatments identified will be in accordance with Instruction Memorandums WO-IM-2012-043, Greater Sage-Grouse Interim Management Policies and Procedures and WO-IM-2010-149, Sage-Grouse Conservation Related to Wildland Fire and Fuels Management.

17) Herbicides will be applied only by a state and federally certified pesticide applicator. All applications will be in accordance with the instructions and standard operating procedures identified on the product label(s).

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<sup>ii</sup> **Integrated Weed Management Environmental Assessment** NV-020-02-19, Decision Record and Finding of No Significant Impact 8/27/02.