

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

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OFFICE

Winnemucca/Humboldt River Field Office

TRACKING NUMBER: DOI-BLM-NV-W010-2013-0033-DNA

CASEFILE/PROJECT NUMBER: NA

PROPOSED ACTION TITLE/TYPE

Highway Fuelbreak Extension Project

LOCATION/LEGAL DESCRIPTION

*Fuelbreak Extension Areas*

State Route 140 and US Highway 95, Humboldt County, Nevada.

The extension on state route 140: west/south side of highway for 13.5 miles from Quinn River Maintenance Station (mile marker, MM: 51.5) to Ninemile Road (MM: 38), then both sides of the highway from MM 36.5 to Coyote Point Road (MM: 27) for 9.7 miles.

The extension on US Highway 95: from the Humboldt County Landfill Road (MM: 4) to the Sand Pass Road (MM: 11). The total length would be less than 7 miles; a few sections with sand dunes would be bypassed.

The fuelbreaks would occur within the existing highway right-of-way.

State Route 140

T45NR31E, Secs. 19, 20, 29, 32, 33  
T44NR31E, Secs. 4, 9, 10, 15, 22, 23, 26, 35, 36  
T43NR31E Secs. 1, 12  
T43NR32E Secs. 7, 18, 19, 28, 29, 33, 34  
T42NR32E, Secs. 2, 3, 11, 13, 14, 24  
T42NR33E, Secs. 19, 29, 30, 32, 33

24K Quads: Denio Summit, Howard Hot Springs, Bilk Creek Reservoir, Quinn River Crossing, Mustang Spring, Bottle Hill

100K Quads: Denio, Jackson Mountains

Land Status: mix of public and private lands, all of which is within the highway right-of-way

US Highway 95

T38NR38E, Sec 34

T37NR38E, Secs 3, 4, 9, 16, 21, 28, 29, 32

T36NR38E, Sec 5.

24K Quads: China Garden, Weso

100k Quad: Osgood Mountains

Land Status: mix of public and private lands, all of which is within the highway right-of-way

*Fuelbreak Maintenance*

State Route 290, Humboldt County, Nevada, and State Route 447, Washoe County, Nevada

No new actions are proposed for these fuelbreaks, but the timing of maintenance treatments would be made less restrictive given mitigation actions.

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

**A. Description of the Proposed Action with attached map(s) and any applicable mitigation measures. (*Define mitigation from previous decisions that would carry over and be specific to this project. Describe any additional mitigation measures recommended as a result of this proposed action and associated DNA review.*)**

The Bureau of Land Management, fire management program, is requesting to extend the length of the existing highway disking fuelbreaks along State Routes 140 and US Highway 95 and to provide maintenance of these fuelbreaks as necessary to maintain their effectiveness. The BLM is also requesting to maintain all highway fuelbreaks (i.e., including State Routes 140 and 447) using a disking implement at any time of the year, if necessary, to maintain effectiveness. The Healthy Forest Restoration Act of 2003 mandates the BLM to protect municipal watersheds, communities-at-risk, and habitat for threatened and endangered species. The fuelbreak extensions would be created by mowing and/or disking a strip of ground 12-16 feet in width and 4-12 inches in depth. The disking lines would be generally located inside, and adjacent to, the edge of the existing fence line which delineates the boundary of the Nevada Department of Transportation (NDOT) rights-of-way. All areas of proposed disturbance would be within

the highway rights-of-way and have been previously disturbed. NDOT, which has jurisdiction on transportation right-of-ways, was consulted numerous times regarding this proposed project in the fall of 2012 and spring of 2013. A formal letter describing the proposed project was sent to NDOT on 21 February 2013 and a meeting was held on 12 March 2013.

The existing highway disking fuelbreaks are the most effective fuelbreaks in the Winnemucca District (Fuels Treatment Effectiveness Monitoring Database 2013). In 2012 alone, five fires were prevented from spreading outside of the highway right-of-way and several others were used for anchor points by suppression resources. Due to a recent expansion of cheatgrass along the proposed extension and subsequent occurrence of fires, extending the length of current fuelbreaks would result in a more effective fire defense system to protect important wildlife habitat, municipal watersheds and communities-at-risk.

Fuelbreaks would be created by the use of a tractor and disking/mowing implement(s). Fuelbreaks would be maintained by re-disking and/or herbicide (e.g., Imazapic) application. Herbicide would be applied using rubber tired vehicles (truck or UTV) with a mounted tank and sprayer system. Fuelbreak extensions would be established in the fall or winter. Maintenance treatments are generally required each year or bi-annually. Maintenance treatments might be necessary at any time of the year; treatments within the migratory bird breeding season would adhere to mitigation/protection measures identified in the following section. Any and all maintenance activities would occur on or within existing disturbed fuelbreak areas.

#### Proposed Fuelbreak Extension Specification

##### State Route 140:

section 1 – 13.5 miles long, on the west/south side of highway, 32.7 acres;  
section 2 – 9.7 miles long, 16-20 feet by 4-6 inches deep on both sides of highway, 46.8 acres.

##### US Highway 95:

6.8 miles long, both sides of highway, 32.7 acres.

#### Mitigation/Protection Measures

In addition to the Standard Operating Procedures contained in Appendix A of the Vegetation Treatment Using Herbicide on Bureau of Land Management Lands in Seventeen Western States Programmatic EIS, Record of Decision (2007), the following safety and standard operating procedures would also apply:

1. The standard Safety Procedures and Standard Operating Procedures found in Appendix I of the Highway Disking and Herbicide Treatments Environmental Assessment (DOI-BLM-NV-WO10-2009-0006-EA, Decision May 2009) would be strictly followed.

2. The Nevada Department of Transportation (NDOT) would be given the opportunity to review and comment on any proposed actions.
3. Label directions would be strictly followed. In Nevada, all herbicides used, are currently registered by the Environmental Protection Agency (EPA), for use on pasture, forest land, and rangeland. Any treatment across adjoining state lines would meet both states requirements.
4. Prior to any chemical treatment, areas would be evaluated for the presence of riparian areas, special status plants and animals and to determine if they fall within an ACEC. No ground application (truck mounted sprayer or backpack) would be done within 50 yards of any sensitive or threatened species.
5. Re-applications of the herbicide would not be less than the persistence factor identified for the herbicide.
6. Ground application of herbicides (including backpack and power sprayer) would be limited to spraying the target area. Truck mounted and backpack application of liquids would occur only at low nozzle pressure.
7. Ground application of liquids would not occur when wind speeds exceed 10 mph. The certified pesticide applicator would monitor for wind speed and herbicide drift at all control sites near surface waters through the use of drift cards. If the drift cards detect a positive herbicide presence in the buffer zone, spraying would be stopped immediately and monitoring would be initiated.
8. 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, 50 feet vehicle mounted sprayer of liquids.
9. Two weeks before herbicides are applied, the tribal council of the Fort McDermitt Paiute and Shoshone Reservation would be notified of when, where and how herbicides would be applied.

In addition to the Standard Operating Procedures listed above the following environmental measures are components of the proposed action and would be implemented.

1. During any phase of implementation by contractor, a certified BLM Contracting Officers Representative (COR) or Project Inspector (PI) would be on site ensuring all SOP and mitigation actions are followed.
2. When applying herbicide, a buffer zone of fifty (50) feet (when applying by vehicle), and ten (10) feet (when applying by backpack) would be applied around any water sources.
3. Herbicidal application rate (range of rates) and application would be subject to label restricting and standard operating procedures.
4. Land clearing or other surface disturbance associated with the proposed action would be conducted outside of the migratory avian breeding season, whenever feasible, to avoid potential destruction of active bird nests. Nests are considered active if they contain eggs or young or if evidence of reproductive behavior (i.e. mated pairs, courtship displays, territorial defense, carrying nesting materials, transporting food, etc.) is observed (MBTA 1918). When surface disturbance must be created during the migratory avian breeding season, (March 1 – August 31), a survey performed by a BLM biologist, or their representative, would be conducted for active nests. This survey would be conducted no more than ten (10) days prior to and no less than one (1) day prior to proposed disturbance activities. If active nests are located, disturbance activities may be postponed, a protective buffer may be established, or

other appropriate protective measures would be instituted to avoid disturbance to the nest or reproductive behaviors until the nests are no longer active. The start and end dates of the seasonal restriction may be based upon site-specific information such as species present, elevation, and weather patterns which affect breeding chronology.

5. Areas containing cultural resources determined to be eligible for inclusion into the National Register would be avoided.

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

LUP Name\*Paradise-Denio Management Framework Plan Date Approved July 1982

Other document \_\_\_\_\_ Date Approved \_\_\_\_\_

Other document \_\_\_\_\_ Date Approved \_\_\_\_\_

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

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

NA

The proposed action in is 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):

### **Fire F-1 Objective:**

“To minimize the wildfire damage to life, property, and resources.”

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

List by name, number and date (DR/FONSI or ROD) all applicable NEPA documents that cover the proposed action.

1. Name: Highway Disking and Herbicide Treatments Environmental Assessment  
NEPA ID: DOI-BLM-NV-WO10-2009-0006-EA  
Date: May 2009
2. Name: Highway Fuelbreak Herbicide Treatment Environmental Assessment  
NEPA ID: NV-020-05-EA-20  
Date: September 2005
3. Name: Herbicide Application for Control of Noxious Weeds Environmental

Assessment  
NEPA ID: NV-020-99-10  
Date: January 1999

4. Name: Integrated Weed Management Environmental Assessment  
NEPA ID: NV020-02-19  
Date: August 2002
5. Name: Vegetation Treatment Using Herbicide on Bureau of Land Management Lands in Seventeen Western States Programmatic EIS  
NEPA ID: FES-07-21  
Date: September 2007

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).

NA

#### **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?**

Yes. The new proposed action is essentially similar to the proposed action analyzed in the Highway Disking and Herbicide Treatments Environmental Assessment DOI-BLM-NV-WO10-2009-0006-EA (May 2009). Use of herbicides, in addition to disking, to maintain fuel breaks is essentially similar to the proposed action in the Highway Fuelbreak Herbicide Treatment Environmental Assessment NV-020-05-EA-20 (September 2005) (Hwy FB Herbicide EA). The Herbicide Application for Control of Noxious Weeds Environmental Assessment NV-020-99-10 (January 1999) (Noxious Weeds EA) and Integrated Weed Management Environmental Assessment NV020-02-19 (August 2002) (Weed Management EA) analyzed the use of herbicides within the Winnemucca District.

The new proposed action is located in the same geographic region as that analyzed in the Hwy Disking/Herbicide EA and Hwy FB Herbicide EA, just outside of the project area in each of these existing NEPA documents. The resources and conditions within these small additions are essentially similar to the area analyzed in these existing NEPA documents.

**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?**

Yes. The ranges of alternatives in the existing documents are reasonable with respect to the newly proposed treatment. The environmental concerns, interests and resource values have not changed since the completion of the Hwy Disking/Herbicide EA.

**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. Cheatgrass and other non-native annuals have expanded along both highways increasing the risk of fire spread into surrounding areas with grazing allotments, wildlife habitat and homes. This expansion prompted the proposed fuelbreak extensions. This change would not substantially change the analysis and its applicability to 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?**

Yes. Although the proposed action would increase the length of the existing fuelbreaks, the impacts of treatments would be similar to those analyzed in the existing NEPA documents. Cumulatively, the impacts of the new proposed action are not expected to reach beyond what has been disclosed in the previous NEPA documents.

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

Yes. There was adequate public involvement in the original NEPA documents. A 30 day scoping period was held for the Hwy Disking/Herbicide EA in January of 2009. No comments were received. NDOT was consulted and supports this project.

**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>
Mark Williams	Fire Management	\s\ Mark Williams 29 April 2013	
Patrick Haynal	Archeology	\s\ Patrick Haynal 5/1/13	None
Nancy Spencer-Morris	Wildlife Management	\s\ Nancy Spencer-Morris	None
Zwaantje Rorex	NEPA Compliance	\s\ Zwaantje Rorex 5/13/13	
Joey Carmasino	Recreation Planner	\s\ V.J. Carmasino 05-1-2013	
Mark Hall	Native American Consultation	\s\ Mark E. Hall 5/1/2013	No comments
Julie McKinnon	Realty	\s\ Julie McKinnon 5/1/13	
Eric Baxter	Invasive Species	\s\ Eric Baxter 4/29/2013	
Rob Burton	Soils, Air Quality, Vegetation	\s\ Rob Burton 5/1/2013	
Kristine Struck	Lands with Wilderness Characteristics	\s\ Kristine Struck 5/1/2013	
Mark Turney	Public Outreach	\s\ Mark Turney 5/13/2013	No public outreach required

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\ Mark Williams  
Signature of Project Lead

\s\ Zwaantje Rorex  
Signature of NEPA Coordinator

\s\ Werner Graham 15 May 13  
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.