



Bureau of Land Management

Boise District Office
Four Rivers Field Office
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Determination of Land Use Plan Conformance and NEPA Adequacy (DNA)

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

A. BLM Office: Four Rivers Field Office

NEPA Log Number: DOI-BLM-ID-B010-2013-0042-DNA

Lease/Serial Case File No.:

Proposed Action Title/Type: Pony Complex Fire Emergency Stabilization and Burned Area Rehabilitation (ES&BAR) Plan

Location/Legal of Proposed Action: Seven separate lightning-caused ignitions on Aug. 8, 2013 quickly grew into the Pony Complex Fire. Three ignitions off of Highway 20 south of Long Tom Reservoir, two in the Indian Creek area, one near Long Tom Reservoir, and one near Little Camas Reservoir merged to become the Pony Complex. The fire burned mostly to the northwest of the origins, across multiple sections through townships 2S, 1S, 1-3N, and ranges 5-9 east.

Applicant (if any): N/A

Description of the Proposed Action and any applicable mitigation measures:

ES&BAR Treatments:

S2 Ground Seeding:

Approximately 7,150 acres in six locations of the burn will be ground (drill) seeded with desirable perennial grasses and forbs. High intensity burn areas will be targeted, and most seeding polygons fall within sage-grouse Preliminary Priority Habitat (PPH) or Preliminary General Habitat (PGH). There were two occupied sage-grouse leks within the burn area and two within one mile of the burn perimeter. Seeding will also benefit mule deer winter range and provide for soil stabilization following the burn.

Three separate seed mixes will be used: 1) for the majority of the drill seeding (6,765 acres), Idaho fescue (*Festuca idahoensis*) and bluebunch wheatgrass (*Pseudoroegneria spicata*) will be seeded in areas that experienced high heat intensity during the fire where

few grasses are expected to survive; 2) three small high disturbance areas will be seeded with crested wheatgrass (*Agropyron cristatum*), a non-spreading, non-native grass, to lessen the likelihood that invasives like cheatgrass (*Bromus tectorum*) or medusahead (*Taeniatherum caput medusae*) will invade or increase in abundance following the fire. Strips approximately 200' wide along each side of Highway 20, along the west side of Long Tom Reservoir, and a polygon immediately north of Long Tom Reservoir will be seeded. A total of 385 acres will be seeded with the non-native grass; and 3) a forb mix would be ground broadcast near key areas for sage-grouse, specifically leks. Appar blue flax (*Linum perenne*), a non-native, Munroe's globemallow (*Sphaeralcea munroana*), white western yarrow (*Achillea millefolium*), and Wyeth's buckwheat (*Eriogonum heracleoides*) will be seeded.

S3 Aerial Seeding:

Within BLM lands roughly 45,800 acres will be aerially-seeded with either shrubs alone or a shrub-forb mix to promote recovery of Greater Sage-Grouse and mule deer habitat, while benefiting numerous other species as well. Wyoming big sagebrush (*Artemisia tridentata wyomingensis*) and mountain big sagebrush (*Artemisia tridentata vaseyana*) provide important forage and cover for a significant number of wildlife species. The *Artemisia* spp.-only mix will be applied over roughly 29,000 acres of PPH and mule deer winter range, and the shrub-forb mix (*Artemisia* spp. and Ladak alfalfa (*Medicago sativa*) and Delar small burnet (*Sanguisorba minor*) will be seeded over roughly 16,800 acres of PGH and mule deer winter range. The two forb species are preferred forage for both sage-grouse and big game; wildlife will preferentially select them initially and thus allow native forbs to recover with less graze/browse pressure. Seeding these shrubs and forbs will also reduce the likelihood of new noxious and/or invasive weed infestations. Aerial seeds would be broadcast and applied primarily by helicopter, given the steep slopes and terrain.

Aerial seeding would target areas of high shrub mortality. Seeding should occur in the late fall or early winter, and be broadcast directly onto snow. Excellent results have been observed when seed is applied on a thin layer of snow.

S4 Seedling Planting:

Artemisia spp. and antelope bitterbrush (*Purshia tridentata*) provide important forage and cover for a variety of wildlife species, particularly sage-grouse and mule deer. Seedlings would be hand planted along non-rocky ridgetops in a swath approximately 300' wide to facilitate shrub species re-establishment in occupied sage-grouse and mule deer winter range habitat that experienced high vegetation top kill. Roughly 350,000 seedlings would be planted in FY15 and 350,000 seedlings in FY16, at a ratio of 6:1 bitterbrush to sagebrush, in sage-grouse PPH and PGH habitat. Planting these species along ridgelines facilitates seed dispersal downslope by gravity and downhill water flow.

Although aerial seeding will also occur for *Artemisia*, expediting the return of sagebrush and bitterbrush through seedling planting will return a more fully functioning ecosystem for key wildlife species sooner and will prevent impairment of habitat.

S5/R5 Noxious Weeds:

Noxious weeds and invasive plant (primarily annual grasses) assessments will be conducted in FY14 for Early Detection and Rapid Response (EDRR) treatment on any new infestation located within the fire perimeter (roughly 154,000 acres) and would continue for the following two years under the Burned Area Rehabilitation program. Critical areas to assess include roads, dozer lines, pit reservoirs, ephemeral drainages and burned areas where suppression vehicles and equipment traveled through known noxious weed/non-native invasive plant species populations. Disturbed areas within and along the fire perimeter, such as dozer lines (40 miles), hand lines, staging areas and safety zones will also be prioritized for monitoring. Roads and trails total 189 miles. Roughly 4,545 acres are identified as highest priority for EDRR actions, with the remaining burn area as secondary priority.

Treatments will occur at a proper phenological stage for each species to ensure maximum control. Known noxious or invasive species within the burned area include Rush skeletonweed (*Chondrilla juncea*), whitetop (*Cardaria draba*), Diffuse knapweed (*Centaurea diffusa*), leafy spurge (*Euphorbia esula*), Dalmation toadflax (*Linaria dalmatica*), and Scotch thistle (*Onopordum acanthium*).

All herbicide treatments will include only ingredients that are on the BLM list of approved chemicals (most recent list updated September, 2011). Herbicide type and application rate would be dependent on the target species, location of Special Status Species and their crucial habitats, and aquatic habitat. Herbicide use would follow application procedures described in the chemical manufacturer's label and would be in conformance with the *Boise District Normal Fire Emergency Stabilization and Rehabilitation Plan EA #ID-090-2005-050*, May, 2005; the *Boise District and Jarbidge Field Offices Noxious and Invasive Weed Treatment Plan (EA #ID-100-2005-EA-265)* and the accompanying Biological Assessment and Addendum; and the *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS)*.

Although no known slickspot peppergrass populations are found within the fire perimeter, potential habitat is found in the southeast corner of the complex. Roughly 1,490 acres of the potential habitat burned in the complex. Special design features for slickspot peppergrass, developed through the Slickspot Peppergrass Candidate Conservation Agreement with the State of Idaho and found in the *Boise District and Jarbidge Field Offices Noxious and Invasive Weed Treatment Plan*, will be followed for any weed treatments within that potential habitat.

Biological control would be utilized if available for any of the target weed species.

S7/R7 Protective Fence and Fence Repair:

Approximately 30 miles of existing livestock management fences were damaged to the point of needing either repair or replacement in the fire. Repair of these fences is needed to close areas to livestock grazing to protect seeded areas, promote natural recovery, and to properly manage grazing post-fire. The exclusion of livestock allows vegetation to re-

establish onsite, reduce soil loss due to wind and water erosion, and allow for recovery of critical big game winter range and sage-grouse PGH and PPH.

Additionally, approximately 30 miles of interior fenceline needs repair; these fences allow necessary management of grazing post-fire, for similar reasons of reducing soil loss and recovery of big game winter range and sage-grouse PGH and PPH.

In both cases above, if large portions of fence need to be replaced they will be rebuilt to BLM standards for wildlife (mule deer, pronghorn, and sage-grouse). Portions of fence that are only being repaired will be so to meet BLM standards for wildlife (mule deer) only when practical and with no additional cost.

Eight miles of new temporary fence will be constructed to exclude livestock from areas closed to grazing for natural recovery or to protect vegetation treatments. Three miles of new fence will be constructed near Dry Creek and five miles near Immigrant Road. Fences will be constructed using Easy Fence panels, and constructed to mule deer and pronghorn specifications. A cattleguard will be needed at Immigrant Road as well.

S9 Cultural Protection

A part of the Oregon National Historic Trail lies within the Pony Complex area. Many of the trail marker signs burned in the fire. These marker signs benefit the public but also are useful reminders of the Trail's location for project work including ES&R. Carsonite posts, 3" x 10" Oregon Trail or Goodale's Cutoff stickers, and 2" x 3" Kelton Road stickers will be installed at every BLM boundary along the entire length of the trail and every half mile within BLM lands. A total of 168 markers will be replaced.

S11/R11 Facilities

Two treatments would be completed to properly inform the public of potential safety and health concerns and patrol the road system during storm events:

- Warning signs (5) will be placed on roads to inform the public of potential flood, rockfall, and falling tree hazards related to the burn. Burned area warning signs will be placed on Mayfield Road at Bowns Creek; on Road 167 (Danskin Lookout) at milepost 1; on Mayfield Road at Immigrant Road junction; on Immigrant Road, near junction with Highway 20; and on Cow Creek Road, Forest Road 131, near junction of Highway 20; and
- Additional patrols will be conducted along roads during storm events in anticipation of possible flood and debris flow events to facilitate repair and warn users. Four priority roads are identified in the treatment specification, as follows: Syrup Creek Road, Long Tom Reservoir Road, Ditto Creek Road, and Mayfield-Immigrant Road.

S12/R12 Closures:

Burned portions of 11 grazing allotments would be rested from grazing through a maximum of a three-year closure for motorized vehicles. If vegetation recovery objectives are met prior to three years, then motorized use can be allowed earlier. The closure is also to keep motorized vehicles out of the area during peak use periods of

hunting and antler collecting. Due to the established importance and popularity of the trails within the Forest Service lands, it is integral to coordinate all discussion with FS recreation staff and IDPR. Increased enforcement patrols would occur during peak use periods of hunting and antler collecting with regular patrols occurring throughout rest of year to monitor and enforce closure. Public access would still be allowed to foot traffic. Instruction Memorandum No. 2012-035, *Requirements for Processing and Approving Temporary Public Land Closure and Restriction Orders*, would be followed to ensure proper authorities are used and *Federal Register* notices are approved and published in a timely manner.

The Pony Complex fire affected portions of 11 allotments: Mountain Home Subunit (9% burned); Long Tom (99% burned); Mud Springs (100% burned); Martha Avenue (32% burned); Ditto Creek (35% burned); Dive Creek/Big Bluff (100% burned); Cornell (27% burned); Section 1 Custodial (59% burned); Cottonwood (83% burned); Hammett #6 (3% burned); and North Slope (12% burned). Length of rest will depend on the seeding/seedling establishment and the natural vegetative recovery rate of the burned area.

The BLM will prepare 11 full force and effect grazing decisions for the 11 allotments. Compliance monitoring inspections will be scheduled throughout the grazing season to ensure total rest is achieved with the specified allotments/pastures. Monitoring will be conducted to evaluate resource/natural recovery objectives related to resumption of grazing.

S13/R13 Monitoring:

Monitoring would be conducted annually for three years to evaluate the effectiveness of treatments and attainment of objectives within the burned area. Monitoring will focus on soil stability, soil productivity, invasive species, Greater sage-grouse habitat, and big game winter range. Decisions about the resumption of grazing after the two or three-year rest will be based on the monitoring data analysis. Monitoring data would be collected across the treated area from initiation of the proposed treatments through the year 2016 and would be implemented per the Monitoring section of the ES&BAR plan.

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

LUP Document	Sections/Pages	Date Approved
Kuna Management Framework Plan (MFP)	Watershed; Wildlife (Terrestrial); Cultural Resource Management; Recreation	March 1983

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 (objectives, terms, and conditions):

S2 – Ground Seeding

Ground seeding meets the following objectives from the Kuna MFP:

- Manage sensitive species habitat in the Kuna Planning Unit (KPU) to maintain or increase existing and potential populations
- Manage 207,680 acres of big game habitat in the KPU to obtain good ecological condition
- Manage of 114,880 acres of mule deer winter and early spring range in the KPU so there is adequate food, cover, and water
- Manage 83,600 acres of sage grouse range to improve nesting, brood rearing, and winter habitats
- Maintain and/or enhance unique or special habitats to retain and/or improve their character and value for wildlife, research, and human enjoyment. Protect habitats supporting nongame wildlife with high public and/or biological interest.

S3 – Aerial Seeding

Aerial seeding meets the following objectives from the Kuna MFP:

- Manage sensitive species habitat in the Kuna Planning Unit (KPU) to maintain or increase existing and potential populations
- Manage 83,600 acres of sage grouse range to improve nesting, brood rearing, and winter habitats
- Maintain and/or enhance unique or special habitats to retain and/or improve their character and value for wildlife, research, and human enjoyment. Protect habitats supporting nongame wildlife with high public and/or biological interest.

S4 – Seedling Planting

Seedling planting meets the following objectives from the Kuna MFP:

- Manage sensitive species habitat in the Kuna Planning Unit (KPU) to maintain or increase existing and potential populations
- Manage 83,600 acres of sage grouse range to improve nesting, brood rearing, and winter habitats
- Maintain and/or enhance unique or special habitats to retain and/or improve their character and value for wildlife, research, and human enjoyment. Protect habitats supporting nongame wildlife with high public and/or biological interest.

- Manage 207,680 acres of big game habitat in the KPU to obtain good ecological condition

S5/R5 – Noxious Weeds

Noxious weed treatments meet the following Kuna MFP objectives:

- Manage sensitive species habitat in the Kuna Planning Unit (KPU) to maintain or increase existing and potential populations
- Manage 83,600 acres of sage grouse range to improve nesting, brood rearing, and winter habitats
- Maintain and/or enhance unique or special habitats to retain and/or improve their character and value for wildlife, research, and human enjoyment. Protect habitats supporting nongame wildlife with high public and/or biological interest.
- Manage 207,680 acres of big game habitat in the KPU to obtain good ecological condition
- Manage all watersheds to achieve stable or moderate soil surface factor conditions, and where feasible/economical, strive for maintaining or establishing good perennial cover
- Protect and/or improve endangered species habitat within the Kuna Planning Unit

Other planning documents and guidance (Section C) provide more current support for this treatment. Inventory and treatment of new and existing populations of noxious weeds and invasive species would occur within the project area. This approach is in conformance with BLM policy requiring the BLM to control the spread of noxious weeds on public lands and eradicate them where possible and economically feasible.

S7/R7 Protective Fence and Fence Repair

The proposed treatments meet the following Kuna MFP objectives:

- Manage sensitive species habitat in the Kuna Planning Unit (KPU) to maintain or increase existing and potential populations
- Manage 83,600 acres of sage grouse range to improve nesting, brood rearing, and winter habitats
- Maintain and/or enhance unique or special habitats to retain and/or improve their character and value for wildlife, research, and human enjoyment. Protect habitats supporting nongame wildlife with high public and/or biological interest.
- Manage 207,680 acres of big game habitat in the KPU to obtain good ecological condition
- Maintain stability of 251,700 acres classified as moderate, high, and critical erosion hazard by reducing or minimizing wind and water erosion
- Manage all watersheds to achieve stable or moderate soil surface factor conditions, and where feasible/economical, strive for maintaining or establishing good perennial cover
- Protect and/or improve endangered species habitat within the Kuna Planning Unit
- Manage upland and game and waterfowl habitats in the KPU to increase populations of these highly desirable species.

Fencing of treatment areas is consistent with BLM Handbook H 1742-1, Burned Area Emergency Stabilization and Rehabilitation, which states: “livestock will be excluded from the treatment area until monitoring results, documented in writing, show rehabilitation objectives have been met.” In case of treatment failure, other factors may need to be considered, such as natural recovery of untreated areas, and need or reason to continue closure.

S9 – Cultural Protection

The proposed treatments are consistent with the following Kuna MFP actions:

- Preserve remnants of the Oregon Trail, maintain scenic values, and include associated cultural and historical sites. Do the same for the Kelton Road and the Goodale Cut-off
- Protect and interpret for the public all sites listed on or eligible for listing on the National Register of Historic Places
- Protect and preserve historic ruins, structures, and sites for future scientific use and public enjoyment.

Utilizing cultural specialist direction and supervision during cultural treatments would prevent direct, adverse effects to protect cultural resources.

S11 – Facilities

The proposed treatments are consistent with the following Kuna MFP actions:

- Provide high-quality, varied recreation opportunities commensurate with public demand, placing emphasis on managing dispersed-type opportunities. Develop facilities as needed to control visitors, protect resources, and accommodate public use.
- [Along the Oregon National Historic Trail] Develop public recreational facilities such as trail heads, interpretive sites, signs, and drinking water
- Maintain a system of well-signed roads and provide reasonable trails for non-motorized use

Most treatments are designed to inform users of these public lands of potential hazards following the fire and provide a safe experience for the visiting public and local users to these lands.

S12 – Closures

The proposed treatments are consistent with the following Kuna MFP actions:

- Manage sensitive species habitat in the Kuna Planning Unit (KPU) to maintain or increase existing and potential populations
- Manage 83,600 acres of sage grouse range to improve nesting, brood rearing, and winter habitats
- Maintain and/or enhance unique or special habitats to retain and/or improve their character and value for wildlife, research, and human enjoyment. Protect habitats supporting nongame wildlife with high public and/or biological interest.
- Manage 207,680 acres of big game habitat in the KPU to obtain good ecological condition

- Maintain stability of 251,700 acres classified as moderate, high, and critical erosion hazard by reducing or minimizing wind and water erosion
- Manage all watersheds to achieve stable or moderate soil surface factor conditions, and where feasible/economical, strive for maintaining or establishing good perennial cover

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).

NEPA/Other Related Documents	Sections/Pages	Date Approved
Normal Fire Emergency Stabilization and Rehabilitation Plan/Environmental Assessment, Boise District Office and Jarbidge Field Office	All	May 12, 2005
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	All	June, 2007
Boise District and Jarbidge Field Office Noxious and Invasive Weed Treatment EA	All	February 6, 2007
Noxious and Invasive Weed Treatment Program Biological Assessment and Addendum for Boise District and Jarbidge Field Office of the Twin Falls District – Idaho	All	August 27, 2009
National Greater Sage-Grouse Conservation Measures/Planning Strategy	Emergency Stabilization and Rehabilitation	December 21, 2011
Instruction Memorandum No. 2012-043, Greater Sage-Grouse Interim Management Policies and Procedures	Integrated Vegetation Management; Wildfire Emergency Stabilization and Burned Area Rehabilitation; Fences; Vegetation and Resource Monitoring	December 22, 2011
Instruction Memorandum No. 2013-035, Requirements for Processing and Approving Temporary Public Land Closure and Restriction Orders	All	December 20, 2012
Idaho’s Standards for Rangeland Health and Guidelines for Livestock Grazing Management	All	August 1997
Herbicides Approved for Use on BLM Lands in Accordance with the 17 PEIS ROD and Oregon EIS Rod – September 1, 2011 update	All	September 1, 2011

D. NEPA Adequacy Criteria

- 1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in a 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 documents? If there are differences, can you explain why they are not substantial?**

Yes, a range of proposed actions were analyzed under the 2005 *Boise District and Jarbidge Field Office Normal Fire Emergency Stabilization and Rehabilitation Plan Environmental Assessment* (NFESRP EA). These actions included ground and aerial seeding and seedling planting; herbicide use for noxious and invasive weed treatments; protective fences; area closures; livestock management; repair/replacement of minor facilities; and cultural site protection. This EA also detailed specific design features for treatments regarding Special Status Species-Plants. Treatments for all of these actions are included in this Pony Complex ES&BAR Plan. An interdisciplinary team review of this fire determined that the resource values, concerns, and rehabilitation needs are substantially similar to those discussed and approved in the NFESRP EA and best meet the vegetative, watershed, wildlife, cultural resource, public health and safety, and soil objectives of this Plan and the Kuna Framework Management Plan (MFP).

- 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. An alternative action that would not implement ESR treatments was considered, but eliminated from detailed analysis because it was not consistent with BLM policy or the Purpose and Need of the EA. The No Action Alternative, which would continue to use existing 1987/1988 NFESRP EAs, was analyzed as an alternative to the Proposed Action. The overall objective of the Purpose and Need 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, native vegetation, wildlife habitat, cultural resources, public health and safety, Special Status Species-Plants, and livestock forage values for the area. The proposed actions in the Pony Complex ES&BAR plan are designed to accomplish that objective for the area burned by the Pony Complex.

Notably, the NFESRP EA includes and analyzes the herbicidal treatment of invasive annual grasses, providing opportunities to address the spread of invasive plant species as well as noxious species through the Pony Complex ES&BAR Plan. Conclusions provided in the Environmental Consequences section of the NFESRP EA characterized the treatments used to address invasive plant species, including the appropriate use of herbicides, as beneficial for a variety of resources. Policy direction provided by *Instruction Memorandum No. 2012-043, Greater Sage-Grouse Interim Management Policies and Procedures* for managing invasive species, particularly annual grasses such

as cheatgrass, heightened the need to address that resource concern through activities including wildfire emergency stabilization and burned area rehabilitation.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information and 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 existing analysis and conclusions accurately reflect new circumstances. In 2010 the USFWS determined that the Greater Sage-Grouse merits listing under ESA but the listing is formally “warranted but precluded” due to higher priorities at this time. Direction beyond, but consistent with, the NFESRP EA has principally been provided through *Instruction Memorandum No. 2012-043* (Greater Sage-Grouse Interim Management Policies and Procedures), December 2012, which identifies activities associated with “Wildfire Emergency Stabilization and Burned Area Rehabilitation” as critical to enhancing or restoring sage grouse and its habitat. Actions include stabilizing soils, reestablishing hydrologic function, maintaining and enhancing biological integrity, promoting plant resiliency, limiting expansion or dominance of invasive species, and reestablishing native species – all actions that are addressed in the Pony Complex ES&BAR Plan. There are several other species closely associated or entirely dependent upon sagebrush that would benefit from the proposed treatments.

Additionally, the *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS)* from 2007 provides further guidance for the use of herbicides on BLM lands, further supporting the NFESRP EA.

The grazing allotment closures and/or rest from livestock grazing would augment the establishment of vegetation and reduce erosion across the burned area. Area closures would protect stressed wildlife by keeping out stressors such as motorized use.

Other treatments proposed in the Pony Complex ES&BAR Plan, including cultural site protection, seeding, and warning signs all reflect consistency with guidance and analysis from the NFESRP EA.

Based on the new information gained during recent inventory and survey of the burn area, existing analysis from the NFESRP EA is adequate. The proposed actions within the treatment area and their effects to the species of concern 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 for the NFESRP EA. The impacts outlined in the document directly correlate to those impacts expected from the current proposed actions of drill seeding, aerial seeding, seedling planting, noxious weed treatment, fence repair, cultural resource protection, infrastructure repair and public safety, and area closures. The direct and indirect impact analysis does not analyze the impacts of the fire itself and 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, cultural resources, and sensitive species as a result of the proposed treatments outlined in the ES and BAR plans. All specific design features outlined in the NFESRP EA (and subsequent documents listed in the Table in Section C) 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. Cultural resources at risk would be protected as well.

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 p. 77 that “scoping letters informing the public of the purpose and need for actions 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 Dept. of Fish and Game, and ESA consultation with the USFWS.

Regarding treatments involving the use of herbicides, over 3,000 individual comment documents on the Draft PEIS, PER, and BA were received during the public comment period for the *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS)* during the 2005-2006 comment period. Public involvement for the *Boise District and Jarbidge Field Offices Noxious and Invasive Weed Treatment EA* included two comment periods; an initial comment period request was sent to 94 interested publics including organizations, and Federal and state agencies in May 2001, and a second comment period was sent to 102 interested publics including organizations, and Federal and state agencies in April

2003. Both of these documents included US Fish and Wildlife Service consultation for listed species, as noted above.

Finally, because several proposed BAER treatments have the potential to affect cultural resources, these activities are considered undertakings that will require NHPA Section 106 consultation with the Idaho SHPO and affected Indian tribes prior to their implementation.

E. Persons/Agencies/BLM Staff Consulted

Boise District Staff Consulted

Name	Title	Agency Represented/Duty Station
TJ Clifford	ESR Team Lead – Outdoor Recreation Planner	BLM – Boise District
Cindy Fritz	ESR Coordinator - Operations	BLM – Boise District
Seth Flanigan	NEPA Specialist	BLM – Boise District
Jon Beck	Planning & Environmental Coordinator	BLM – Boise District
Michael Dolan	Botanist	BLM – Alturas Field Office
Bruce Schoeberl	Wildlife Biologist	BLM – Boise District
Rob Bennett	Operations	BLM – Boise District
Dave Woras	Civil Engineer	Boise National Forest

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 and applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA documents(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.

The NFESRP EA identifies several “design features” that are particularly relevant for implementation of treatments; particularly relevant for the Pony Complex ES&BAR Plan are those for:

- Seedbed Preparation , Application Methods, and Seed Cover
- Seed Selection
- Weed Treatment
- Protective Fencing
- Closures
- Facilities Repair/Replacement (Stabilization)
- Livestock Management
- Cultural Site Treatments
- Sensitive Resources including SSS Plants and Wildlife

“Appendix B: Herbicide Treatment Standard Operating Procedures” from the *Vegetation Treatments Using Herbicides on BLM Lands in 17 Western States Programmatic Environmental Impact Statement (PEIS)* document provides guidance for the use of herbicides on BLM lands. These procedures were written and directed for use by all BLM offices “to ensure that risks to human health and the environment from herbicide treatment actions will be kept to a minimum. Standard operating procedures are the management controls and performance standards required for vegetation management treatments. These practices are intended to protect and enhance natural resources that could be affected by future vegetation treatments.”

Special Design Features for Slickspot Peppergrass are included in the *Boise District and Jarbidge Field Offices Noxious and Invasive Weed Treatment EA* (p.8), and would be applied to any treatments that would occur within occupied or potential slickspot peppergrass (*Lepidium papilliferum*).

G. 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's compliance with the requirements of NEPA.

_____/s/ Jack Oelfke_____
Preparer (BAER Team)

_____/9/6/2013_____
Date

_____/s/ TJ Clifford_____
BAER Team Leader

_____/9/12/2013_____
Date

_____/s/ Jonathon Beck_____
Four Rivers Field Office NEPA Specialist

_____/9/12/2013_____
Date

_____/s/ Matthew McCoy_____
Four Rivers Field Office Manager

_____/9/12/2013_____
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.