

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

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OFFICE

Winnemucca District / Humboldt River Field Office

TRACKING NUMBER: **DOI-BLM-NV-W010-2013-0041-DNA**

CASEFILE/PROJECT NUMBER: JB57

PROPOSED ACTION TITLE/TYPE

Montana Mountains Cooperative Fuels Project

LOCATION/LEGAL DESCRIPTION

The Montana Mountains are situated between Quinn River Valley and Kings River Valley, in northern Humboldt County. The project area boundary covers a large expanse of land, approximately 346,000 acres, between Townships 44-48 North, and Ranges 33-38 East (See Map 1: Project Area).

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

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

**Background**

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 Winnemucca District has implemented a series of landscape-level fuels and habitat-restoration projects in critical habitat for candidate and threatened wildlife species intended to address this need. One of these projects pertinent to this evaluation is the Montana Mountains Cooperative Fuels Project. In summary,

“The BLM WDO in conjunction with Nevada Department of Wildlife (NDOW) is proposing a number of treatments that would create fuelbreaks and improve or rehabilitate habitat within the Montana Mountains Project Area (EA, pg. 5).”

Not all proposed actions or treatments for the Montana Mountains Cooperative Fuels Treatment Project Environmental Assessment (EA) were addressed in the original decision, dated August 2012, because the cultural resource surveys had not been completed. The report has since been completed and has been accepted by SHPO. Based

on this remedy, the remaining fire management actions in the EA are ready to be considered. These projects have been described below for purposes of evaluating these actions against new information (i.e., cultural surveys). In addition, an action not previously proposed in the Montana Mountains Cooperative Fuels Treatment Project EA, referred to as Montana Fuelbreak Maintenance and described below, will also be evaluated.

## **Proposed Action**

### Road Fuelbreaks

Proposed road maintenance and improvement actions would include using heavy equipment to blade or grade existing roadways to remove vegetation (Map 1). Grading of road surfaces would allow for maintenance, improvement and creation of ditches and shoulders (maximum width for any type of improvements would be 22 feet wide). Maintenance of roads could also include installation of culverts, construction of rolling dip gravel stream crossings, excavating the road base and replacing with gravel and boulder fill (in meadow areas), installing cattle guards, sediment barriers and surfacing areas with gravel. Application of pre-emergent herbicides is also proposed to reduce the spread and establishment of noxious weeds. Road shoulders may be mowed, treated with herbicide and/or seeded where seeding is deemed appropriate and additional shoulder and bar ditch maintenance is complete. Once maintained, roads would serve as fuelbreaks and allow for better access for fire suppression equipment. All existing and proposed road improvements would be subject to periodic maintenance.

**Table 1. Proposed Road Fuelbreaks in the Montana Mountains Project Area**

<b>Proposed Treatments</b>	<b>Length or Dimensions</b>	<b>Acres</b>	<b>Action</b>
Crowley-Jordan Road Fuelbreak	22 miles	59	Mechanical Treatment
Pole Creek Road Fuelbreak	34 miles	91*	Mechanical Treatment
Long Canyon Road Fuelbreak	18 miles	48*	Mechanical Treatment
Jordan Meadow Mtn. Road Fuelbreak	7 miles	19*	Mechanical Treatment

\*Area disturbed via blading. Mowing and/or herbicide application along roadsides would contribute an additional 188 acres to Pole Creek Road FB, an additional 83 acres to Long Canyon Road FB, and an additional 32 acres to Jordan Meadows Mountain Road FB.

### Habitat Protection/Restoration Treatments

Habitat protection treatments would include seeding native species in strips along sagebrush/cheatgrass interface areas on the margin of identified sagebrush blocks (Map 2). Strips would be 30 to no more than 300 feet wide. Pre-treatment may be necessary to ensure seed success; pre-treatments might include herbicide, mechanical, and prescribed burning, singly or in conjunction depending on the site and existing vegetation. Once the

initial strip is established additional strips or blocks could be established extending outward into cheatgrass-dominated areas.

“No more than 500 acres of habitat protection strips and/or restoration treatments would be implemented per year with a maximum of 5000 acres over the life of the PLAN (EA, pg. 8).”

The southernmost block was not surveyed by archeologist for the original environmental assessment. These assessments were completed for treatments which allowed Dixie Harrow treatments within the identified blocks (Map 2). Mowing treatments which do not disturb the surface or subsurface do not require a survey.

“Any fire stabilization/rehabilitation activities (such as aerial seeding, most hand planting, temporary fences on steep slopes, and etc.) that do not involve mechanized surface disturbance, will not be inventoried or treated for Section 106 purposes. Rehabilitation activities involving more than 10 cm depth of mechanized surface disturbance will be handled to Class III standard. When determined appropriate in the Inventory Needs assessment process giving consideration to factors such as the number and types of expected cultural resources properties and their sensitivity, proposed rehabilitation methods and anticipated impacts, rehabilitation activities such as rangeland drilling involving no more than 10 cm depth of mechanical surface disturbance will be handled with the procedures specified here.” (pg. 62, Appendix F State Protocol Agreement between BLM and SHPO for implementing the National Historic Preservation Act, September 30, 2009).

**Table 2. Habitat Protection Treatments**

<b>Proposed Treatments</b>	<b>Dimensions (acres)</b>	<b>Perimeter (miles)</b>	<b>Acres Treated</b>
Block 1	1,785	7.3	44
Block 2	3,113	10.2	62
Block 3	1,629	7.5	45
Block 4	1,738	8.5	52

\*Additional acres could be implemented outside of blocks and into cheatgrass dominated areas to re-establish sagebrush and other native plants up to 5000 acres.

Montana Fuelbreak Maintenance

In addition to the proposed actions in the Montana Mountains Cooperative Fuels Treatment EA, maintenance of the existing Montana fuelbreak along State Route 293 would also be considered (Map 3). This fuelbreak is similar in location and type to those analyzed in the environmental assessment and has been previously treated. The existing Montana fuelbreak is approximately 235 acres and lies on the north side of highway. It was initially treated in fall of 2003; however, no provision for maintenance was analyzed. Fuel loading from shrubs and other vegetation has increased to a level where the fuelbreak is much less effective. Proposed maintenance treatments would include mowing, seeding and herbicide application. The fuelbreak would be retreated, as necessary, in order to maintain fuelbreak effectiveness.

## **Mitigation/Protection Measures**

Design measures from the EA and applicable to all proposed actions.

1. Herbicide application rates (range of rates) and application would be subject to label restrictions and standard operating procedures (SOPs, See Appendix I in EA).
2. All treatments identified would be in accordance with the 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. Fuels Management Best Management Practices (BMPs) for Sage-Grouse Conservation as described in Appendix IV in EA.
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 would 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 would be established or activities delayed until the birds have completed nesting and brood-rearing activities.
4. All NRHP eligible or unevaluated sites would be avoided during the course of this project. An archaeologist would be involved as detailed plans are developed for each phase of the implementation to ensure avoidance is factored into the detailed project designs. An archaeologist would review plans for each phase of the project's implementation to ensure avoidance of NRHP eligible or unevaluated sites.
5. Any unanticipated archeological discovery on BLM lands will be reported to a BLM archeologist and work in the immediate vicinity will stop until SHPO is consulted.
6. Prior to implementation of treatments, pygmy rabbit surveys would be conducted in areas of suitable habitat. A 400 ft. avoidance buffer would be established around any active pygmy rabbit burrows and burrow complexes found. No removal or manipulation of sagebrush would occur within any 400ft. avoidance buffers established.
7. For any proposed actions that are implemented during the burrowing owl breeding season (March 1 – August 31), a burrowing owl survey would 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 would be established or activities delayed until the birds have completed nesting and brood-rearing activities.

8. Existing documented populations of lonesome milkvetch that occur near proposed treatment areas would be flagged and avoided.
9. No disturbance activities would be conducted during the sage-grouse lekking and nesting seasons from March 1<sup>st</sup> through June 30<sup>th</sup>.
10. Existing vegetation would not be treated within ten feet of perennial drainages with mechanical treatments.
11. All terrestrial equipment (e.g., vehicles, hand tools, tractors, etc.) to be used in treatments would be washed offsite prior to being brought to the project site, to avoid spreading noxious weed seeds.
12. All historic properties (i.e., archaeological sites listed unevaluated or eligible for inclusion on the National Register of Historic Places) would be avoided during project implementation. Avoidance buffers of at least 30 meters from National Register sites would be observed during project implementation.
13. If any significant paleontological resources are found during operations, impacts would be mitigated through avoidance and/or data recovery. Any unanticipated vertebrate fossil discovery on BLM lands will be reported immediately to the Project Archaeologist.
14. Drill-seeding operations would be completed following the contour of the land as much as possible to reduce potential water erosion and impacts to visual resources.
15. 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.

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

LUP Name\* Paradise-Denio Management Framework 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 described is in conformance with the Paradise-Denio Management Framework Plan III (MFP) July 1982. Although not specifically addressed, the proposed treatments conform to wildlife objectives, fire and management decisions, or standard operating procedures.

**Fire F-1 Objective:**

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

**Wildlife MFPIII Decisions WL-1.21 P.D.-WL 1.27 SG:** 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.

**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: Montana Mountains Cooperative Fuels Project EA  
NEPA ID: DOI-BLM-NV-WO10-2011-0005-EA  
Date: August 2012  
FONSI: 2 August 2012
2. 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  
Record of Decision: 29 September 2007
3. Name: Winnemucca Field Office Green Stripping EA  
NEPA ID: NV-020-02-24-EA  
Date: August 2002  
FONSI: 23 August 2002

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).

IBLA Decision 2012-280, Western Watersheds Project versus Bureau of Land Management,

Biological Assessment for the Montana Mountains Cooperative Fuels Treatment Project, March 2012

Letter of Concurrence from the USFWS for the Montana Mountains Cooperative Fuels Treatment Project, April 12, 2012

Sage-grouse Reproductive Characteristics and Habitat Use in the Montana Mountains, Nevada, 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 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 proposed actions are a feature of the existing NEPA document and the analysis area has not changed.

**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 environmental concerns, interests and resource values have not changed since the completion of the Montana Mountains 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.

Cultural surveys did not indicate the need for modification of proposed actions.

Two field trips with interdisciplinary team members were taken to discuss proposed actions.

As was mentioned in the appeal document (WWP versus BLM, 2012), two fires, Holloway and Long Canyon, burned approximately 31% of the project area in August of 2012. The timing of these fires was unfortunate, as many of the proposed actions were designed to prevent or impede fire spread. However, the impacts of these fires were previously analyzed in the reasonable and foreseeable actions section of the EA.

Furthermore, the risk of future wildfire and further sagebrush habitat loss would not be lessened by these two fire events.

**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, all of the impacts of the proposed actions have been analyzed in the existing EA.

**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 to cover this evaluation. A 30 day scoping period was held for the Montana Mountains EA in September of 2011. All substantive comments were addressed in the EA.

Adequate Native American Consultation was conducted during the development of the EA. Two weeks prior to any herbicide application, the tribal council of the Fort McDermitt Paiute and Shoshone Reservation would be notified of when, where and how herbicides would be applied.

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E. Persons/Agencies/BLM Staff Consulted

Name /Title	Resource/Agency Represented	Signature/Date	Comments (Attach if more room is needed)
Mark Williams	Fire Management	/s/ Mark Williams 14 May 2013	
Patrick Haynal	Cultural/Paleontology	/s/ Patrick Haynal 5/14/2013	
Mark Hall	Native American Consultation	/s/ Mark E Hall 5/14/2013	No comment
Bret Allen	Rangeland Management	/s/ Brett Allen 5/20/2013	
Joey Carmosino	Recreation/Visual Resources	/s/ V J Carmosino 05/14/2013	
Eric Baxter	Weeds	/s/ Eric S Baxter 5/14/2103	
Rob Burton	Air Quality/ Water Quality/Vegetation	/s/ Rob Burton 5/16/2013	
John McCann	Hydrology/Wetlands	/s/ John McCann 5/16/2013	No comment
John McCloskey	T&E/Wildlife	/s/ Jon McCloskey	No comment
Greg Lynch	Fisheries	/s/ Greg Lynch 5-22-13	
Kristine Struck	Lands with Wilderness Characteristics	/s/ Kristine Struck 5/14/13	
Lynn Ricci	NEPA Coordinator	/s/ Lynn Ricci 9/16/13	

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/ Lynn B Ricci  
Signature of NEPA Coordinator

/s/ Derek Messmer  
Signature of the Responsible Official

9/16/2013  
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.