

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

Project Lead: Ryan Elliot
Field Office: Sierra Front Field Office
Lead Office: Sierra Front Field Office
Case File/Project Number: Bison Fire HNV1
NEPA NUMBER: DOI-BLM-NV-C020-2014-0003-DNA
Project Name: Bison ESR
Applicant Name: BLM
Project Location: Douglas and Lyon Counties

T14N R23E, Section 32
T13N R22E, Sections 34, 35
T13N R23E, Sections 4, 5, 6, 8, 16, 17, 20, 21, 28, 29, 23, 33
T12N R22E, Sections 2, 3, 10, 11, 15
T12N R23E, Sections 4, 5, 9

A. Description of the Proposed Action and any applicable mitigation measures:

The Bureau of Land Management (BLM) is proposing to treat up to 2,885 acres of public lands within the Bison Fire burn area. Actual acres treated would be less due to funding, exclusion areas, terrain etc. The Bison Fire, which occurred in July 2013, burned approximately 24,000 acres of public and private lands. The fire was lightning-caused. The BLM has prepared an ESR Plan which includes several treatments, described here as the "Proposed Action." Additional lands managed by the Bureau of Indian Affairs (BIA) would also be treated, however; this would be authorized separately by the BIA. Within the project area is 480 acres of preliminary priority habitat for the Bi-State sage-grouse.

Under the Proposed Action, the BLM would treat up to 2,885 acres by single-pass chaining. This action would involve the use of two bulldozers with a 60 lb. chain placed in a "J" shape across the ground. The distance in between the dozers can be up to 300 feet depending on the terrain. As the dozers pass all vegetative material including burned trees and shrubs are disturbed, uprooted, and crushed. The benefits of this action include: the removal of perching opportunities for raptors that would prey on sage-grouse; through scarification, the creation of a receptive seed-bed and enhanced opportunity for seed germination and success; and disruption of the burn layer to increase water percolation. The side effects from the treatment are primarily visual. The project area is Visual Resource Management Classes III and IV which allow for moderate to major changes in the visual character of the area.

Other treatments that may be implemented include: hand trenching and log erosion dam construction, and aerial seeding.

Implementation of the Proposed Action would occur between October and December 2013. This period is outside critical breeding/nesting periods for wildlife and this is the dormant season for plants.

Does the project include new surface disturbing activities? Yes No

Is the project located within preliminary general habitat for sage-grouse? Yes No

Is the project located within preliminary priority habitat for sage-grouse? Yes No

Mitigation Measures:

1. Prior to implementation a Class III inventory for cultural resources would be completed to identify historic properties present. Exclusion or avoidance areas would be delineated to ensure no adverse effect to historic properties.
2. Prior to implementation, areas with a high likelihood of the occurrence of BLM sensitive plant species would be surveyed and areas occupied by BLM sensitive plant would be avoided.
3. During implementation, establish undulating or sinuous edges to reduce hard edge lines. During or post implementation, conduct lop and scatter along treatment edges where appropriate to establish a vegetative gradient (i.e. feather/blending) to reduce the visual contrast that would be caused by this effort.

B. Land Use Plan (LUP) Conformance

The Carson City Field Office Consolidated Resource Management Plan (CRMP 2001) does not include an Emergency Stabilization and Burn Area Rehabilitation Section. However the Proposed Action is not inconsistent with the CRMP. The Proposed Action is in conformance with the Carson City Field Office Fire Management Plan (2004) for the Carson River Fire Management Unit NV-030-04 and the objectives found on pages 89-90.

Name of Plan: NV – Carson City RMP

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

Normal Year Fire Rehabilitation Plan and Environmental Assessment, NV-03-02-07 (2002).

Carson City Field Office Fire Management Plan (2004).

Bison Fire (HNV1) Emergency Stabilization and Burn Area Rehabilitation Plan (2013).

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, the Normal Year Fire Rehabilitation Plan and Environmental Assessment (Plan) is a comprehensive, district-wide assessment for the response to wildfire, including in the Pine Nut Mountains. The use of chaining as a treatment method was analyzed as a part of the Proposed Action on page 4, described a Treatment 3.

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, and resource values?

Yes, the Plan considered the Proposed Action and No Action Alternative. As a programmatic EA, the Plan outlined seven types of post-fire treatment, including chaining.

3. Is the existing analysis valid in light of any new information or circumstances (such as, range-land 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, in December of 2012 preliminary priority habitat (PPH) maps were developed for the Bi-State sage-grouse (*Centrocercus urophasianus*). Based on a GIS review, 480 acres of potential chaining treatments would occur in PPH. The occurrence of historic properties within the project area is largely unknown. Prior to implementation, a Class III cultural resources inventory would be completed and sites would be avoided through delineation of exclusion and buffer zones. The occurrence of BLM sensitive plants is largely unknown in the project area. Prior to implementation, areas with a high likelihood of species occurrence would be surveyed and occupied suitable habitat may be delineated as exclusion areas. None of this new information would preclude the implementation of the 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, all treatments were evaluated for cumulative effects.

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

The existing EA was prepared in 2002 so the public involvement that had been afforded then would not be considered sufficient for the Proposed Action. Notification had been provided to State and federal agencies, and to the public through a press release. However, as the Bison Fire ESR is an emergency action and time for implementation is short, new public involvement is not practicable. A news release on the efforts to respond to the Bison Fire was published by the BLM on July 22, 2013, and BLM staff was interviewed by the media on September 3, 2013. Fire response partners were involved in the development of the Bison Fire ESR plan including

the U.S. Fish and Wildlife Service and the Nevada Department of Wildlife. Coordination also occurred with the Washoe Tribe of Nevada and California on September 10, 2013 and the Yerington Paiute Tribe on September 26, 2013. A meeting with the Washoe Tribal Historic Preservation Officer occurred on September 16, 2013. These efforts provided outreach with key interests and satisfied the need for public involvement and interagency review.

E. Persons/Agencies/BLM Staff Consulted

On September 30, 2013 this project was reviewed by an interdisciplinary team that consisted of the following staff members:

Specialist	Program(s)
Axtell, John	Wild Horse and Burros
Barker, Keith	Fire/Fuels Management
Buttazoni, Brian	NEPA Compliance, VRM
Callan, Arthur	Recreation, Travel Management, Lands with Wilderness Characteristics
Crews, Rachel	Cultural Resources, Native American Religious Concerns
Cutler, Niki	Air, Soils and Water Quality, Riparian Areas/Wetlands
Francis, Coreen	Forestry
Fuselier, Paul	Assistant Field Manager, Renewables
Hartmann, Joel	Minerals
Leavitt, Katrina	Livestock Grazing
Thomas, Leon	Field Manager
Tonenna, Dean	Invasive non-native species, BLM sensitive plant species
Wickham, Perry	Lands and Realty
Ziegler, Pilar	General Wildlife, BLM sensitive animal species, Migratory Birds

Note: Refer to the EA (NV-03-02-07) for a complete list of the team members participating in the preparation of the original environmental analysis.

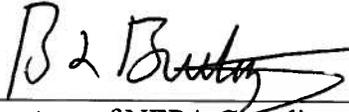
G. Decision

It is my decision to implement the Bison Fire ESR Plan as described as the Proposed Action. I have reviewed this LUP conformance and NEPA compliance record and have determined that the proposed project is in conformance with the CRMP and that no further NEPA analysis is required.

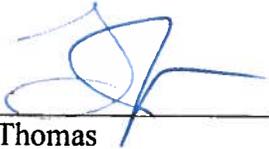


/s/ Tim Roide

Signature of Project Lead



Signature of NEPA Coordinator



Leon Thomas
Field Manager
Sierra Front Field Office

9-30-13

Date

APPEAL PROCEDURES

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4. If you appeal, your appeal must also be filed with the Bureau of Land Management at the following address:

Leon Thomas
Field Manager, Sierra Front Field Office
5665 Morgan Mill Road
Carson City, NV 89701

Your appeal must be filed within thirty (30) days from receipt or issuance of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to:

Board of Land Appeals
Dockets Attorney
801 N. Quincy Street, Suite 300
Arlington, VA 22203

A copy must also be sent to the appropriate Office of the Solicitor at the same time the original documents are filed with the above office.

U.S. Department of the Interior
Office of the Regional Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellants' success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether the public interest favors granting the stay.

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals. Electronically filed appeals will therefore not be accepted.