



Bureau of Land Management

Boise District Office
Owyhee Field Office
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Boise, ID 83705
<http://www.id.blm.gov>

Determination of Land Use Plan Conformance and NEPA Adequacy (DNA)

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

A. BLM Office(s): Owyhee Field Office

NEPA Log Number: DOI-BLM-ID-B030-2013-0024-DNA

Lease/Serial Case File No.:

Proposed Action Title/Type: Sunk Fire HQR3 ESR Plan

Location/Legal of Proposed Action: Approximately 5 miles southwest of Murphy Idaho. T3S, R3W, Sections 13, 14, 15, 23, 24 and T3S R2W, Sections 18, 19

Applicant (if any): N/A

Description of the Proposed Action and any applicable mitigation measures:

Emergency Stabilization (S) and Burned Area Rehabilitation (R) Treatments

S3 Aerial Seeding

Aerial seeding of both low sagebrush and Wyoming big sagebrush at 1 bulk pound per acre would occur in the winter of 2013/2014 prior to the first snow fall if funding availability allows. The aircraft used to apply the seed would be secured through BLM's contracting process. Wildlife, botanical and cultural resource inventories/surveys will be complete prior to implementing the seeding.

S5/R5 Noxious Weeds

Noxious weed inventory and spot herbicide treatment would occur during the first three years following the fire within the burned area. Noxious weeds would be treated with BLM approved chemicals in accordance with the Boise District Noxious Weed Environmental Assessment and Record of Decision for Vegetation Treatments Using Herbicides on Bureau of Land Management Lands in 17 Western States, approved September 29, 2007 (Vegetation Treatment EIS). Appendix B of the Record of Decision includes a list of Standard Operating Procedures that would be strictly adhered to for vegetation treatments using herbicides.

S7/R7 Fence/Gate/Cattleguard

Four miles of pasture boundary fence (3-strand barbed wire, antelope specifications) would be repaired to protect the treatment area from wild horse and livestock access and grazing use in the short term, and facilitate management as authorized over the long term.

Approximately 1.0 mile of the Tandem Spring exclosure fence which burned in the fire would be removed and reconstructed (4-strand barbed wire, antelope specifications).

All fences would be constructed to BLM fence standards and adhere to applicable wildlife specifications. A 4.0 mile temporary exclosure fence (3-strand barbed wire, antelope specifications) would be constructed around the perimeter of the burned riparian area in the Rabbit Creek drainage. The area is also used extensively by Off Highway Vehicle (OHV) recreationists; therefore, installation of up to 5 cattleguards would improve fence effectiveness, as reliance on users to keep gates closed for restriction of livestock and wild horse movement is not fail-safe.

S11/R11 Facilities

Approximately 40 signs (20 of each type) would be installed to keep OHV users off of fire suppression bulldozer lines stating the following: 1) "Area behind this sign is being treated after wildfire disturbance to stabilize area and restore wildlife habitat", or 2) "Wildfire Rehabilitation Area Closed to Off-Highway Vehicle Use." Signs and fencing would be installed as soon as possible to prevent OHV travel into the area. An additional 20 signs stating, "WILD HORSE MANAGEMENT AREA BOUNDARY PLEASE KEEP GATES CLOSED" would be installed at all affected gate openings on the Herd Management Area boundary.

S12/R12 Closures

The Moores Creek #6 pasture and the fenced portion of South Rabbit #5 pasture of the Rabbit Creek/Peters Gulch allotment would be rested from livestock grazing and wild horse use for a minimum of 2 growing seasons and potentially longer if vegetation and grazing resumption objectives have not been met at that time. OHV use would be limited to designated roads and trails.

S13/R13 Monitoring

Monitoring would be conducted to determine effectiveness of ESR treatments and to ensure treatments are properly implemented and maintained. Monitoring methods would be qualitative and quantitative, and commensurate with the level of treatment complexity and scale. Monitoring would be the responsibility of the ESR team. An annual monitoring summary report would be submitted documenting treatment status and effectiveness.

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

LUP/Document	Sections/Pages	Date Approved
Owyhee Resource Management Plan	Objectives, Management Actions, and Allocations pp. 9-48	December 30, 1999

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following 1999 Owyhee LUP decisions:

- Improve unsatisfactory and maintain satisfactory watershed health/condition on all areas (SOIL 1 pp. 9-10).
- Improve unsatisfactory and maintain satisfactory vegetation health/condition on all areas (VEGE 1 pp. 12-13).
- Maintain or enhance the condition, abundance, structural stage and distribution of plant communities and special habitat features to support a high diversity and desired populations of wildlife (WDLF 1 pp.-17).
- Decrease soil erosion and sediment yield, restore forage values, and restore upland habitat values and riparian values using fire rehabilitation procedures following a wildfire (FIRE 2 pp. 25-28).
- Protect and enhance habitat for a diversity of special status species through implementation of management actions identified in objectives SOIL 1 and 2, WATR 1 and 2, VEGE 1, RIPN 1, FORS 1 and 2, WDLF 1, FISH 1 and 2, RECT 3, WNES 1 and 2, HAZM 1, and ACEC 1 (SPSS 1 pp. 20-21).

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
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 (http://www.blm.gov/wo/st/en/prog/more/veg_eis.html)	Record of Decision and Appendix B - Standard Operating Procedures	June, 2007
Boise District Noxious and Invasive Weed Treatment EA	All	February 6, 2007
Idaho Standards for Rangeland Health and Guidelines for Livestock Grazing Management	All	August 1997
Boise District and Jarbidge Field Office Normal Fire Emergency Stabilization and Rehabilitation Plan EA	All	May 12, 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 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. A range of proposed actions were analyzed under the Normal Fire Emergency Stabilization and Rehabilitation Plan Environmental Assessment (NFESRP EA) for the Boise District BLM. These included herbicide use for noxious weed treatments and livestock management actions. An interdisciplinary team review of this fire has determined that the resource values, concerns, and rehabilitation needs are extensively similar to those discussed and approved in the NFESRP EA and best meet the vegetative, watershed, and soil objectives of the Plan.

- 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. Two alternatives to the proposed action were analyzed in the NFESRP EA (pp. 8-30). These included an alternative action that would not implement ESR treatments, which was eliminated from detailed analysis because it was not consistent with BLM policy, and the No Action Alternative, which would continue to use the existing 1987/1988 NFESRP. The overall goals of the Proposed Action of the NFESRP EA is to stabilize a burned site, return it to its previous native and/or seeded condition in the shortest timeframe, and enhance and protect watersheds, soils, wildlife habitat, and livestock forage values. The proposed actions of the Sunk ES&R plan are designed to accomplish these same goals for the area burned by the Sunk Fire (HQR3).

- 3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or 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.

Based on 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 consequences to the species/resources addressed below were analyzed in the plan and found to be insignificant (pp. 64-69).

The proposed treatments (in particular, aerial seeding of sagebrush, noxious weed control, fence repair and temporary protective fencing, and grazing closures) would promote soil stabilization and recovery and protection of Greater sage-grouse and other wildlife habitat. The proposed treatments are covered under the Biological Assessment for the NFESRP and the subsequent Biological Opinion is in concurrence with the Assessment.

The livestock closure would also minimize potential displacement impacts to wild horses and big game (Big horn sheep and pronghorn antelope) from remaining patches of suitable habitat within the burned area. All fence reconstruction/construction would be consistent with the NFESRP EA (p. 24) in big game habitat.

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 impacts delineated in the existing NEPA document (the NFESRP EA) directly correlate to those impacts expected from the proposed action including aerial seeding, noxious weed treatment, and infrastructure repair and construction. The NFESRP EA provides analysis of site specific impacts to resources such as vegetation, wildlife, soils, and sensitive species as a result of proposed treatments outlined in ESR plans. Direct and indirect effects resulting from implementation of the proposed action would be similar to and covered by impacts analyzed in the NFESRP EA. All specific design features outlined in the NFESRP EA will be followed during implementation of the emergency stabilization and rehabilitation treatments. The NFESRP EA does not provide analysis of fire impacts and the resulting loss of habitat, which is outside the scope of the document.

The cumulative effects analyzed in the NFESRP EA are satisfactory to cover the addition of the proposed action. Special status and non-status animals and plants would be protected by general and species specific design features, and would benefit from a return to more natural fire cycles and improved ecosystem function, habitat/population connectivity, migratory corridors, habitat structure, forage, and suitability.

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 NFESRP EA states on page 77 that “ A scoping letter informing the public of the purpose and need for action were sent to 1,077 interested publics including organizations, and federal and state agencies in October 2003.” The general public and other agencies included ranchers, academia, conservation groups, Tribal governments, Idaho Department of Fish and Game, and Endangered Species Act (ESA) consultation with the US Fish and Wildlife Service (USFWS).

E. Persons/Agencies/BLM Staff Consulted

Name	Title	Resource/Agency Represented
Barbara Chaney	Biologist	USFWS
County Commissioners	Local Policymakers	Owyhee County
Shoshone Piute Tribes	Wings and Roots	Native American Nation

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.

F. Mitigation Measures – List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(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.

No Mitigation Measures have been identified.

G. Conclusion (If 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/ Lara Hannon
Lara Hannon
Preparer

10/30/2013
Date

/s/ Seth Flanigan
Seth Flanigan
NEPA Specialist

10/30/2013
Date

/s/Michele McDaniel
Acting For Loretta Chandler
Owyhee Field Manager

10/31/2013
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.