

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

Project Lead: John Axtell

Field Office: Sierra Front Field Office

Lead Office: Sierra Front Field Office

Case File/Project Number: N/A

NEPA NUMBER: DOI-BLM-NV-C020-2014-0005-DNA

Project Name: Temporary Water Haul for Wild Horses

Applicant Name: BLM

Project Location: Douglas County, Nevada located in T13N, R21E.

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

Approximately 30 wild horses reside within the Fish Springs area. The Fish Springs area is in the urban interface, with mixed ownership of public and private lands. The Proposed Action would authorize a temporary water haul site on public lands to provide for water needs for wild horses while the BLM evaluates alternatives to the long-term management of these wild horses that reside outside the Pine Nut Herd Management Area (HMA).

B. Land Use Plan (LUP) Conformance

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

Consolidated Resource Management Plan (May 2001): WHB - 1

- Protect, manage, and control wild horses and burros on public lands as an integral part of the public land's ecosystem.

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

Carson City District (CCD) Drought Management Environmental Assessment (Drought EA) (DOI-BLM-NV-C000-2013-0001-EA). The Finding of No Significant Impact statement was dated July 2, 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 Proposed Action is to authorize the use of a temporary water haul site on public lands for wild horses residing in the Fish Springs area. Temporary water hauls for wild horses was described in Section 2.1 (C) 2 on page 12.

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 current environmental concerns, interests and resource values are the same as analyzed in the CCD Drought EA. Although the wild horses reside outside of the Pine Nut Mountain HMA, there is strong community support for the animals to remain in the urban interface area.

Since the completion of CCD Drought EA in 2013, there are no new environmental concerns, interests, resource values or circumstances that have been introduced that would require additional analysis to be conducted in the area.

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. The existing analysis covers the current drought conditions that have been documented. Temporary water hauls for wild horses is an appropriate measure in response to the current drought conditions.

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 direct, indirect, and cumulative effects for the Proposed Action are identical to those identified in the CCD Drought EA. The CCD Drought EA sufficiently analyzed all affected resources related to implementing one or more drought response actions.

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 associated with CCD Drought EA is adequate for the Proposed Action. Comments were accepted on the CCD Drought EA for a 30-day period from March 12, 2013 through April 12, 2013. Postcards mailed to 147 individuals, organizations and agencies were mailed on March 12, 2013. Emails were sent to 10 individuals, organizations and agencies, and notification of the availability of the CCD Drought EA was sent to 61 other State and federal agencies was made through the Nevada State Clearinghouse on March 14, 2013. The CCD published a news release on March 12, 2013. The CCD also posted the Dear Reader Letter and CCD Drought EA on the project website on March 12, 2013. On March 20, 2013 a BLM representative attended both the Churchill County and Mineral County Commissioners meeting and informed the Commissioners and other attendees that the CCD Drought EA was out for public review. The representative also provided five hard copies of the CCD Drought EA and 20 postcards at each of the meetings for the Commissioners and others.

All comments were reviewed, considered, and then categorized into topics when feasible. Distinct topics and comments are summarized in Appendix 7 of the CCD Drought EA. During the comment period approximately 6,950 comment letters and emails were received from numerous individuals, State agencies, and non-governmental organizations by email, fax or mail.

Organizations included the Sierra Club, the Cloud Foundation, and the American Wild Horse Preservation Campaign. State agencies that commented include the Nevada Division of Water Resources, the State Historic Preservation Officer, the Nevada State Grazing Board District N-3, and the Nevada Department of Wildlife. Minor non-substantive changes were made to the EA as a result of these comment letters.

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Rachel Crews	Archeologist	BLM

Note: Refer to the CCD Drought EA (DOI-BLM-NV-C000-2013-0001-EA) for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

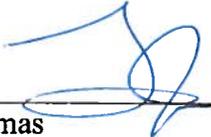
Conclusion: Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.



Signature of Project Lead



Signature of NEPA Coordinator



Leon Thomas
Field Manager
Sierra Front Field Office

Date 12-5-13

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, Sierra Front Field Manager
BLM, Carson City District 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.