

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

OFFICE: Black Rock Field Office, Winnemucca District Office

TRACKING NUMBER: DOI-BLM-NV-WO30-2014-0010-DNA

CASEFILE/PROJECT NUMBER: Burning Man SRP

PROPOSED ACTION TITLE/TYPE: Main Gate Opening and Closing Times – Burning Man Ingress/Egress

LOCATION/LEGAL DESCRIPTION: Mount Diablo Meridian, Nevada

Unsurveyed T. 33N., R. 24 E.,	sec. 1 portions lying northwesterly of the East Playa Road; sec. 2, portions lying northwesterly of East Playa Road; sec. 3; sec. 4, portion east of Washoe County Road 34; sec. 5; sec. 8, NE¼; sec. 9, N½; sec. 10, N½; sec. 11, all that portion lying northwesterly of the East Playa Road and north of east west centerline.
Unsurveyed T. 33½ N., R. 24 E.,	secs. 25, 26 and 27; sec. 28, portion east of Washoe County Road 34; sec. 33, portions east of Washoe County Road 34; secs. 34, 35 and 36.
Unsurveyed T. 34 N., R. 24 E.,	sec. 23, S½; sec. 24, S½; sec. 25 & 26; sec. 27, SE¼, E½ NE½, E½ SW¼; sec. 33, SE¼, S½ NE¼, NE¼ NE¼; secs. 34, 35 and 36.
T. 33 N., R. 25 E.,	sec. 4, portions lying northwesterly of the East Playa Road.
Unsurveyed T. 34 N., R. 25 E.,	sec. 16, S½; sec. 21; sec. 22, SW¼, W½ NW¼; sec. 27, W½; sec. 28; sec. 33, portions lying northwesterly of the East Playa Road sec. 34, portions lying northwest of the East Playa

APPLICANT (if any): Black Rock City, LLC

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

Through coordination and communication with BLM, BRC proposed opening and closing the main gate to participants for a period up to 24 hours earlier than the scheduled beginning of the Event and up to 24 hours after the scheduled end of the Event. The purpose would be to allow for vehicles to enter earlier and exit later for a safer ingress and egress, maximizing use of daylight hours and minimizing traffic impacts on local roads. For 2014, BRC proposes an ingress period beginning at 10 AM on Sunday, August 25, 2014. BRC also proposes an egress period continuing from the close of the event at 6 PM on Monday, September 2, 2014 thru Noon on Tuesday, September 3, 2014. This will not extend the beginning and ending of the Event itself, which is restricted to 192 total hours as stated in the 2012-2016 EA. Participants will be required to focus their activities on camp location setup and breakdown during the added ingress and egress period. Official BRC activities associated with Event participation will not be permitted until the official Event start time, or after the official conclusion of the Event, which is 6 PM on Monday September 2, 2014. For the 2015 and 2016 events, specific gate opening and closing times will be determined and agreed upon by coordination and consultation between both BLM and BRC.

B. Land Use Plan (LUP) Conformance

LUP Name: Resource Management Plan for Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and Associated Wilderness, and other Contiguous Lands in Nevada, Record of Decision, July 2004.

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

The Proposed Action is in conformance with the BLM LUP for the area. The Resource Management Plan (RMP), approved July, 2004 for the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area and Associated Wilderness, and other Contiguous Lands in Nevada, currently guides management of the Black Rock Desert (BLM, 2004a).

The plan includes an objective “to provide opportunities for a diverse range of permitted activities consistent with the NCA Act while providing public access and solitude for

other users.” Recreation decisions REC-21 through REC-27 apply to the issuance of special recreation permits:

REC-21: All recreation permittees will be required to adhere to Tread Lightly® and Leave-No-Trace® principles. Permit stipulations will emphasize the Tread Lightly!® and Leave-No-Trace® principles.

REC-22: Permits will be assigned to one of four classes of permitted activities (I through IV). A description of the classification system is provided in Appendix J of the RMP. (The Burning Man event is a Class IV event).

REC-23: SRPs will be limited to certain geographic areas based on the permit class that the proposal is given. (See Table 2-9 and Map 2-15 of the RMP). (Class IV events, which are the largest events, are allowed in the Permit area of the Front Country Zone).

REC-24: To maintain solitude on northern portions of the playa, Class III and IV permitted activities will be concentrated on or near the South Playa. Northern portions of the playa may be made available for Class III and IV permits when playa conditions are unsuitable or public safety or public access may be compromised.

REC-25: Special recreation permits will be authorized at times, in locations and for durations consistent with providing opportunities for solitude and full public access to the playa for at least one-half of the summer season (Memorial Day through Labor Day). The number of Special Recreation Permits issued could be limited to protect resources or the visitor experience.

REC-26: Two Class III and IV events may occur simultaneously, but only one may be a Class IV event.

REC-27: No more than two access points to the playa will be closed on the same weekend in conjunction with permitted events. (Issuance of a permit for the Burning Man event would be consistent with the RMP).

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

- Burning Man 2012-2016 Special Recreation Permit EA, DOI-BLM-NV-W030-2012-0007- EA dated June 2012; DR dated 06/12/2012 and FONSI dated 06/12/2012.

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 question # 1 two separate questions as indicated? Or just one?

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 essentially similar to the Proposed Action in the 2012-2016 EA, and would be held in the same area as analyzed. There are no potentially substantial differences between the current proposal and the potential impacts analyzed in the 2012-2016 EA.

There are no environmental issues that would cause BLM to determine that the proposal for opening the main gate for additional time before and after the Event constitutes a substantial difference from potential impacts analyzed in 2012 EA.

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.

Environmental Concerns and Resource Values: The alternatives analyzed in 2012 are appropriate for the new proposed action. The Burning Man 2012-2016 SRP EA has analyzed potential impacts associated with ingress and egress traffic during a ten day period, which covers the period of time suggested in this proposal. The magnitude and duration of this proposal is well within the scope of the 2012 EA and therefore does not warrant further development of alternatives.

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. At the present time, there is no new information or changed circumstances that would substantially change the analysis of the new proposed action. The Burning Man 2012-2016 SRP EA has analyzed potential impacts associated with ingress and egress of Event participants at this level. The information used to support the 2012 EA analysis was conducted in 2011 and 2012 making the information very current.

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. At the present time, there is no new information or changed circumstances that would substantially change the direct, indirect or cumulative effects of the new proposed action.

The Burning Man 2012-2016 SRP EA analyzed potential impacts associated with traffic ingress and egress over a ten day period for up to 70,000 participants. The magnitude and duration of this proposal is well within the scope of the 2012 EA.

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 reviews associated with the existing NEPA documents are adequate for the current proposed action.

In late 2010, a 43 day public scoping period was conducted for the Burning Man 2012-2016 SRP EA to solicit issues and other comments from the public and cooperating agencies. The scoping period began on November 1, 2010 and was scheduled to close after 30 days. However, after numerous requests from the public, BLM extended the scoping period until December 13, 2010.

A news release was printed in several local and regional newspapers and letters were sent to individuals and organizations that had participated in the process in past years. Over 260 pages of written comments from nearly 120 commenters were received during the scoping period. Additional comments were also received at the open house meetings held in Lovelock, Gerlach, and Reno on December 7, 8, and 9, 2010, respectively. The issues identified in scoping efforts are listed in Table 1-1 of the EA.

Preliminary EA

On March 16, 2012, the Preliminary EA was posted on the Winnemucca District Office NEPA webpage for a 30-day public review period. In addition, BLM sent out a letter to interested parties requesting substantive comments on the Preliminary EA by April 16, 2012. In response, BLM received 42 comment letters from agencies, organizations, businesses, and individuals. As a result of substantive comments from the applicant, NDOT, Pyramid Lake Paiute Tribe, and individuals, revisions were made to the EA. For a list of notable modifications that were made to the EA in response to substantive comments, see the Decision Record.

E. Persons/Agencies/BLM Staff Consulted

Bureau of Land Management
Winnemucca District Office

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(Continued from DNA form)

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E. Persons/Agencies/BLM Staff Consulted

Name /Title	Resource/Agency Represented	Signature Date	Comments (Attach if more room is needed)
Kathy Ataman	Cultural Resources	S\KAtaman 5/12/14	
Mark Hall	Native American Religious Concerns	S\Mark E Hall 5/13/14	
Kathy Ataman	Paleontological Resources	S\KAtaman 5/12/14	
David Freiberg	Recreation	S\David Freiberg 5/14/14	
Joey Carmosino	Visual Resource Management	S\VJCarosino 05-09-2014	
Fred Holzel	Waste, hazardous or solid	S\Fred Holzel 5/13/14	
Rob Burton	Invasive, Non-native species (plants & animals)	S\Rob Burton 5/13/14	
Rob Burton	Vegetation	S\Rob Burton 5/13/14	
Rob Burton	Soils	S\Rob Burton 5/13/14	
Kathy Cadigan	T&E Species (Plants & Animals)	S\K. Cadigan 5/9/2014	
Kathy Cadigan	Special Status Species (Plants & Animals)	S\K. Cadigan 5/9/2014	
Kathy Cadigan	General Wildlife Habitat	S\K. Cadigan 5/9/2014	
Kathy Cadigan	ACECs	S\K. Cadigan 5/9/2014	
Samantha Gooch	Wild Horse & Burro	S\S Gooch 5/13/14	
Zwaantje Rorex	Wilderness	S\Zwaantje Rorex 5/9/14	
Zwaantje Rorex	Wilderness Study Areas	S\Zwaantje Rorex 5/9/14	
Allie Brandt	GIS	S\Allie Brandt 5/13/14	

Zwaantje Rorex	(Other) LWC	S\Zwaantje Rorex 5/9/14	
Mark Hall	NEPA Coordinator	S\Mark E Hall 5/13/14	
Kathy Ataman	NCA	S\Kathryn Ataman 5/13/14	

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\David Freiberg_____
Signature of Project Lead

____S\Mark E. Hall 5/14/14_____
Signature of NEPA Coordinator

____S\Gene Seidlitz_____
Signature of the Responsible Official

____5/15/14_____
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.