

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

FIELD OFFICE: Stillwater Field Office

NEPA NUMBER: DOI-BLM-NV-C010-2015-0008-DNA

CASEFILE PROJECT NUMBER: N/A

PROPOSED ACTION TITLE/TITLE: Indian Lakes Short-Term Wild Horse and Burro Holding Facility Expansion, Fallon, NV

LOCATION/LEGAL DESCRIPTION: MDM T20N, R29E, Section 35; Churchill County, Nevada; 5676 Indian Lakes Road, Fallon, Nevada 89406.

APPLICANT (if any): Bureau of Land Management, Stillwater Field Office

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

The Bureau of Land Management currently funds existing short-term wild horse and burro holding facilities and is proposing to fund the expansion of current holding facilities at the Indian Lakes Facility in Fallon. This facility is a short-term wild horse and burro holding facility located at 5676 Indian Lakes Road in Fallon, Nevada. This holding facility is used to assist BLM in providing humane care of all wild horses and burros during receiving, holding, and preparation, and prior to shipment to long-term holding, sale or adoption.

The proposed expansion of holding facilities would allow for an increase from 2,850 excess wild horses and/or burros to approximately 3,200 excess wild horses and/or burros to be placed at this short term holding facility. This would be an increase of approximately 350 additional animals being able to be held at the site. The proposed expansion would encompass just under 10 acres and occur within the 160 acres project boundary that was analyzed in the original Environmental Assessment (EA) prepared in 2009 (#DOI-BLM-NV-C010-2009-0019-EA). This 160 acre project area was surveyed for cultural resources and mitigation was identified in the EA (Cultural Inventory CRR3-2502).

The short-term holding facility is located entirely on private land north of Fallon however; federal funds are utilized to operate and maintain this short-term holding facility, thereby triggering a federal action.

Cultural resources monitoring was identified in the decision for the 2009 EA and shall be applicable to this new proposed expansion as there is one eligible site in the proposed expansion area. A monitor should ensure that the site is avoided by 30 meters. The additional monitoring from the document is included here for quick reference:

Monitoring concerning cultural resources is as follows:

During the land leveling phase of the above-referenced project, the contractor will furnish one site monitor per piece of heavy equipment conducting leveling and clearing. On-site clearing and leveling may not occur in the absence of the archaeological monitor for any piece of operating equipment utilized for those purposes. The site monitor is responsible for the following:

- Stopping the work in the event that a feature is identified (hearth/staining with firecracked rock (FCR) or human remains, or other feature types not identified on the surface the time of the cultural resource survey) are identified. A flake/debitage or isolated tool/projectile point, biface etc. does not fall under the category of a feature and would be noted but there would be no necessity to stop work for a single flake or tool.
- A stop work buffer zone of 30 meters around a discovery is required in the event that a feature/human remains are identified, pursuant to consultation with the NV SHPO. The archaeological contractor will notify the machine operator(s) and establish a 30-meter boundary around the find, creating an activity exclusion area using brightly colored flagging placed on wooden lath (to be provided by the blading contractor), on bushes, or in similar fashion. If the discovery involves human remains and a resolution as to their handling cannot be accomplished before the end of the work day, the archaeological contractor will consult with BLM as to appropriate measures to protect the remains overnight and/or until their handling is resolved.
- The archaeological contractor will immediately notify BLM by telephone of the discovery of any features or similar discoveries that are not isolated specimens; use of a cellular phone is preferred. The archaeological contractor will develop documentation involving written description, measurement, and photographs of the discovery. The archaeological contractor may employ minimally invasive techniques such as brushing or shallow scraping with a trowel to assess whether a potential feature is cultural in nature, or to make a determination of the nature and extent of the identified feature. However, no archaeological excavation is authorized beyond this point without prior BLM authorization. No removal of artifacts or other materials is authorized without prior BLM approval.
- In the event of discovery of human remains, they will be treated with dignity and respect. No photographs are allowable of human remains except those taken by the archaeological contractor to create a standard archaeological record; all such photos and records will be delivered to BLM. After notice from the archaeological contractor, the BLM will be responsible to notify the appropriate law enforcement or other officials (e.g., SHPO) in the event of discovery of human remains and determine a course of action. (See Attachment 1 for additional information).
- At minimum, a letter of documentation will be provided to BLM/SWFO CR staff to be provided to SHPO concerning the results of the monitoring upon completion of the blading and clearing for the facility. A monitoring effort involving no discoveries may be documented in a letter, accompanied by a 7.5-minute USGS map showing the monitored area. If features or other reportable discoveries are found, BLM should be consulted as to content before submitting any report; a letter of documentation may suffice, depending on complexity. If features or reportable discoveries are found, an IMACS form must be completed by the archaeological contractor and submitted with the documentation. No artifact collection or feature sampling is authorized without prior authorization from BLM.
- Information concerning this process is found in the NVSHPO Protocol Appendix VIII. Discovery Situations, Page 15-16.
- Unless there are multiple bulldozers grading ca. 40-50 acre facility project area, a single monitor would be sufficient for the blading process. The BLM is requesting a monitor be on hand so that the project will move forward smoothly and on time. Due to the presence of

coppice dunes there is a moderate chance that features may be discovered therefore a monitor has been requested.

- The Fallon Paiute-Shoshone Tribe has been consulted and in the event of a discovery of human remains BLM will contact them and SHPO to make a determination following the appropriate state law

B. Land Use Plan (LUP) Conformance

LUP Name* Carson City District Consolidated Resource Management Plan

Date Approved May 9, 2001

**List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)*

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions): Wild Horse and Burros pages WHB-1 through WHB-5

- WHB-2 RMP Level Decisions; Desired Outcomes - 2. Maintain sound thriving populations of wild horses and burros within herd management areas; 3. Maintain or improve the condition of public rangelands to enhance productivity for wild horses and burros within herd management areas.

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

List by name and date all applicable NEPA documents that cover the proposed action.

- Fallon Short-Term Holding Facility, Fallon, Nevada Environmental Assessment No. DOI-BLM-NV-C010-2009-0019-EA; and Finding of no Significant Impacts/Decision Record signed October 30, 2009.

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).

- BLM sensitive species list, 2011
- Cultural Resource Inventory Report CRR3-2502

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?

Documentation of answer and explanation:

Yes, the new proposed action is essentially similar to the Proposed Action analyzed in the 2009 EA. The project/analysis area is the same as that analyzed in the original EA. The new proposed action would include a 10 acre expansion of facilities that occur within the original 160 acre project area that was analyzed and surveyed in the 2009 EA. The changes are an increase in number of animals that could be held at the site. The expansion of facilities would occur within the 160 acre project area to accommodate these additional animals.

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?

Documentation of answer and explanation:

Yes, there are no new environmental concerns, interests, or resource values that would necessitate analysis of additional alternatives than the Proposed Action and No Action Alternative as analyzed in the 2009 EA.

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?

Documentation of answer and explanation:

Yes, the existing analysis remains valid. The BLM sensitive species list was updated in 2011, however no new species are known to occur in the project area that is not already discussed in the 2009 EA. The EA in 2009 did not identify any threatened or endangered species nor BLM sensitive status species.

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?

Documentation of answer and explanation:

Yes, the environmental consequences and cumulative impacts in Chapter 3 of the 2009 EA are the same as would be expected for this new proposed action as the area analyzed is the same as described in the EA. The additional animals would not create measurable change/impacts to the existing facility.

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

Documentation of answer and explanation:

Yes, tribal consultation with the Fallon-Paiute Shoshone Tribe and consultation with the Nevada State Historic Preservation Office was conducted during the preparation of the original EA and were involved in the facility construction. This is considered adequate for the current proposed

action as the analysis area in the original area is the same for the new proposed action and the impacts would be the same as that analyzed in the 2009 EA.

E. Persons/Agencies/BLM Staff Consulted

	<u>Name</u>	<u>Title</u>	<u>Agency Represented</u>
1/26/15 - CS	Linda Appel Chelsy Simanson	Rangeland Management Specialist	BLM
1/27/15 - CL	Chris Kula	Wildlife Biologist	BLM
1/26/15 - KB	Kristin Bowen/Jason Wright	Archaeologist	BLM
1/26/15 - MS	Matt Simons	Lands and Realty	BLM

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

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

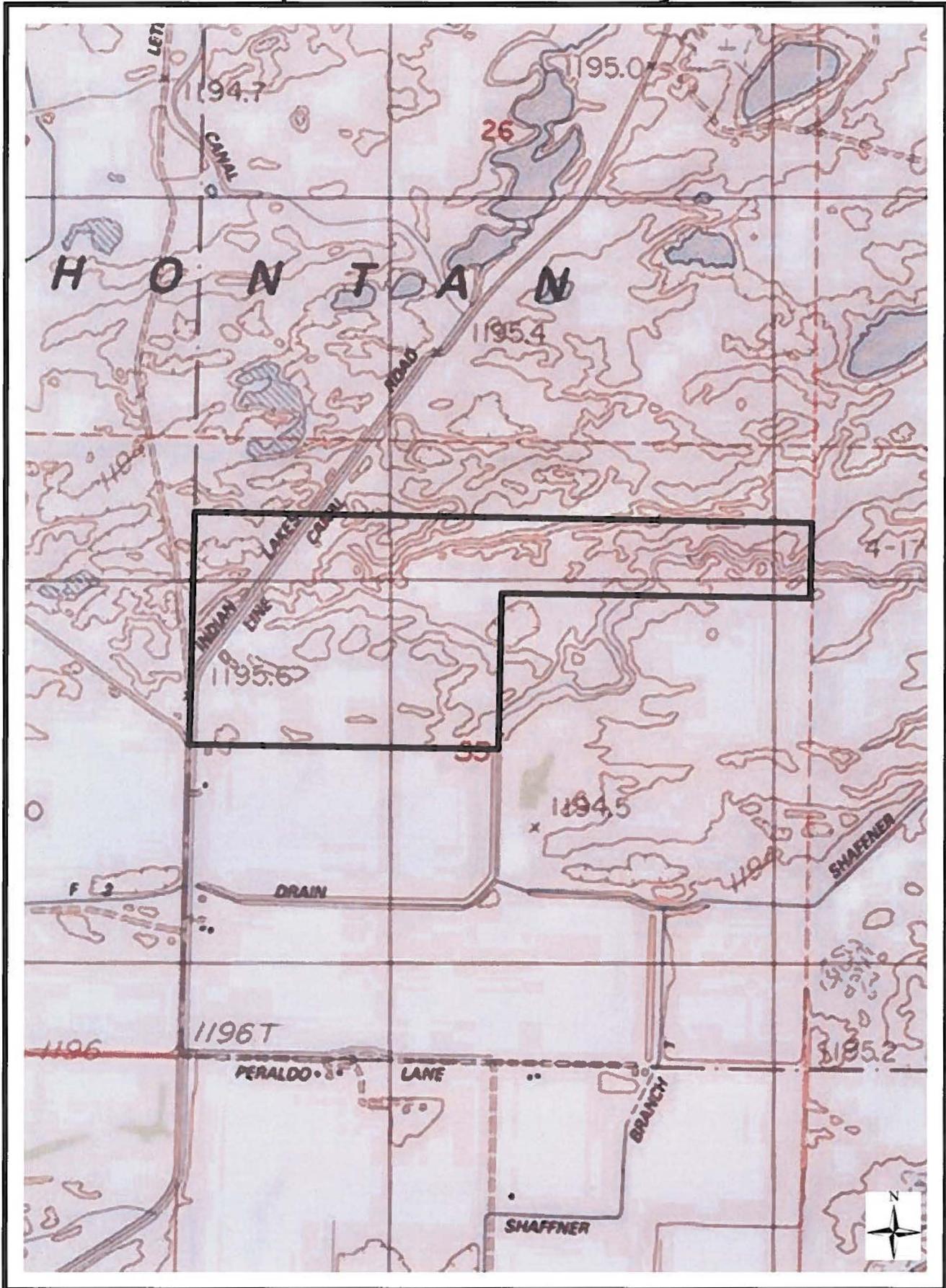


Signature of Responsible Official

Date 1/28/2015

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.

Proposed Fallon Facility

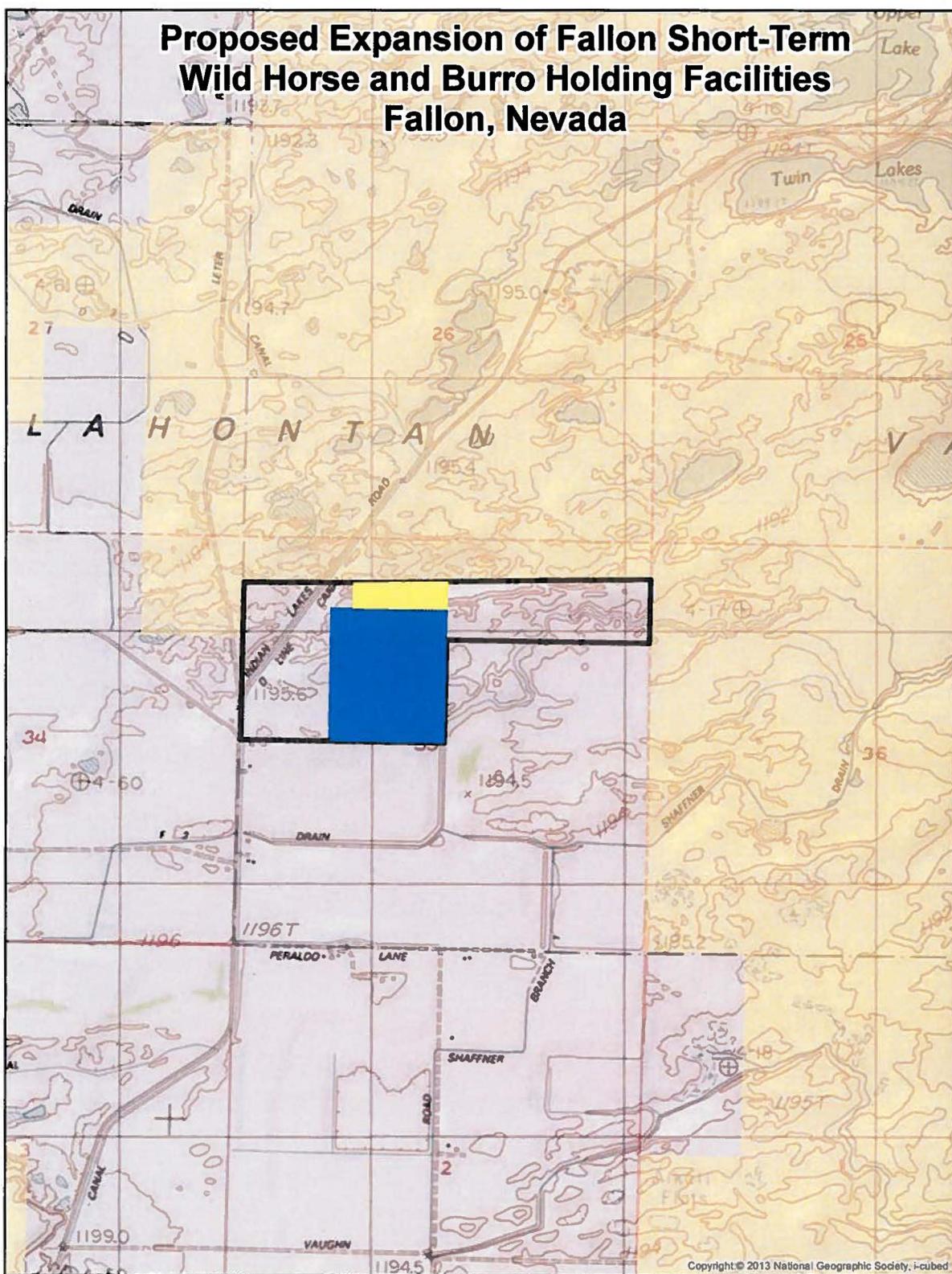


 Fallon Facility



August 28, 2009

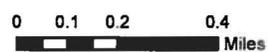
Proposed Expansion of Fallon Short-Term Wild Horse and Burro Holding Facilities Fallon, Nevada



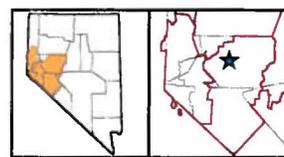
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LEGEND

-  Fallon short term WHB Facility Boundary, 172.69
 -  Current WHB Facilities, 59.68
 -  Proposed Expansion Area, 9.49
- Land Status**
- Agency**
-  Bureau of Reclamation
 -  Private



Carson City District Project Area



United States Department of the Interior
 Bureau of Land Management
 Carson City District Office
 5605 Morgan Mill Rd.
 Carson City, NV 89701
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 Map Produced by
 A. D. Rose on
 January 14, 2015

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