

**United States Department of the Interior  
Bureau of Land Management**

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**Determination of NEPA Adequacy  
DOI-BLM-CO-S010-2015-0011-DNA**

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**February, 2015**

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**HLI West Highway PJ Mastication**

***Location:*** T 45 N, R 16W, Sec 3, 4, 5, 32 and 33

***Applicant/Address:*** *BLM Tres Rios Field Office*

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Tres Rios Field Office  
29211 Highway 184  
Dolores, CO 81323  
970-882-7926  
970-882-6841



## Worksheet

### Determination of NEPA Adequacy

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

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The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision; however, it constitutes an administrative record to be provided as evidence in protest, appeals and legal procedures.

OFFICE: Tres Rios Field Office

TRACKING NUMBER:

CASEFILE/PROJECT NUMBER:

PROPOSED ACTION TITLE/TYPE: HLI West Highway PJ Mastication

LOCATION/LEGAL DESCRIPTION:

APPLICANT (if any): None

#### A. Description of the Proposed Action and Any Applicable Mitigation Measures

The Bureau of Land Management (BLM) is proposing to treat up to 905 acres of pinyon-juniper encroached shrub lands to improve habitat suitability for Gunnison sage-grouse. Lands in the project area are BLM lands that are surrounded by private lands. This DNA analyzes the adequacy of the Dry Wild III Environmental Assessment to address the HLI West Highway Objectives. The proposed treatment would use a hand thinning to drop and scatter trees and/or Hydro-ax to grind pinyon and juniper trees down to ground level. The project area is located in San Miguel County, 36 miles north of Dolores, Colorado. If approved the proposed treatment would occur between July and November 2015.

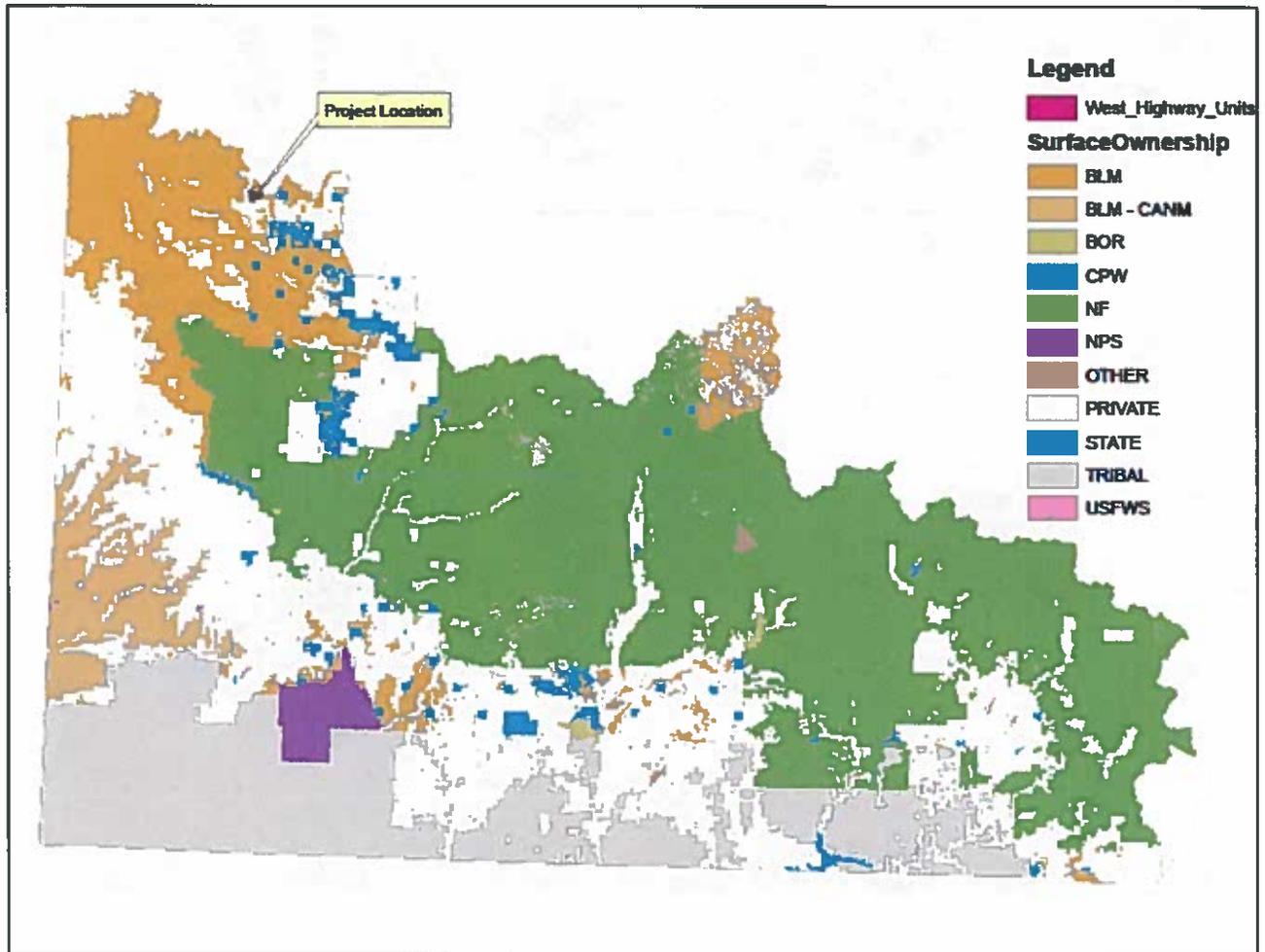


Figure 1. Project location.

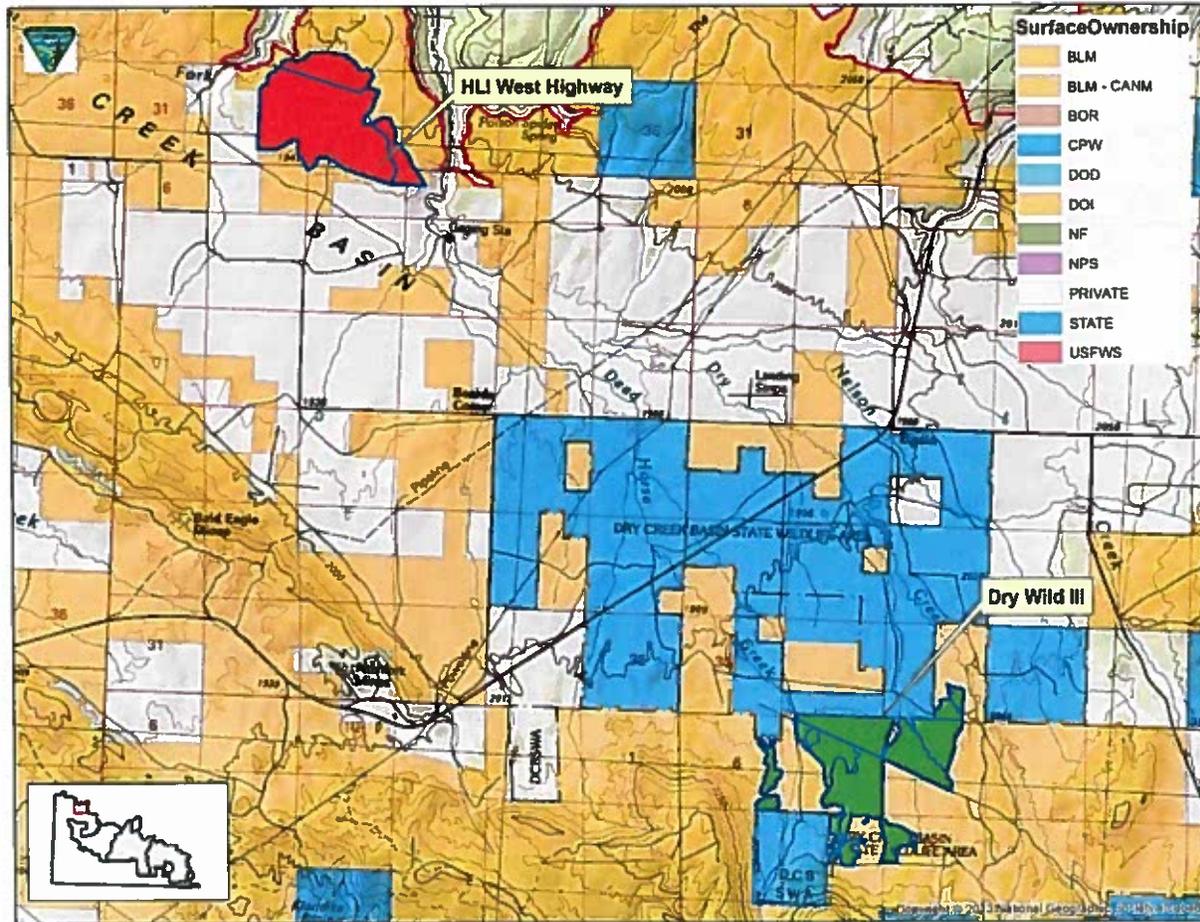


Figure 2 HLI West Highway Project Proximity to Dry Wild III

## B. Land Use Plan (LUP) Conformance

### CONFORMANCE WITH BLM LAND USE PLAN(S)

The proposed action identified within this assessment is in conformance with the Tres Rios Field Office Resource Management Plan (RMP), approved February 27, 2015. The proposed action is specifically provided for in the plan on page II-25, Terrestrial Wildlife, Introduction: “The emphasis of the TRFO wildlife program is to provide ecological conditions to support all native and desired non-native terrestrial wildlife species over the life of the RMP and contribute to the stability and recovery of special status species while implementing management actions approved under this plan.” “Management actions maintain or improve wildlife habitat conditions for special status species, contributing to the stability and/or recovery of these species.”

### RELATIONSHIPS TO STATUTES, REGULATIONS AND OTHER PLANS

- Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.)
- Healthy Forests Restoration Act of 2003 (16 USC 6501 et seq.)
- Sikes act of 1960 (16 USC sec. 670a)

- Clean Air Act of 1977 (USC 7401 et seq.)
- Colorado Department of Public Health and Environment Air Quality Control Commission Regulation No. 1
- Archaeological Resource Protection Act of 1974
- American Indian Religious Freedom Act of 1978
- National Historical Preservation Act of 1966 as Amended
- National Environmental Policy Act of 1969, as amended (42 USC 4321 et seq.)
- 1973 Endangered Species Act, as amended
- Migratory Bird Treaty Act of 1918 (16 USC 703711)
- Bald and Golden Eagle Protection Act (1962)
- Gunnison Sage-grouse Range-wide Conservation Plan, (Colorado Division of Wildlife Resources, 2005)
- Standards for Public Land Health: In January 1997, Colorado Bureau of Land Management (BLM) approved the Standards for Public Land Health. Standards describe conditions needed to sustain public land health and relate to all uses of the public lands.

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

Dry Wild III Habitat Improvement (DOI-BLM-CO-S010-2013-0037-EA)

**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  
 No

Documentation of answer and explanation:

***Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)?***

The proposed project is “essentially similar to” (BLM Handbook, Section 5.1.2) the Dry Wild III project. It is treating the same vegetation type, in the same basin, by the same means, in an area 6 miles from the Dry Wild Project area. The statement of work will be written with the same standards and requirements for vegetation removal requiring the same equipment. The project will occur during the same time of year, early fall. The same species of animals and plants were analyzed, and the same topography are present. The project is very close, to the same project except for its geographic location.

***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)?***

The proposed project is NOT within the same analysis area. However, the “geographic and resource conditions” are sufficiently similar to those analyzed in the Dry Wild III EA. HLI West Highway is similar in all ways, but the size of treatment and the location. However, both the size and location of the treatment are similar to the Dry Wild III project. The resource concerns are the same. Wildlife concerns are migratory birds, nesting raptors, Gunnison sage-grouse, and other BLM sensitive species that inhabit Pinyon-Juniper habitats. Archeological surveys are being conducted and eligible cultural sites will be avoided. Weeds are a concern for the project so appropriate precautions will be applied during project implementation. Additionally, monitoring in the basin has been ongoing for the last 5 years and will continue for the foreseeable future.

***If there are differences, can you explain why they are not substantial?***

HLI West Highway and Dry Wild III are practically the same. They differ, only, in their size and in their location. The size of the HLI West Highway is smaller in size than Dry Wild III, and will remove approximately 900 acres of Pinyon-Juniper. Dry Wild III removed over 1000 acres of vegetation. Geographically, the Dry Wild and HLI West Highway differ in their location, although, they are very close. They are both within the same basin and have the same vegetation, soil and wildlife resources.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action (or existing proposed action), given current environmental concerns, interests, and resource values?**

Yes  
 No

Documentation of answer and explanation:

The Dry Wild III EA analyzes a no action and proposed action alternative. Based on the resource concerns identified in Form 5 there are no resource issues that would warrant a new alternative.

**3. Is existing analysis adequate in light of any new information or circumstances (such as, rangeland health standards assessment; recent endangered species listings, updated list 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  
 No

Documentation of answer and explanation:

The HLI West Highway project is in Gunnison sage-grouse Occupied Critical Habitat. Although, the Gunnison sage-grouse has been listed as a threatened species since the writing of the Dry

Wild III EA, the grouse was analyzed as a proposed species in the document. Species analysis would be the same if it were completed for this project.

### Wildlife

Design Criteria to be added to the project to further protect brood rearing and lek areas:

- Project implementation will not occur from Mar 1st – July 15, to protect breeding Gunnison sage-grouse.
- Project implementation will not occur from Dec 1 – March 15<sup>th</sup> to protect Gunnison sage-grouse winter habitat.

To conform with the Endangered Species Act, consultation with the US Fish and Wildlife Service will occur before project implementation, on a *May Affect, Not Likely to Adversely Affect* determination.

**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  
 No

Documentation of answer and explanation:

The cumulative effects would be similar. Vegetation and noxious weed effects were determined to be “negligible” in the Dry Wild III, and the vegetation treatments would be very similar for West Highway.

All other cumulative effects would be similar with the addition of the 1,394 acres treated in the Dry Wild III project.

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

Yes  
 No

Documentation of answer and explanation:

All resource specialists that have resources that would be affected by the implementation of this project have been consulted and have had the opportunity to comment on NEPA adequacy for this project. Issues that were brought up during this process will be addressed using project design criteria if necessary.

Public scoping was conducted for the original project. One comment was received externally and one comment was received internally. Externally, San Miguel County requested that they

receive the final Dry Wild III EA upon completion. Internally, James Blair responded that there were no Paleontological issues with the projects and that no further survey or analysis was required.

During project planning, Monte Raymond was contacted to get access to the project area for Archaeology surveys and project implementation. Access was granted and the project received general support from the adjacent landowner.

**E. Persons/Agencies/BLM Staff Consulted:**

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
<b>Brad Pietreska</b>		<b>Fuels</b>
<b>Kelly Palmer</b>		<b>Riparian/Hydrology</b>
<b>Michael Jensen</b>		<b>Range</b>
<b>Jamie Blair</b>		<b>Solid Minerals</b>
<b>Michael Schmidt</b>		<b>Wildlife – Project Lead</b>
<b>Jeff Christenson</b>		<b>Recreation</b>
<b>Lindsey Eoff</b>		<b>NEPA Compliance</b>
<b>Julie Bell</b>		<b>Archaeology</b>

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, then you cannot conclude that the NEPA documentation fully covers the proposed action).*

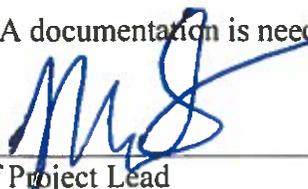
**Plan Conformance:**

- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

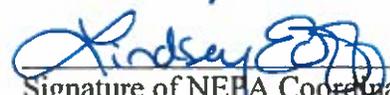
**Determination of NEPA Adequacy**

- 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.
- The existing NEPA documentation does not fully cover the proposed action. Additional

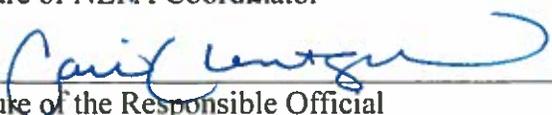
NEPA documentation is needed if the project is to be further considered.

  
\_\_\_\_\_  
Signature of Project Lead

5/5/2015  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of NEPA Coordinator

5/10/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of the Responsible Official

5-11-15  
\_\_\_\_\_  
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.

*If the DNA is being used as a NEPA supplementation review for a previously approved and ongoing action, and NEPA is determined to be adequate, no further analysis or decision is required. If NEPA is determined to be inadequate for a previously approved and ongoing action, a proposal and EA or EIS should be initiated.*

**ATTACHMENTS:**

*Attach the ID Team Checklist. Other attachments are optional. If lengthy discussions or supplemental information is needed to support the explanations provided under Criteria 1-5 the information may be referenced on the DNA form and attached to the form under this heading. If there are no attachments, then delete the heading.*

