

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

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

May, 2015

HLI West Highway PJ Mastication

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

Applicant/Address: Tres Rios Field Office, BLM, 29211 Highway 184, Dolores, CO 8132.

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



970-882-6837

DECISION RECORD
Determination of NEPA Adequacy
DOI-BLM-CO-S010-2015-0011-DNA
HLI West Highway

Decision:

I have reviewed the Environmental Assessment (DOI-BLM-CO-S010-2013-0037-EA)(EA) and have prepared a Finding of No Significant Impact (FONSI, 2013). After review of those documents, it is my decision to implement the Proposed Action and design features of 905 acres of PJ mastication and hand thinning, and to begin thinning within the proposed units. Approximately, 300 acres of hydro mowing will occur within the project boundaries, with additional 600 acres of potential hand-thinning to come in future years if funds become available.

Authorities:

The authority for this decision is contained in: Tres Rios Field Office Resource Management Plan (February 27, 2015). The use of existing NEPA documents for project analysis is provided for in the Department of the Interior, Department Manual (516 DM 11.6) when "*The proposed action is adequately covered by (i.e., is within the scope of and analyzed in) relevant existing analyses, data, and records*".

Compliance and Monitoring:

The BLM will implement pre-treatment monitoring of surface condition and invasive species composition, which will be done by following the "Habitat Assessment Framework" for Sage-grouse. This monitoring has been done in this area for the last 3 years, will continue for the foreseeable future, and will be used to determine the effectiveness of the treatment to provide habitat for Gunnison sage-grouse. Additionally, regular checks will be performed for weeds. If weeds are identified in the project area, we will coordinate with the BLM weeds crew to treat the weeds as they determine necessary.

Terms / Conditions / Stipulations:

The Proposed Action will be in accordance with the following design features:

1. Wildlife

Gunnison Sage-grouse

- No activity will occur between March 1 and June 30th, to protect nesting and brood rearing sage-grouse.
- All activities, except foot and horse traffic, should be limited to established roads and trails in areas of known winter concentration (RCP) December 1 to March 15.
- Management activities should not contribute to noise levels and surface disturbing activities that create excessive noise (>34 decibels) within 4.0 miles of an active lek should be avoided from March 1 to June 30. Any necessary equipment should produce minimal noise; all

compressors, vehicles, and other sources of noise should be equipped with effective mufflers or noise suppression devices.

- Any sagebrush removal or vegetation treatment is prohibited within 0.60 miles of an active lek unless implemented to maintain or enhance the lek (RCP).
- Sagebrush loss, removal, treatments, or other surface-disturbing activities should not exceed 10% of the delineated winter habitat.
- Treatments should be irregular in shape and not distributed predictably or systematically on the landscape. Treatments in the shape of rows or strips will not occur.

Migratory Birds

- Avoid treatments during the migratory bird nesting season from May 15 – July 15. This timeframe encompasses the core breeding period for the majority of migratory birds in the project area.

Raptors

- To ensure protection of nesting raptors and Bald and Golden Eagles, pre-treatment surveys would be performed for presence of key species in suitable habitat. If an active raptor nest is discovered in any unit, a species specific spatial or temporal buffer would be applied until either the successfully fledges young.
 - Bald and golden eagle – no Disturbance within .5 miles Jan. 15-July 15.

Big Game

- No treatments may occur between December 1 and April 30 in order to avoid effects within big game critical and severe winter range, and winter concentration areas.

2. Invasive weeds

- Prior to any ground disturbing mechanical treatment the planned units would be reviewed by the Range Management specialist to analyze the composition of native grasses relative to invasive species (i.e. cheatgrass) presence. The specific purpose of the analysis would be to discuss and determine if the composition and vigor of native/seeded species relative to the abundance, vigor, and seed potential of cheatgrass in each unit is such that the natives are likely to out-compete cheatgrass or any other invasives, post-treatment. If cheatgrass is relatively abundant and native/seeded species less vigorous and less abundant then treatment of those specific units will be postponed until reviewed the following growing season. If native/seeded species are vigorous and make up most of the composition and cheatgrass is only found in isolated pockets and/or is not vigorous then treatment can be scheduled for those units.
- Pre-treatment of invasive weeds may be required prior to implementation of the proposed action. This would be determined during the pre-treatment site visit with the above identified resource specialists. Specifically, in areas that it is determined invasive weeds exceed 10% of site biomass, pre-treatment is recommended prior to implementation.
- Post-treatment monitoring for cheatgrass, as well as other exotic/noxious species presence, would take place to determine if additional post-treatment management for those species needs to occur.
- In areas where noxious weed control measures are completed, effectiveness monitoring would occur following treatments. In areas where noxious weed populations were not

present at the time of treatment, monitoring would be completed during the growing season following treatment to ensure that no new populations of invasive weeds become established.

- All vehicles associated with mastication as well as transport vehicles, would be power washed prior to moving on-site to prevent the spread of invasive/noxious weeds.

3. Cultural Resources

- Cultural resources have been surveyed with the project area and will be marked by flagging for avoidance. If the contractor discovers any additional artifacts (any objects or sites of cultural, paleontological, or scientific value such as historic or prehistoric resources, graves or grave markers, human remains, ruins, cabins, rock art, fossils, or artifacts) that were not flagged; the contractor will inform the PI or COR. The objects shall not be damaged, destroyed, removed, moved, or disturbed. Any person who knowingly violates this may be subject to fines and/or imprisonment (Public Law 16-95; 16 U.S.C. 470).

4. Minerals

- Mining claim corner posts within units would be identified prior to implementation and avoided.

5. Hydrology and Soils

- Ruts created by machinery would not exceed 10 feet long and/or 4 inches deep
- Slopes greater than 30% slope should be avoided with hydro-mowing machinery.

6. Cadastral

- All cadastral monuments should be flagged prior to treatment and avoided.
- Prior to treatment, a survey should be conducted by the cadastral staff to clearly mark BLM boundaries and determine what areas are appropriate to treat.

7. Recreation and Visual

- Boundaries should be flagged to mimic natural disturbance and resources should look natural when the project is complete – straight lines should be avoided at all costs.

Plan Conformance and Consistency:

The proposed action and alternatives have been reviewed and found to be in conformance with the following BLM Land Use Plans and the associated decision(s):

The proposed action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

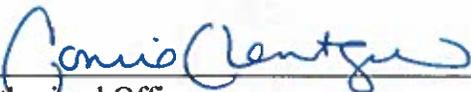
Name of Plan: Tres Rios Field Office Resource Management Plan (RMP).

Date Approved: February 27, 2015

Language Page: The proposed action is specifically provided for in the plan on page II-25, Terrestrial Wildlife, Introduction. The Introduction states: "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." Furthermore the plan emphasizes that: "Management actions maintain or improve wildlife habitat conditions for special status species, contributing to the stability and/or recovery of these species."

Protest/Appeal: This decision shall take effect immediately upon the date it is signed by the Authorized Officer, Connie Clementson, in accordance with 43 CFR 5003.1 (b) and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (42 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4.

Within 30 days of the decision, a notice of appeal must be filed in the office of the Authorized Officer at the Dolores Public Lands Office, 29211 Highway 184, Dolores, CO, 81323. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals; U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer. Within 30 days, the public has the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR 4.4.00. Appeal and stay procedures are outlined in Form CO-050-1840-191.


Authorized Officer

5-11-15
Date

Attachments:

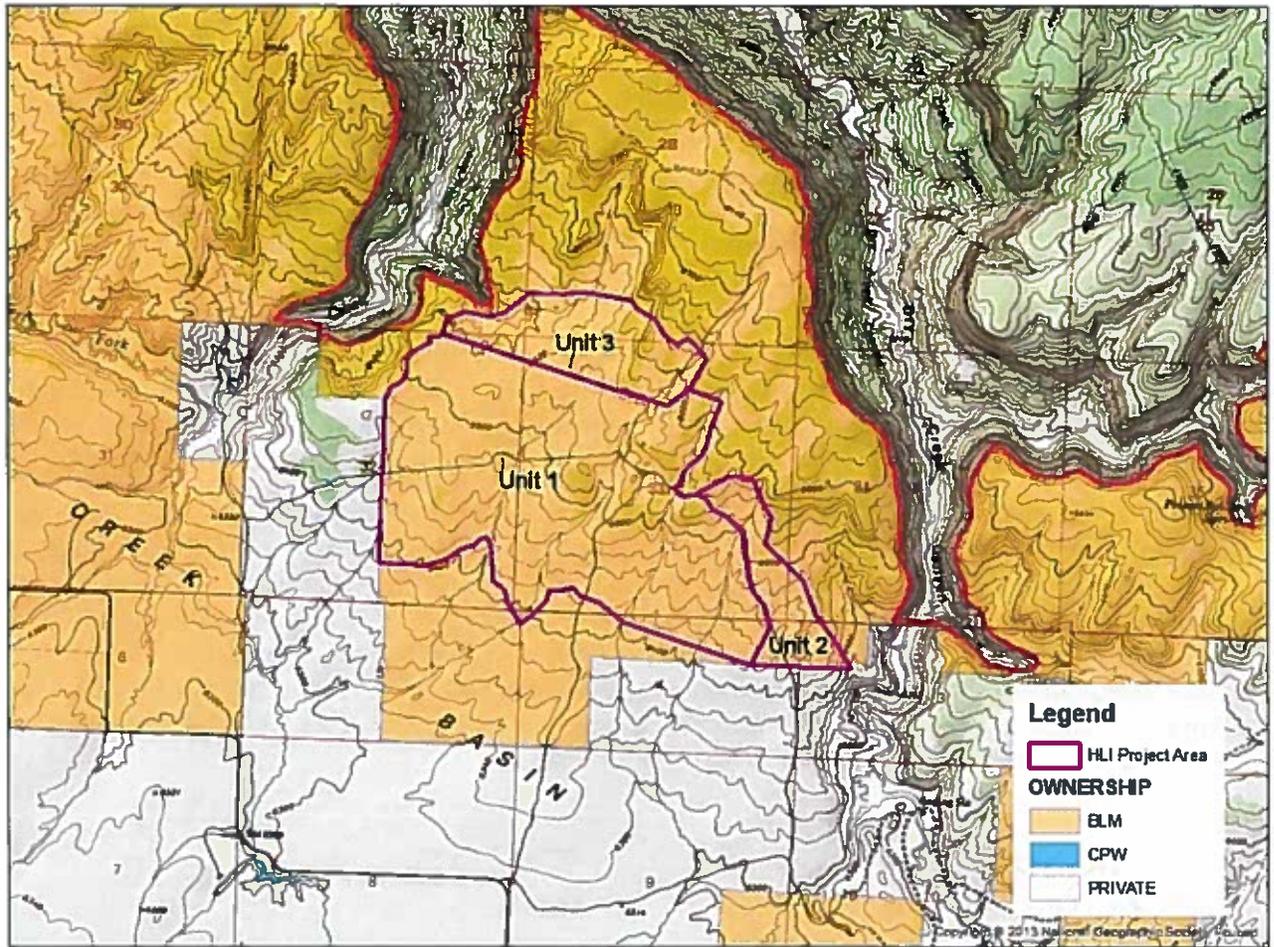


Figure 1. Project area boundary for HLI West Highway PJ Mastication Project.

11/18/2011