

**Worksheet**  
**Documentation of Land Use Plan Conformance and**  
**Determination of NEPA Adequacy (DNA)**

U.S. Department of the Interior  
Utah Bureau of Land Management (BLM)

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This worksheet is to be completed consistent with guidance provided in instructional text boxes on the worksheet and the 'Guidelines for Using the DNA Worksheet' located at the end of the worksheet. 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.

**A. BLM Office:** Cedar City Field Office

**Lease/Serial/Case File No.** DOI-BLM-UT-C010-2015-0053-DNA

**Proposed Action Title/Type:**

Tilly Creek, Gold Spring, Stateline and Modena Canyon Allotments Livestock Grazing Permit name change transfer from Leon and Bradley Bowler to L & B Farm and Cattle (c/o Bradley Bowler)(Case File No. 4304627)

**Location of Proposed Action:**

The Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments are located in Iron County, Utah. The Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments are located north and northwest of Modena. The Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments are located within the Escalante Desert Hydrologic Unit (HUB) as determined by the United States Geologic Survey.

**Description of the Proposed Action:**

Leon and Bradley Bowler have requested a name change from Leon and Bradley Bowler to L & B Farm and Cattle. The Proposed Action would authorize the name change from Leon and Bradley Bowler (c/o Bradley Bowler) (Case File No. 4304627) to L & B Farm and Cattle (c/o Bradley Bowler) (Case File No. 4304627), authorize a change in percent public land on the Modena Canyon Allotment from 100% public land to 62% public land and the issuance of a 10 year grazing permit within the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments.

**B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans**

The Proposed Action conforms to the Pinyon Management Framework Plan (MFP) that was approved in 1983. The Range decisions in the MFP support actions which maintain or improve rangeland conditions within the planning area.

**C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.**

EA-UT-040-07-03, April 2008

Leon and Bradley Bowler Permit Renewal Final Decision – April 13, 2008

Tilly Creek, Gold Spring, Stateline and Modena Canyon Allotments Evaluation and Monitoring Report – 2008

Tilly Creek, Gold Spring, Stateline and Modena Canyon Allotments Rangeland Health Assessment Summary and Determination Record – 2008

**D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?**

Yes

No

An Environmental Assessment (EA-UT-040-07-03) was prepared to analyze the effects of grazing management practices within the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments. Following the analysis a Finding of No Significant Impact (FONSI), a Grazing Permit Renewal Proposed Decision for the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments was issued to the interested public. The Proposed Decision was issued for a 15-day protest and 30-day appeal period and became final on April 13, 2008. No changes are proposed from that action.

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

Yes

No

A scoping letter was issued to the interested publics requesting information and alternatives for the management of the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments. Information and alternatives that were received were fully considered and incorporated. It was determined that a reasonable range of alternatives were analyzed in EA- UT-040-07-03.

**3. Is existing analysis adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?**

Yes

No

Recent utilization monitoring data collected by the Cedar City BLM Field Office within the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments following issuance of EA-UT-040-07-03 has revealed the livestock utilization is well within acceptable parameters. Additional vegetative monitoring data has not been provided by sources outside the BLM.

Recent Proper Functioning Condition (PFC) data was collected by the Cedar City BLM Field Office within the Gold Spring Allotment following issuance of EA-UT-040-07-03 in 2008 on Sawmill Spring (0.31 miles). The spring was rated at PFC which means that current management appears to be appropriate for improving/maintaining riparian condition at this site.

The most recent U.S. Fish and Wildlife Service list of threatened, endangered, proposed and candidate species (5 November 2012) and BLM (20 December 2010 for animals and February 2011 for plants) have been reviewed. The USFWS has added the following species to their Iron County list since the completion of the EA: least chub (candidate), Virgin River chub (endangered) and woundfin (endangered). There is no habitat for least chub within the allotment. There is no habitat within the allotment for Virgin River chub or woundfin, and there would be no water depletion from the applicable HUC8 watershed.

In March 2010 the U.S. Fish and Wildlife Service identified greater sage-grouse as a candidate for listing. Greater sage-grouse do not occur on the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments and the allotments are outside of UDWR mapped sage grouse habitat (March 2012).

The existing analysis is adequate for other threatened, endangered and candidate species which occur on the allotment and no additional impacts have been identified.

**4. Do the methodology and analytical approach used in the existing NEPA documents(s) continue to be appropriate for the current proposed action?**

Yes

No

Following the analysis and interpretation of monitoring data within the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments, management actions were developed and fully analyzed in EA- UT-040-07-03 to ensure that the Standards and Guidelines for Healthy Rangelands were achieved. Further, the NEPA analysis process remains the same.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Do the existing NEPA documents analyze impacts related to the current proposed action at a level of specificity appropriate to the proposal (plan level, programmatic level, project level)?**

Yes

No

The Leon and Bradley Bowler Permit Renewal (EA-UT-040-07-03) addressed the direct and indirect impacts to other resources based on the continuance of grazing within the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments. No other direct or indirect impacts have been identified at this time.

**6. Are the reasonably foreseeable cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)?**

Yes

No

The cumulative impacts analyzed in the Tilly Creek, Gold Spring, Stateline and Modena Canyon Allotments EA-UT-040-07-03 are the same as this action. No other cumulative impacts have been identified at this time.

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

Yes

No

The previous action was posted on the Utah Electronic Notification Bulletin Board (ENBB). The ENBB was continuously updated throughout the permit renewal process. In addition, a

scoping letter was sent out to the interested public, requesting additional information and alternatives that could be addressed in the environmental assessment.

**E. Interdisciplinary Analysis:** Identify those team members conducting analysis or participating in the preparation of this worksheet.

NAME	TITLE	RESOURCE REPRESENTED
Jeff Reese	Rangeland Management Specialist	Air, Invasive Species/Noxious Weeds, Farmlands, Floodplains, Greenhouse Gas Emissions, Hydrology, Soils, Livestock Grazing, Vegetation, Rangeland Health Standards and Guidelines, Socio-Economic, Environmental Justice, Woodland/Forestry, Water
Adam Stephens	Rangeland Management Specialist	Wetlands/Riparian Zones
Sheri Whitfield	Wildlife Biologist	Wildlife, TECS, Migratory Birds
Ed Ginouves	Mining Engineer	Minerals, Paleontology
Jamie Palmer	Archeologist	Cultural, Native American Religious Concerns
Michelle Campeau	Realty Specialist	Lands
Dave Jacobson	Outdoor Recreation Planner	Recreation, Wilderness, Visual, ACEC, Wild and Scenic Rivers
Chad Hunter	Rangeland Management Specialist/Wild Horse and Burro Specialist	Wild Horses and Burros
Glen Pepper	Safety Specialist	Wastes (solid or hazardous)
Shawn Peterson	Natural Resource Specialist	Fuels/Fire Management

**F. Mitigation Measures:**

No mitigation measures were identified for the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments through the NEPA process nor have any new mitigation measures been identified.

The following identifies the Allotment Specific Objectives and the Terms and Conditions for the Tilly Creek, Gold Spring, Stateline and Modena Canyon allotments.

**Terms and Conditions**

1. Grazing would be consistent with the Decision Record for Environmental Assessment number UT-040-07-03.
2. Grazing fees would be due prior to livestock turnout. Failure to pay the grazing bill within 15 days of the due date specified on the bill shall result in a late fee assessment of \$25 or 10 percent of the bill, whichever is greater, not to exceed \$250. Payment made later than 15

days after the due date, shall include the appropriate late fee assessment [Title 43 CFR 4130.8-1(f)].

3. Actual use information must be reported within 15 days following completion of the grazing season.
4. Movement to the next scheduled pasture or allotment would occur on the specified dates, when allowable utilization on key species is attained, or when unusual climatic conditions dictate a move. Move dates would be adjusted as needed to balance utilization between areas on each allotment when monitoring indicates the need. A total of five days would be allowed to move from one pasture to another.
5. Supplemental feeding of roughage is prohibited on public lands unless emergency conditions exist, then only by written permission from the authorized officer [Title 43 CFR 4140.1 (a) (3)].
6. All salt/mineral supplements would be located at least ¼ mile or further distance from water sources.
7. Maintenance of all structural range projects is the responsibility of the grazing permittee. Maintenance would be in accordance with approved Cooperative Agreements for Range Improvements (Form 4120-6) or Range Improvement Permit (Form 4120-7). Failure to maintain assigned projects in satisfactory condition constitutes a violation in accordance with Title 43 CFR 4140.1 (a) (4) and may result in the suspension of your license until maintenance is completed.
8. Grazing would, by regulation, conform to the Fundamentals of Rangeland Health as well as Utah BLM's Standards and Guidelines for Grazing Management. Grazing would also be subject to standard terms and conditions for grazing on public lands. This permit, including the terms and conditions, may be modified if additional information indicates that revision is necessary in order to conform with the Utah Standards and Guideline for Rangeland Health, the Fundamentals of Rangeland Health, regulations at Title 43 CFR 4100 and allotment specific objectives.
9. Authorized use would be adjusted, as needed, based on annual climatic conditions, forage production and plant vigor.
10. No grazing is allowed within riparian enclosures without written permission from the BLM authorized officer.

## Multiple Use Objectives

1. Range trend would, on average, be static to upward for all allotments.
2. Utilization on key herbaceous forage species in upland habitats (crested wheatgrass, smooth brome, Indian ricegrass, needle-and-thread grass and curly grass) should not exceed 50% utilization of the current year's vegetative growth.
3. Utilization on key shrub forage species in upland habitats (winterfat, cliffrose and antelope bitterbrush) should average no more than 40% of current year's growth.
4. Utilization on key herbaceous riparian forage species (Nebraska sedge and Baltic rush) should not exceed 4" stubble height when grazing ends before July 31. Utilization of these two species would be limited to 6" stubble height if grazing starts or extends after July 31.
5. Utilization on key riparian browse species (willows, cottonwoods) should not exceed 30% utilization of available stems.
6. Bank shear due to trampling and hoof action would average less than ten percent (ie less than 10 feet per 100 feet of riparian bank).

Any permanent adjustments to grazing preference would be made based on the results of long term monitoring and not based upon a single incident of exceeding or failing to meet one of the utilization objectives spelled out above. For instance, if on a low production year, the utilization level of 50 percent was met partway through the scheduled grazing season, livestock would be required to be moved to the next pasture in the grazing sequence or, in the event it was the last pasture scheduled, off of the allotment. The annual impact would be short term to the livestock operator in the form of an inconvenient, unscheduled move and the need to provide alternate forage. However, if data collected showed the utilization objective was not being met year after year and the resource was at risk of being damaged, an appropriate decision would be issued, likely adjusting the levels of grazing preference

## CONCLUSIONS

Based on the review documented above, I conclude that:

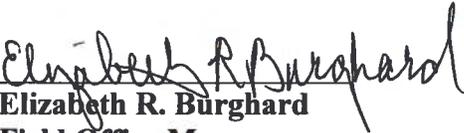
### Plan Conformance:

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

### Determination of NEPA Adequacy

- The existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of 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.

  
**Elizabeth R. Burghard**  
**Field Office Manager**  
**Cedar City Field Office**

8/18/13  
**Date**

Attachment: Interdisciplinary Team Checklist

## INTERDISCIPLINARY TEAM ANALYSIS RECORD CHECKLIST

**Project Title:** Tilly Creek, Gold Spring, Stateline and Modena Canyon Allotments Livestock Grazing Permit name change transfer from Leon and Bradley Bowler to L & B Farm and Cattle (c/o Bradley Bowler)

**NEPA Log Number:** DOI-BLM-UT-C010-2015-0053-DNA

**File/Serial Number:**

**Project Leader:** Jeff Reese

**DETERMINATION OF STAFF:** *(Choose one of the following abbreviated options for the left column)*

NP = not present in the area impacted by the proposed or alternative actions

NI = present, but not affected to a degree that detailed analysis is required

PI = present with potential for relevant impact that need to be analyzed in detail in the EA

NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determination	Resource	Rationale for Determination	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NC	Air Quality	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NP	Areas of Critical Environmental Concern	None present within the field office.	D. Jacobson	6-23-2015
NC	Cultural Resources	Previous analysis (EA-UT-040-07-03) is adequate	Jamie Palmer	6/23/2015
NI	Greenhouse Gas Emissions	GHG's were not analyzed in the original EA. However, GHG emissions would be expected to stay the same (minimal in relation to regional emissions) under the proposed action.	J. Reese	6/22/15
NC	Environmental Justice	Previous analysis (EA-UT-040-07-03) adequate	J. Reese	6/22/15
NC	Farmlands (Prime or Unique)	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NC	Fish and Wildlife Excluding USFW Designated Species	Previous analysis (EA-UT-040-07-03) is adequate.	S Whitfield	06/22/15
NC	Floodplains	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NC	Fuels/Fire Management	Previous analysis (EA-UT-040-07-03) is adequate	S. Peterson	6/23/15
NC	Geology / Mineral Resources/Energy Production	Previous analysis (EA-UT-040-07-03) adequate	E. Ginouves	6/22/15
NC	Hydrologic Conditions	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15

<b>Determination</b>	<b>Resource</b>		<b>Signature</b>	
NC	Invasive Species/Noxious Weeds	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NC	Lands/Access	Previous analysis (EA-UT-040-07-03) is adequate	M. Campeau	7/16/2015
NC	Livestock Grazing	Previous analysis (EA-UT-040-07-03) adequate	J. Reese	6/22/15
NC	Migratory Birds	Previous analysis (EA-UT-040-07-03) is adequate	S. Whitfield	06/22/15
NC	Native American Religious Concerns	In accordance with the Memorandum of Understanding between the Paiute Tribe of Utah and the BLM, this project does not require formal consultation.	Jamie Palmer	6/23/2015
NC	Paleontology	Previous analysis (EA-UT-040-07-03) is adequate	E. Ginouves	6/22/15
NC	Rangeland Health Standards	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NC	Recreation	Previous analysis (EA-UT-040-07-03) is adequate	D. Jacobson	6-23-2015
NC	Socio-Economics	Previous analysis (EA-UT-040-07-03) adequate	J. Reese	6/22/15
NC	Soils	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NC	Threatened, Endangered, Candidate or Sensitive Plant Species	There have been no changes in the occurrence of TECS plants on the Allotments; none occur. The previous analysis (EA UT-040-07-03) is adequate.	J. Reese	6/22/15
NC	Threatened, Endangered, Candidate or Sensitive Animal Species	The previous analysis (EA UT-040-07-03) is adequate.	S. Whitfield	07/14/15
NC	Wastes (hazardous or solid)	Previous analysis (EA-UT-040-07-03) is adequate.	Glenn Pepper	7/1/2015
NC	Water Resources/Quality (drinking/surface/ground)	Previous analysis (EA-UT-040-07-03) is adequate	J. Reese	6/22/15
NC	Wetlands/Riparian Zones	Previous analysis (EA-UT-040-07-03) adequate.	A. Stephens	6/22/15
NP	Wild and Scenic Rivers	None present within the field office.	D. Jacobson	6-23-2015
NC	Wilderness/WSA	Previous analysis (EA-UT-040-07-03) is adequate	D. Jacobson	6-23-2015
NC	Woodland / Forestry	Previous analysis (EA-UT-040-07-03) is adequate	C. Peterson	7-17-2015
NC	Vegetation Excluding USFW Designated Species	Previous analysis (EA-UT-040-07-03) adequate	J. Reese	6/22/15
NC	Visual Resources	Previous analysis (EA-UT-040-07-03) is adequate	D. Jacobson	6-23-2015
NC	Wild Horses and Burros	Previous analysis (EA-UT-040-07-03) is adequate	C. Hunter	6/22/15

Determination	Resource	Rationale for Determination	Signature	Date
NI	Lands With Wilderness Characteristics	The identified allotments for this transfer encompasses portions of two wilderness characteristics inventory units UT-C010-017-Paridise Mountains and UT-C010-020 which were inventoried in 2011. Unit UT-C010-020 has no wilderness characteristics and unit UT-C010-017-Paridise Mountains has 32,000 acres within the Gold Springs allotment that have wilderness characteristics. Section 201 of FLPMA provides that the preparation and maintenance of the inventory shall, not of itself, change or prevent change of the management or use of the lands. The grazing transfer would not impact wildernesses characteristics since this proposal is just to transfer rights of grazing and does not address allotment improvements.	D. Jacobson	6-23-2015

**FINAL REVIEW:**

Reviewer Title	Signature	Date	Comments
Environmental Coordinator		8/17/15	
Authorized Officer		8/18/15	

