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

OFFICE: Winnemucca District / Humboldt River Field Office

TRACKING NUMBER: **DOI-BLM-NV-W010-2015-0033-DNA**

CASEFILE/PROJECT NUMBER: JB57

PROPOSED ACTION TITLE/TYPE

Montana Mountains Cooperative Fuels and Restoration Project; DNA III

LOCATION/LEGAL DESCRIPTION

The Montana Mountains are situated between Quinn River Valley and Kings River Valley, in northern Humboldt County. The project area boundary covers a large expanse of land, approximately 346,000 acres, between Townships 44-48 North, and Ranges 33-38 East (See Environmental Assessment, EA Map 1: Project Area, attached).

APPLICANT (if any): Bureau of Land Management (BLM)

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

Background
The Healthy Forest Restoration Act of 2003 mandates the BLM to protect municipal watersheds, communities-at-risk, and habitat for threatened and endangered species from the threat of wildland fire. The Winnemucca District (WD) has implemented a series of landscape-level fuels and habitat restoration projects for candidate and threatened wildlife species intended to address this need. One of these projects is the Montana Mountains Cooperative Fuels Project. In summary,

> "The BLM WD in conjunction with Nevada Department of Wildlife (NDOW) is proposing a number of treatments that would create fuelbreaks and improve or rehabilitate habitat within the Montana Mountains Project Area (Montana Mountains EA, pg. 5)."

The Montana Mountains landscape contains both Lahontan cutthroat trout recovery streams and some of the most important Greater sage-grouse habitat in northern Nevada. An environmental assessment and subsequent decision record approved restoration and hazardous fuels treatments in areas dominated by annual grasses. The decision allows treatments up to 500 acres per year and up to 5,000 acres over the life of the plan.

> "Habitat protection projects would include seeding fire resistant vegetation and some native species in strips along sagebrush/cheatgrass interface areas on the margin of the habitat restoration blocks …. pre-treatments would include herbicide, mechanical, and prescribed burning, singly or in conjunction depending on the site and existing vegetation. Once the initial strip is established, additional strips would be established extending outward into the cheatgrass areas (Montana Mountains EA, pg 8)."

In addition to reclaiming areas currently dominated by cheatgrass, habitat restoration treatments also address re-establishing native species in cheatgrass "die-offs" where natural soil pathogens have caused stand-replacement failures. These stand-replacement failures are common in the area where treatments are proposed. Similar treatments, such as seeding and hand-planting, are used to restore these areas.

> "The cheatgrass in these areas has died off and presents an opportunity to re-establish native and/or introduced vegetation with little to no pre-treatment (to remove cheatgrass biomass). Potential pre-treatments include site preparation (mechanical or prescribed fire) and chemical treatments. Following pre-treating, re-seeding to establish native shrubs and native grasses… (Montana Mountains EA, pg 8)."

The goal of these restoration treatments is to replace invasive annuals with native perennials in areas adjacent to high-quality wildlife habitat. This conversion would expand available habitat for Greater sage-grouse, reduce habitat fragmentation and also help meet the following hazardous fuels objectives: reduce fuel loading of light flashy fuels, reduce fuel continuity, and improve the resilience of sagebrush habitat to wildfire.

Restoration treatments include mowing, herbicide (i.e., aerial or ground base), seeding (i.e., drilled or broadcast), prescribed fire (i.e., pre-treatment to remove cheatgrass residual thatch) and hand-planting. Concerns regarding the potential removal of sagebrush led to the acreage limitation on restoration treatments during scoping and project development. However, due to the impacts of the Holloway fire (August 2012), which occurred after the completion of the Montana Mountains EA, sagebrush removal treatments may not be necessary for restoration purposes and are not proposed here.

The acreage cap analyzed in the EA was designed to limit the disturbance of sagebrush. However, the cap was applied to all restoration treatments and forced an unnecessary acreage cap on other treatments such as seeding and hand-planting. The BLM proposes to remove the annual and total acreage limit for restoration treatments (i.e., herbicide application, seeding, prescribed fire, and hand-planting); the caps for any sagebrush removal treatments would remain in place. Restoration of Greater sage-grouse habitat is the Bureau's highest resource priority and this federal action would help to meet the Bureau's goal. Additionally, replacing cheatgrass with native perennials lowers the fire risk that could impact Lahontan cutthroat habitat and improves ecosystem resiliency in the event of a subsequent wildfire.

Proposed Action

The proposed action would remove the annual acreage cap and the total acreage cap for herbicide application, seeding, prescribed fire (i.e., seedbed preparation only) and hand-planting restoration treatments on the Montana Mountains. The acreage caps for sagebrush mowing would remain in place. This DNA does not evaluate NEPA adequacy for any treatments which would remove sagebrush. By removing the acreage caps, strips wider than 300 feet would be amenable for treatment; all treatments would be more similar to "die-off" block treatments in configuration. The total disturbed area for all treatments which was analyzed in the EA (14,313 acres) would not be surpassed by this proposed action even when combined with past approved actions under the EA. All areas identified for treatment are currently dominated by invasive annual grasses.

A description of treatments methods can be found on pages 5-6 from the EA:

> Herbicide Treatment
> The herbicides Imazapic and Glyphosate would be used to remove undesirable vegetation and hazardous fuels and control the growth of annual species such as cheatgrass, tumble mustard, and Russian thistle.
>
> Herbicides would be applied in the spring or fall by aircraft, truck, or UTV; herbicide may also be applied with crews utilizing backpack pumps to spray noxious weeds or annual invasive species.
>
> Seeding Treatment
> Portions of treated areas would be seeded or planted in the fall after any applicable mechanical treatments and/or herbicide treatments are completed, depending on degree of surface disturbance and type of understory vegetation. Where possible, seeding would occur in areas where there is no spring grazing or where rest rotation grazing occurs to allow for seeds to establish.
>
> Seed would be planted using a rangeland drill seeder or broadcasted utilizing an ATV, a tractor, or by aircraft. Hand planting of shrub seedlings would also occur where applicable.
>
> Prescribed Fire
> Use of prescribed fire is proposed to pre-treat the cheatgrass die off areas if cheatgrass biomass is great enough to inhibit seeding treatments. Prescribed fire treatments would adhere to BLM policy and guidance. Prior to implementing burning, a prescribed fire burn plan would be prepared, which addresses burn complexity, appropriate personnel and suppression equipment, fire weather, permits and contingency planning.

Treatments may require maintenance in subsequent years due to site and climate conditions. Maintenance treatments would not be counted towards the total disturbed acreage. Only native species would be seeded for restoration.

Environmental Protection Measures
Design measures from the EA and applicable to the proposed action. Two design features, pertaining to cultural resources avoidance, are combined here for convenience.

1. Herbicide application rates (range of rates) and application would be subject to label restrictions and standard operating procedures (SOPs, See Appendix I in EA, attached).

2. All treatments identified would be in accordance with the Instruction Memorandums WO-IM-2012-043 Greater Sage-Grouse Interim Management Policies and Procedures, WO-IM-2010-149 Sage-grouse Conservation Related to Wildland Fire and Fuels Management, and Fuels Management Best Management Practices (BMPs) for Sage-Grouse Conservation as described in Appendix IV in EA.

3. For any proposed actions that are not performed outside of the migratory bird breeding season (March 1 – August 31), a migratory bird nesting survey would be conducted in potential habitat areas no more than 10 days and no less than 3 days prior to initiation of disturbance. If active nests are located, a minimum 260 ft. protective buffer would be established or activities delayed until the birds have completed nesting and brood-rearing activities.

4. All sites determined eligible or unevaluated to the National Register of Historic Places (NRHP) would be avoided during the course of this project. Avoidance buffers of at least 30 meters from NRHP eligible or unevaluated sites would be observed during project implementation. An archaeologist would be involved as detailed plans are developed for each phase of the implementation to ensure avoidance is factored into the detailed project designs. An archaeologist would review plans for each phase of the project's implementation to ensure avoidance of NRHP eligible or unevaluated sites.

5. Any unanticipated archeological discovery on BLM lands will be reported to a BLM archeologist and work in the immediate vicinity will stop until the Nevada State Historic Preservation Office is consulted.

6. Prior to implementation of treatments, pygmy rabbit surveys would be conducted in areas of suitable habitat. A 400 ft. avoidance buffer would be established around any active pygmy rabbit burrows and burrow complexes found. No removal or manipulation of sagebrush would occur within any 400ft. avoidance buffers established.

7. For any proposed actions that are implemented during the burrowing owl breeding season (March 1 – August 31), a burrowing owl survey would be conducted in potential habitat areas no more than 10 days and no less than 3 days prior to initiation of disturbance. If active burrows are located, a minimum 260 ft. protective buffer would be established or activities delayed until the birds have completed nesting and brood-rearing activities.

8. Existing documented populations of lonesome milkvetch that occur near proposed treatment areas would be flagged and avoided.

9. No disturbance activities would be conducted during the sage-grouse lekking and nesting seasons from March 1st through June 30th.

10. Existing vegetation would not be treated within ten feet of perennial drainages with mechanical treatments.

11. All terrestrial equipment (e.g., vehicles, hand tools, tractors, etc.) to be used in treatments would be washed offsite prior to being brought to the project site, to avoid spreading noxious weed seeds.

12. Any unanticipated vertebrate fossil discovery on BLM lands will be reported immediately to the Project Archaeologist. Potential impacts to significant paleontological resources would be mitigated through avoidance or data recovery.

13. Drill-seeding operations would be completed following the contour of the land as much as possible to reduce potential water erosion and impacts to visual resources.

14. Two weeks before herbicides are applied, the Chairman and Council of the Fort McDermitt Paiute and Shoshone Tribe would be notified in writing of when, where, and how herbicides would be applied.

Buffer Zones (From Appendix 1 of the EA)

Current buffer zones are based from consultation and coordination with the Nevada Department of Wildlife (NDOW) and the US Fish and Wildlife Service. Application of BLM approved herbicides by truck or ATV would be limited to within fifty feet from any existing open water sources (creek, cattle troughs, lakes, and ponds) and areas of exposed bedrock. Application of herbicide by backpack sprayer would not occur within fifty feet of any existing open water source. No application of herbicide by truck, backpack, or ATV would occur within fifty feet of Lahontan cutthroat trout streams. Additional buffers required when applying herbicide by aircraft would include no application within 150 feet from any existing open water sources (creek, cattle troughs, lakes, and ponds) and areas of exposed bedrock. No application of herbicide would occur within 300 feet of Lahontan Cutthroat Trout streams when applied by aircraft. Twenty foot buffer zones would be required on edges of all treated areas when herbicides are applied by aircraft to

reduce the potential for drift onto non-treatment areas. All label specific requirements would be adhered to, including the avoidance of areas where groundwater is expected at five feet or less below ground surface. Based on guidelines and conservation actions identified in the "Western Association of Fish and Wildlife Agencies-Guidelines to manage Sage-grouse populations and their habitats" (Connelly, et al, 2000), application of herbicide would not occur within ¼ mile of any known sage grouse lek sites.

B. Land Use Plan (LUP) Conformance

LUP Name Winnemucca District Resource Management Plan Date Approved May 2015

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions (Winnemucca District RMP):

Action Air Quality (AQ) 2.4: Reduce emissions from wildland fires by implementing strategically placed fuel treatments (e.g., prescribed fire, thinning, fuel breaks) to reduce fire size and smoke emissions.

Action Vegetation – Range (VR) 6.2: Protect healthy and recovering sagebrush stands by prioritizing fire suppression and constructing strategically placed fuel breaks.

Action Vegetation – Weeds (VW) 3.1: Implement and monitor treatments to control or eradicate invasive annual plants using ES&R treatments, use restrictions, seeding, chemical or biological control, prescriptive grazing, and other integrated weed management approaches.

Action VR 1.3: Restore and improve degraded rangelands and habitat and/or achieve vegetation management objectives by initiating land treatments. Use management tools, such as prescribed fire, prescribed grazing and fire for multiple objectives including for resource benefit, vegetation manipulation (mechanical, biological, and chemical treatments), fencing, seed and use restrictions. Allow natural recovery due to the presence of surviving perennial plants or a sufficient seed source.

Action Vegetation – Weeds (VW) 1.1: Use appropriate integrated vegetation treatments (e.g., chemical, mechanical, prescribed fire, prescribed grazing, cultural, and biological) for the control of invasive and noxious plants.

Action VR 4.2: Treat monocultures of cheatgrass and other non-native invasive and noxious plant communities by chemical, biological, prescribed grazing, prescribed fire, or mechanical methods. Treatment areas will be seeded to reestablish desired vegetation and stabilize soils. Prioritize restoration efforts on important habitat for wildlife and special status species.

Action VR 6.4: Mitigate habitat fragmentation within the sagebrush landscapes on a case-by-case basis.

Action FW 1.10: Improve, protect, and restore wildlife habitat using a combination of use restrictions and initiating land treatments. Use management tools, such as prescribed fire, prescribed grazing, vegetation manipulation (mechanical, biological, and chemical treatments), seeding, and fencing.

Action FW 5.1: Establish shrubs within mule deer habitat.

Action SSS 2.3: Implement habitat restoration treatments to facilitate delisting.

Action SSS 5.2: Protect sage-grouse habitat and achieve land health standards by implementing use restrictions (avoidance and exclusion areas and seasonal restrictions), stipulations and mitigation measures. In accordance with instruction memorandums WO IM 2012-043, IM 2012-039 and applicable updates, manage and protect greater sage-grouse habitat by incorporating the following principles:

1. Protection of un-fragmented habitats;
2. Minimization of habitat loss and fragmentation; and
3. Maintain, enhance or restore habitat conditions

Action CA-CR 1.1: Develop stipulations, use restrictions, and mitigation measures to avoid or reduce adverse impacts on cultural resources.

Action CA-CR 2.1: Cultural resources that are currently listed or are considered eligible for listing on the NRHP would be managed for conservation and protection. In cases where an adverse impact could result from a land use action, mitigation measures would be prescribed, preferably avoidance. Where avoidance is not appropriate, adverse impacts would be mitigated through the development and implementation of a data recovery program or other appropriate measures, in consultation with the Nevada SHPO and local Native American groups and in compliance with the programmatic agreement between BLM and SHPO.

Action PR 1.4: No discretionary activities would be authorized on public lands if they would knowingly disturb or alter, injure, or destroy scientifically important paleontological resources, unless impacts can be mitigated. Impacts on scientifically important paleontological resource sites from nondiscretionary actions would be mitigated prior to authorization.

Action TC 1.2: As appropriate, engage the relevant tribes in formal government-to-government consultation.

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

List by name, number and date (DR/FONSI or ROD) all applicable NEPA documents that cover the proposed action.

1. Name: Montana Mountains Cooperative Fuels Project EA
   NEPA ID: DOI-BLM-NV-WO10-2011-0005-EA

Date: August 2012
FONSI: 2 August 2012

2. Name: Vegetation Treatment Using Herbicide on Bureau of Land Management Lands in Seventeen Western States Programmatic EIS
NEPA ID: FES-07-21
Date: September 2007
Record of Decision: 29 September 2007

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).

IBLA Decision 2012-280, Western Watersheds Project versus Bureau of Land Management

Biological Assessment for the Montana Mountains Cooperative Fuels Treatment Project, March 2012

Letter of Concurrence from the USFWS for the Montana Mountains Cooperative Fuels Treatment Project, April 12, 2012

Sage-grouse Reproductive Characteristics and Habitat Use in the Montana Mountains, Nevada, 2005

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 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 lifting of the acreage cap for restoration treatments would not exceed the total disturbance cap analyzed in the EA. The cap analyzed in the EA was designed to limit the disturbance of sagebrush. However, the cap was applied to all restoration treatments and forced an unnecessary acreage cap on other treatments such as seeding and hand-planting. Removing the cap for other restoration treatments does not create a situation that would trigger further analysis. Further, the lifting of the acreage cap involves the same assessment area as was analyzed in the 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. The types of activities resulting from the acreage-cap removal are identical to those analyzed in the EA. The lifting of the cap would cause no new resource conflicts that would require any new alternatives to be assessed. The environmental concerns, interests and resource values have not changed since the completion of the Montana Mountains EA.

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, the existing analysis is still valid. No new information of circumstances would trigger the need to update the analysis. Due to recent policy changes, only native shrubs, grasses and forbs would be used for seeding treatments.

In April 2010, the U.S. Fish and Wildlife Service (FWS) determined that the Greater sage-grouse warranted protection under the Endangered Species Act (ESA), but that listing the species was precluded by the need to address other, higher-priority species first. The FWS Greater sage-grouse decision placed the species on the candidate list for future regulatory action. Because of a court-ordered settlement, the FWS has until 2015 to make a final determination on the listing the Greater sage-grouse under the ESA. BLM has developed draft guidance for the protection of sage-grouse priority habitats. BLM WO IM 2012-043, IM 2012-044, and NV IM 2015-017 provide guidance on how the BLM is to protect Greater sage-grouse priority habitat. Additionally, in June 2015, the proposed BLM and Forest Service Nevada and Northern California Greater Sage-Grouse Proposed Land Use Plan and Final Environmental Impact Statement was released. This action is consistent with these policy developments.

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, the implementation of the proposed action would result in direct, indirect and cumulative impacts that are similar as those analyzed in the EA and within the same assessment areas.

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

Yes. There was adequate public involvement in the original NEPA documents to cover this evaluation. A 30 day scoping period was held for the Montana Mountains EA in September of 2011. All substantive comments were addressed in the EA.

Native American Consultation was conducted during the development of the EA. As a result, two weeks prior to any herbicide application, the tribal council of the Fort

McDermitt Paiute and Shoshone Reservation would be notified of when, where and how herbicides would be applied. On August 10, 2015 letters were sent to Fort McDermitt Paiute and Shoshone Tribe and Summit Lake Paiute Tribe to make the tribes aware of this proposal.

E. Persons/Agencies/BLM Staff Consulted

Name /Title	Resource/Agency Represented	Signature/Date	Comments (Attach if more room is needed)
Mark Williams	Fire Management	/S/ Mark Williams	3 Aug 15
Tanner Whetstone	Cultural/Paleontology	/S/ Tanner Whetstone	8/11/2015
Tanner Whetstone	Native American Consultation	/S/ Tanner Whetstone	8/11/2015
Amanda Smith	Rangeland Management	/S/ Amanda Smith	8/12/15
Joey Carmosino	Recreation/Visual Resources	/S/Joey Carmosino	08-03-2015
Derek Messmer	Weeds	/S/ Mark Williams for Messmer	12 Aug 2015
Rob Burton	Air Quality/ SoilVegetation	/S/Rob Burton	8/11/2015
Bob Gibson	Hydrology/ Water Quality/Wetlands	/S/ Bob Gibson	8/11/15
Elise Brown	SSS/T&E/Wildlife	/S/ Elise Brown	8-11-15
Greg Lynch	Fisheries	/S/ Greg Lynch	8/11/15
Zwaantje Rorex	Lands with Wilderness Characteristics	/S/ Zwaantje Rorex	8/12/15
Lynn Ricci	NEPA Coordinator	/S/ Lynn B. Ricci	8/14/15

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.

[X] **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/ Mark Williams
Signature of Project Lead

/S/ Lynn B. Ricci
Signature of NEPA Coordinator

/S/ Aron C. King 8/17/15
Signature of the Responsible Official 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.