

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

Determination of NEPA Adequacy (DNA)

**Elko Guide Service SRP
DOI-BLM-NV-E000-2015-0006-DNA**

PREPARING OFFICE

U.S. Department of the Interior
Bureau of Land Management
Elko DO
3900 E. Idaho St.
Elko, NV 89815
(775) 753-0200



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**Prepared by
U.S. Department of the Interior
Bureau of Land Management
Elko District Office
Elko, NV**

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Chapter 1. Determination of NEPA Adequacy (DNA)

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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):

N/A

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.

- Commercial Outfitter & Guide Special Recreation Permit Issuance DOI-BLM-NV-L000-2009.0008-EA and FONSI, 2009.
- Commercial Outfitter & Guide Special Recreation Permits NV-020-04-31 and FONSI, 2004.
- Commercial Outfitter & Guide Special Recreation Permit Issuance DOI-BLM-NV-2011-0078-EA and FONSI, 2014.

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).

- Nevada Statewide Wilderness Report, BLM, 1991
- H-6330 Management of Wilderness Study Areas
- H-2930-1 Recreation Permit and Fee Administration Handbook

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, the new proposed action is essentially similar to the proposed actions analyzed in the existing NEPA documents and selected for implementation. The proposed project area is not within the same analysis area, but is geographically and has resource conditions similar to those analyzed in the existing NEPA documents. A description of the Wilderness Study Areas can be found in the Nevada Statewide Wilderness Report (BLM, 1991). The WSAs in the proposed project area are managed under the H-6330 Management of Wilderness Study Areas until Congress designates them as wilderness or releases them for other purposes. The areas must be managed in a manner so as to not impair the suitability of the areas for preservation as wilderness. The H-6330 allows outfitters and guides as long as their activities meet the non-impairment standard.

While the Wilderness Act prohibits commercial enterprise in wilderness areas, it also provided an exception for commercial services that are necessary for activities that are proper for realizing

recreational or other wilderness purposes of the areas. Outfitters and guides are generally covered by this exception and allowed to operate within wilderness areas as long as their use does not impact the wilderness values of those areas. Enhanced recreation opportunities in wilderness would have the potential to increase appreciation for wilderness resources and the wilderness experience.

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 value?

Yes, the range of alternatives analyzed in the existing NEPA documents is appropriate with respect to the new proposed action. The existing EAs analyze the Proposed Action of issuing an SRP and the No Action alternative.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, 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 valid and adequate in light of new circumstances. There has been a U.S. Fish and Wildlife Service (FWS) review regarding the status of the greater sage grouse and a BLM policy change regarding management of sage grouse. The recent changes include the designation of the Greater Sage-Grouse as a Candidate species in March 2010 and the de-listing of the Bald Eagle in 2007 under the Endangered Species Act (ESA). BLM has issued the Proposed Nevada and Northeastern California Greater Sage Grouse Land Use Plan Amendment and Final EIS; however the Record of Decision has yet to be signed. These changes do not affect the existing analysis or its application to the new proposed action. The stipulations in the Commercial Outfitter & Guide Special Recreation Permit Issuance EA analysis mitigate any potential impacts of O&G activities within sage grouse habitat. Outfitter and Guides with Special Recreation Permits operate throughout the entire Elko District and impacts from these activities on sage grouse would be mitigated due to the stipulations that Guides must adhere to in order to keep the permit valid.

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 direct, indirect and cumulative effects of the new proposed action would be similar to, if not the same as, those analyzed in the existing NEPA document. Direct, indirect and cumulative effects were analyzed in the following places:

- Commercial Outfitter & Guide Special Recreation Permit Issuance DOI-BLM-NV-L000-2009.0008-EA Section III Affected Environment and Environmental Consequences and in section IV Cumulative Impacts- Past Present, and Reasonably Foreseeable Future Actions.
- Commercial Outfitter and Guide Special Recreation Permits NV-020-04-31 Section Affected Environment and in the Cumulative Impact Analysis.
- Commercial Outfitter & Guide Special Recreation Permit Issuance DOI-BLM-NV-2011-0078-EA in Chapter 3 Affected Environment and Environmental Consequences and Chapter 4 Cumulative Impacts- Past Present, and Reasonably Foreseeable Future Actions.

Stipulations would also be attached to the permit to address any site-specific impacts that could occur.

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

Yes, issues addressed in the EAs were identified as follows:

- Commercial Outfitter & Guide Special Recreation Permit Issuance DOI-BLM-NV-L000-2009.0008-EA - through internal scoping through meetings with BLM Resource Specialists and public scoping, comment and review. A letter was sent out to interested and affected parties notifying them of the proposal, the 30 day comment and review period, and the document's availability on the BLM website.
- Commercial Outfitter and Guide Special Recreation Permits NV-020-04-31 - through internal scoping through meetings with BLM Resource Specialists.
- Commercial Outfitter & Guide Special Recreation Permit Issuance DOI-BLM-NV-2011-0078-EA - internal scoping for this EA was originally conducted between March and July, 2011. Additional internal scoping was conducted in December 2013 and January 2014.

E. Persons/Agencies/BLM Staff Consulted

Table 1.1. List of Preparers

Name	Role	Discipline
Richard Adams /s/ RA 6/29	Reviewer	Field Manager
Deborah McFarlane /s/ DNM 6/11/15	Reviewer	Assistant Field Manager
Shawn Servoss /s/ SRS 6/29	Reviewer	Assistant Field Manager
Bryan Mulligan /s/ BAM 6/26/15	Reviewer	Acting Field Manager
Melanie Mirati /s/ MM 6/17/15	Reviewer	Assistant Field Manager
Whitney Wirthlin /s/ WW 6/15/15	Reviewer	Acting Assistant Field Manager
Terrell Dobis	Reviewer, NEPA and LUP Compliance	Planning & Environmental Coordinator
Jason Dobis	Team Lead	Acting Outdoor Recreation Planner

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 requirement of NEPA.

/s/ Jason J. Dobis

Signature of Project Lead

/s/ Terrell K. Dobis 6/6/15

Signature of NEPA Coordinator

/s/ Richard E. Adams, Acting

Signature of the Authorized Officer

8/12/15

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 and appealable 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.