

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

OFFICE: Winnemucca District, Black Rock Field Office

TRACKING NUMBER: DOI-BLM-NV-W030-2015-0019-DNA

CASEFILE/PROJECT NUMBER: N-094270

PROPOSED ACTION TITLE/TYPE: Temporary Communication Facility

LOCATION/LEGAL DESCRIPTION: T. 34 N., R. 24 E., sec. 35, SW¹/₄SW¹/₄.

APPLICANT (if any): CommNet Wireless

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

The BLM has an obligation to provide public safety oversight, coordination and support for Special Recreation Permit (SRP) Events on public lands.

Commnet Wireless has submitted an application to provide communications for the BLM, including Law Enforcement (BLM and County), for the 2015 Burning Man Event, using a temporary portable facility also known as a Lite-site or Mast Mounted Cellular Antenna.

Due to the remote nature of the Burning Man Event, the temporary facility would be located on the Black Rock Playa within the Burning Man Event area at the Incident Command Post (ICP). This temporary facility would be used to provide reliable enhanced wireless communications for public safety and support at the event. Such types of communications include the ability for various law enforcement agencies to conduct enforcement, safety, security, compliance, and monitoring and resource protection efforts at the event; enhance the ability of regular government employees to conduct compliance, monitoring and resource protection efforts at the event.

Surface disturbance would be minimal; trucking the facility into the location on a trailer that is 15' wide x 28' long using the existing access routes. The temporary lite site tower is a monopole structure to be 60' tall with a base of 2½' x 3' and non-ground penetrating; it would site on a temporary base. The tower base would be 15' x 15' and would be grounded and secured in place using concrete blocks. Equipment to be added to the antenna to allow for communications includes six 8ft quad pole antennas, 6 remote radio units and one distribution box with two lines of fiber and two power and two cabinets and two 2 ft microwave dishes. A separate trailer would be used to house the cabinets would also be necessary this trailer is approximately 8½'x28'. Power would be supplied by generators that will already be present for the Event.

This type of temporary communication site proposed is different than the cell-on-

wheels (COW) facility used in the past. This tower would provide the necessary support for the proposed equipment for enhanced communications in this location.

The lite-site would be used during the Event’s peak operating days, August 17, 2015 – September 11, 2015. When the Event concludes the lite-site tower and all associated equipment and trailers would be removed.

They are proposing to use this facility annually for up to 15 years or as long as needed.

Additional Information: In 2012, the Black Rock Repeater was installed near the NCA on a plateau. This facility is used for internal BLM communications only.

B. Land Use Plan (LUP) Conformance

LUP Name: Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area Resource Management Plan (RMP) Date Approved: July 2004

Other document _____ Date Approved _____

Other document _____ Date Approved _____

*List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)

The proposed action in conformance with the applicable LUP because it is specifically provided for the following LUP decisions:

2.2.20 Recreation: REC-2: Permit systems may be implemented to mitigate resource impacts in area where visitation is causing resource damage, user conflict or crowding at attraction areas, or specific uses create safety concerns. (Note: Permits would be used to limit visitation numbers, increase education, or maintain public safety.)

The proposed action in is conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objective, terms, and conditions):

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.

Black Rock Repeater
DOI-BLM-NV-W030-2012-0013-EA

Decision Date: 8/10/2012

Burning Man 2012-2016 Special Recreation Permit
DOI-BLM-NV-W030-2012-0007-EA
Burning Man 2012-2016 Special Recreation Permit
Decision Date: 6/12/2012

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).

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 new proposed action is similar to the proposed action in the Black Rock Repeater EA. The Black Rock Repeater EA analyzed providing a communication facility in proximity to the Black Rock Desert just outside the National Conservation Area (NCA), in order to provide year round support for events on the Black Rock playa and provide a more efficient avenue for communication for law enforcement activities and emergency services within the area. Although mobile in nature the Black Rock repeater is expected to remain at the location long term. The proposed action would permit the mobile communication facility at the Event location for approximately a month.

The Black Rock repeater is positioned on a small plateau slightly above the playa; the proposed action would place a mobile temporary facility on the playa within the Burning Man Event area near the Incident Command Post (ICP). The resource conditions are sufficiently similar to those analyzed for the Burning Man Special Recreation Permit EA.

The Burning Man Special Recreation Permit EA discusses public health and safety and types of emergencies that are likely to occur at the event; natural or man-made. "The applicant must coordinate with emergency service providers and law enforcement agencies. The applicant must develop contingency plans for operations of critical health and safety services under adverse conditions including weather, natural or human caused disaster, or social unrest." The proposed action would allow for reliable and enhanced wireless communications for law enforcement, BLM employees and other emergency medical services, along with the Burning Man radio, to respond to emergencies in a timely manner.

In terms of visual impacts, the Burning Man Special Recreation Permit also examined the visual impact of the Burning Man Event on the viewshed of the playa. The entire

Burning Man event exceeds the Class II contrast criteria, but the impact is considered to be temporary in nature and limited to the duration of the event. This tower would be one of many features exceeding the Class II contrast criteria, but it would only be on the playa for one month at most.

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?

The range of alternatives analyzed in the existing Burning Man Special Recreation Permit EA evaluated alternatives ranging from 50,000 to 70,000 participants at a special recreation event that is a combination art festival, social event and experiment in community living, to last approximately eight weeks from set-up to tear down and clean up.

The proposed action could have a temporary short term affect to historic visual resources in vicinity to portions of the Nobles Trail and a short segment of the National Desert Trail south of Trego Hot Springs. These were evaluated and due to the temporary nature of the event the visual impacts would be short term and temporary.

Soils in the vicinity of the proposed action and Burning Man Event are made of eleven soil units, mostly playas. The proposed project would sit on the surface similar to a recreational vehicle; typically a grounding stake or wire is installed for electrical safety. This may create a very small hole. Design measure implemented for excavation of pits and/or holes in the Burning Man Special Recreation Permit EA would apply.

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 Burning Man Special Recreation Permit EA analysis is still valid. The proposed action would not have a direct or indirect effect on rangeland health, endangered species or sensitive species. The increase of noise, light and human presence in the proposed project area is accounted for with mitigation measures and design features incorporated into a permit. The addition of a mobile communication facility to the area would add another visual feature but is not significantly different than other emergency or operational facilities deployed for the Burning Man event.

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 listing the Greater Sage-Grouse under the ESA. BLM has developed draft guidance for the protection of sage-grouse 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 habitat. Given the new information on Greater Sage-Grouse, the proposed action would occur outside of Core (PPH), Priority (PGH), and General habitat. Therefore, the analyses conducted in existing NEPA documents are still valid because the Proposed Action would not affect any known Greater Sage-Grouse habitat.

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. Both the Burning Man Special Recreation Permit EA and Black Rock Repeater EA direct, indirect and cumulative effects from the proposed action are similar to those analyzed in the above referenced documents. The installation, temporary or long term, of facilities to provide enhanced and reliable communications for public health and safety is an integral part of BLM and applicant responsibilities.

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

Yes. Internal and external scoping of both existing NEPA documents was completed and is adequate for the proposed action. Concerns raised were addressed some revisions or additional analysis was completed.

Native American Tribes were contacted and no issues or concerns were brought forward for the Black Rock Repeater project.

Native American Tribes contacted for the Burning Man Special Recreation Permit were concerned about revisions to traffic signage and control response and debris removal were addressed and recommended mitigation measures were included.

Internal scoping of the proposed project with BLM and Pershing County Law Enforcement supported the project to meet the public health and safety objective stated above.

Informal scoping conducted with the Burning Man organization where they raised concerns about the presences of cellular communications and how it changes the “culture” of the event for them and their participants.

E. Persons/Agencies/BLM Staff Consulted

Name /Title	Resource/Agency Represented	Signature/Date	Comments (Attach if more room is needed)
Julie McKinnon, Realty Specialist	Lands and Realty, BLM	/s/Julie McKinnon 8/18/2015	
Jon Young, Burning Man Law Enforcement	BLM	/s/Jon Young 8/18/2015	
David Freiberg, Outdoor Recreation Planner	Outdoor Recreation Planner, BLM	/s/David Freiberg	
Mark Hall, Asst. Field Manager	Environmental Coordinator, BLM	/s/Mark E Hall 8/18/2015	none

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, 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/Julie McKinnon 8/18/15 _____
Signature of Project Lead

____/s/Mark E Hall 08-18-2015 _____
Signature of NEPA Coordinator

____/s/William Mack, Jr. _____ 8/18/15 _____
Signature of the Responsible Official Date
William Mack, Jr.

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.

