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

Office: Burns District, Three Rivers Resource Area
Tracking Number (DNA #): DOI-BLM-OR-B050-2015-0023-DNA
Case File/Project Number: Silvies, Emigrant, and Silver Creek (SES) Forest and Woodland Restoration EA (DOI-BLM-OR-BOSO-2010-0022-EA), June 2012
Proposed action Title/Type: Hay Creek Greater Sage-Grouse Habitat Restoration DNA
Location/Legal Description: 25,800 acres of the Silvies River Watershed (See Attached Map)
Applicant: BLM/Contractors/Permitted Woodcutters

A. Description of the proposed action and any applicable mitigation measures

The proposed action is for the Bureau of Land Management (BLM)/contractors/permitted woodcutters to remove western juniper to reduce fuel loads and to restore or maintain sage-steppe habitat on 25,800 acres within the Hay Creek Priority Area of Conservation (PAC) Restoration DNA area that is designated as preliminary priority habitat (PPH) and preliminary general habitat (See attached map).

The proposal is to utilize various methods of prescribed fire (such as underburn and pile burning) and mechanical treatments (such as thinning with chainsaws and machine piling); these are discussed below in detail. The project area treatment proposals are grouped into three distinct groups, based on the targeted vegetative communities: mountain big sagebrush-bunchgrasses communities, forest areas (predominately ponderosa pine stands), and big game browse/deciduous plant communities. The big game browse/deciduous plant communities include riparian areas, aspen, mountain mahogany, and bitterbrush stands. These communities are intermixed within the forested areas as well as the mountain big sagebrush/bunchgrass communities. Twenty-three project design elements (PDE), for protection or maintenance of specific resource values, have been incorporated into the proposed action. These actions will take place as conditions and anticipated funding allow over the next 10 to 15 years. The scheduling of the burning of piles during the implementation period is dependent upon weather, fuel conditions, project funding, and agreements with grazing permittees and cooperating landowners.

Forested Areas Treatment

Objectives in these areas are to reduce hazardous fuel loading and the risk of sustained crown fires, to increase forest health, vigor, and resiliency to disturbances (such as fire, insects, and disease), and to improve wildlife habitat. The proposal is to thin and/or underburn overstocked pine stands and remove encroaching juniper. Untreated islands would be left to provide quality thermal and hiding cover for wildlife.

Within the treated areas, all juniper trees, except those displaying old-growth characteristics or obvious wildlife occupation, would be cut with chainsaws and piled either by hand or machine.

Understory and intermediate and co-dominant overstory ponderosa pine and other conifer trees could be thinned using variable tree spacing creating basal areas ranging from 40 to100 feet/acre. Thinning would retain the largest and best formed trees for overstory retention. All slash would be piled either by hand or machine depending on feasibility and resource concerns such as slope/terrain or special status species (SSS) concerns. All piles would be burned after the vegetation cured (vegetation should cure within 2 years). A prescribed underburn could be conducted 3 to 7 years after the initial treatments to further reduce surface fuels (litter, twigs, branches<3 inches) in the same stands.

If it is determined to be both economically and environmentally feasible, biomass could be sold and removed. The determination on whether or not biomass could be sold and removed would be determined by 1) the current market for biomass, 2) the ease of removing the biomass (topography, existing roads, right-of-ways), and 3) whether or not there is an environmental or cultural concern with the biomass removal treatment, such as SSS habitat or cultural resources. If biomass removal is utilized it would be accomplished using ground-based yarding systems. Removal of woody material due to these treatments would create skid trails and landings. Mechanical felling by hand-held chainsaws is expected on all trees selected for removal. Cut trees would likely be skidded to a landing, loaded on trucks, and hauled off site. Biomass utilization may involve the use of a small amount of temporary skid trails and the establishment of landing sites. There may be up to 0.25 miles of temporary skid trail use to accomplish biomass removal. Skid trails would only be performed where they are not environmental or cultural concerns. There would be no new road construction throughout the project. All created skid trails and landings would be closed and rehabilitated once the treatments are completed. Most of these treatments would utilize existing BLM controlled roads.

Mountain Big Sagebrush/Bunchgrass Communities Treatment

The objective in these areas is to restore and enhance existing mountain big sagebrush-bunchgrass and pine woodland communities to reduce fuel loading, improve stand conditions, and improve wildlife habitat. The management objective in these communities is to remove encroaching juniper and pine trees.

The principal treatments used to treat 70-90percent of these communities would be cutting encroaching juniper and piling the slash. In areas where this treatment is used, piles would be moved away from retained desired vegetation to the extent practical. Piling would be done by hand or mechanized equipment (such as excavator or feller buncher). Where ponderosa pine has expanded outside its historical niche, understory thinning, ranging from complete removal to a 22-foot spacing may occur. All piles would be burned under wet or frozen soil conditions after the vegetation has cured.

Cutting encroaching juniper and pine followed by jackpot burning after juniper has cured and/or juniper/pine cutting and leaving may be employed. The cutting and leaving activity would only be used in phase I juniper encroached sagebrush ecological sites where cut and left vegetation would not be considered to be a hazard. Broadcast fire would not be used in these communities. Similar to the forested treatments, if it is determined to be both economically and environmentally feasible, cut biomass could be sold and removed.

Big Game Browse Maintenance/Deciduous Vegetation Treatment

Mountain mahogany, bitterbrush, and aspen stands occur in varying size patches, ranging from less than an acre to 100 acres, throughout the forested areas and mountain big sagebrush and bunchgrass plant communities of the project area. In addition, several ephemeral and perennial streams and their associated riparian plant communities are found within the project area. Most of these communities have been encroached upon, and in some cases are being dominated, by encroaching juniper, pine, and other conifer trees. The proposal in these treatment areas is to remove encroaching vegetation. Under the proposed action, it is a management objective to treat 60–100percent of the project area that includes mountain mahogany or bitterbrush displaying juniper, pine, or other conifer encroachment occurring in blocks of at least 1/4 of an acre. An additional objective would be to treat 60-100percent of aspen stands or isolated groves of quaking aspen or deciduous woody riparian vegetation affected by juniper and other conifer encroachment.

Mechanical cutting would be the primary tactic used in these communities. Underburning may be utilized in addition to mechanical treatments or as a substitute for mechanical treatments in an effort to cut down on juniper and other conifer seedling establishment. All juniper trees, except those displaying old-growth characteristics or obvious wildlife occupation, would be cut and piled. Understory and intermediate and co-dominant overstory ponderosa pine and other conifer trees would be thinned using variable tree spacing creating basal areas ranging from 10 to 50 square feet per acre. If it is determined to be both economically and environmentally feasible, biomass could be sold and removed. All slash would be piled either by hand or machine depending on feasibility and resource concerns. All piles would be burned after the vegetation cured. Less than 20percent of the treatments in these communities may involve cutting the encroaching vegetation followed by jackpot burning and/or cutting and leaving the encroaching vegetation. The cutting and leaving activity would only be used in sparse fuels where it is determined not to be a hazard. Aspen stands and riparian areas could be fenced to protect suckers and seedlings from browsing animals. The need for fencing would be determined through vegetative monitoring by BLM specialists. Monitoring would determine if suckers and seedlings are being continuously browsed upon to the point that regeneration is reduced. If so, exclosure fences would be constructed. Big game exclosure fences would be built to Burns District BLM standards, which consist of woven wire from ground to at least 7 feet aboveground. If a big game exclosure fence is determined to be needed, it would remain in place until suckers or saplings attain a height that is above the reach of most grazing animals as determined by rangeland monitoring.

Project Design Elements

1. Protect cultural resource values throughout the life of the project. Archaeological inventory of the proposed treatment areas would be completed prior to any proposed treatments. Archaeological sites may be avoided within mechanical treatment units and activity generated fuels would not be piled within the boundaries of sites. Sites with combustible components would be protected during deployment of prescribed fire by black lining resources and use of appropriate

ignition techniques. The District Fuels Archaeologist would review burn plans prior to project implementation.

2. Protect special status vegetation species throughout the life of the project. Special status plant populations would be avoided within mechanical treatment units if it is determined to be necessary for their protection. Fire intolerant sensitive plants would be protected during deployment of prescribed fire by black lining resources and use of appropriate ignition techniques. The District Fuels Botanist would review burn plans prior to project implementation.

3. Protect special status wildlife species (fisheries and wildlife) habitat throughout the life of the project. Structures or areas with special status species (SSS) habitat value identified during wildlife and fish surveys would be protected during project implementation. The District Fuels Wildlife Biologist and the Three Rivers Fisheries Biologist would review burn plans prior to project implementation.

4. Sites that lack sufficient understory species, such as fully developed juniper woodlands or densely stocked pine stands, or areas burned at a high intensity (such as with pile burning), may require seeding following a prescribed fire treatment to attain the desired post-fire response. Mixtures of native or a native/nonnative mix of grass, forb (excluding forage kochia), and shrub seed may be applied to designated areas with aerial or ground-based methods. Candidate sites for seeding would be determined on a case-by-case basis as monitoring data is gathered. Monitoring data would include but is not limited to: severity of the prescribed fire (percent soil sterilization), condition of the site prior to burn, and monitoring the natural response to the burn.

5. No downed ponderosa pine logs greater than 15 inches diameter and no snags greater than 15 inches diameter at breast height (DBH) would be intentionally burned in any unit. Snags may be intentionally created if an area is determined to be snag deficient following mechanical and prescribed fire treatments. An area may be considered to be snag deficient if it has an average of less than 2.5 snags/acre.

6. Pastures that have been treated with pile burning treatment may be deferred or rested for at least one growing season following burning to allow for recovery of understory species. Pastures may be rested for up to two full years, or for a period that conforms to any new standards for rangeland fire recovery. The determination for rest would be based on site vegetative monitoring by measuring desirable plant maturation and abundance with respect to the ecological site.

7. The raking of deep duff around old-growth ponderosa pine trees, large snags, and large down woody debris may occur prior to prescribe burning if it is determined to be necessary to retain them.

8. Maintain suitable big game hiding and thermal cover. Ensure mountain mahogany stands and conifer islands continue to function as big game cover following treatments. Retain a minimum of 10 percent of expansion juniper and young pine stands within the project area to provide thermal and hiding cover for mule deer and elk.

9. Avoid manual cutting of pine and juniper with old-growth characteristics or obvious wildlife occupation (cavities or nests). Consider protection of such trees during prescribed fire operations.

10. All ponderosa pine stumps greater than 14 inches diameter created during the project may be treated with Sporax to guard against the threat of annosus (*Fomes annosus*) root disease. The determination to use Sporax would be based on the presence of existing annosus in adjacent timber stands.

11. Two years of goshawk inventory would be performed prior to any implementation of the proposed action on any given forested area.

12. Prior to treatment of prescribed fire and mechanical treatment units, noxious weed populations in the area would be inventoried. Weed populations identified in or adjacent to the project area would be treated using the most appropriate methods in accordance with the Noxious Weed Management Program Environmental Assessment (EA)/Decision Record (DR), OR-020-98-05 or subsequent decision.

13. Risk of noxious weed introduction would be minimized by ensuring all equipment (including all machinery, 4-wheelers, and pickup trucks) is cleaned prior to entry to the site, minimizing disturbance activities, and completing follow-up monitoring, for at least 3 years, to ensure no new noxious weed establishment. Should noxious weeds be found, appropriate control treatments would be performed in conformance with the Noxious Weed Management Program EA/DR, OR-020-98-05 or subsequent decision.

14. Piles and cut juniper would be jackpot burned when soil moisture is high or under frozen soil conditions to reduce threat of soil sterilization and to maintain the existing shrub and herbaceous plant communities to the extent practical.

15. Prescribed burning would follow the Oregon State Smoke Management Plan in order to protect air quality and reduce health and visibility impacts on designated areas.

16. Any road damaged during treatments by vehicles, or equipment, or anything related to treatments would be restored to its previous standard including maintaining adequate drainage to provide for resource protection.

17. Dispersed campsites identified within the project area would not be intentionally burned during broadcast burn operations. Protection would be considered for

islands of trees of sufficient size around identified campsites to protect cultural and recreation values.

18. Limit the amount of mechanized equipment in riparian areas. Landings, machine piles, and any skid trails would be kept out of riparian areas.

19. Prior to beginning operations requiring any fuel tanks or fuel handling at the site, the contractor or BLM would develop and submit to the authorized officer a spill contingency plan.

20. The use of heavy equipment would occur under dry or frozen soil conditions to limit impacts. This includes activities such as timber removal and machine piling.

21. Should post-treatment monitoring indicate that adverse resource impacts are occurring due to use by motorized vehicles, a temporary closure on use of motorized vehicles in areas being affected may be utilized.

22. Basal Area Spacing – The intent of the silvicultural prescription is to leave a natural appearing forest. Varied tree spacing, as opposed to even spacing is desired. Some tree clumping for stand diversity would be left as well as some gaps for understory vegetation. Retained basal area would vary allowing some areas with higher and others with lower basal area to provide different types of wildlife cover. In areas where basal area spacing cannot be achieved, a spacing of 22 feet by 22 feet would be established.

23. Any temporary skid trail construction would be decommissioned and rehabilitated once treatments in the area have been completed. Skid trail use would be limited to the dry season, May 1 to October 15, or as determined by the authorized officer. Temporary skid trails would be located along ridge tops and flat areas away from streams and drainages to reduce or eliminate sedimentation. All decommissioned temporary skid trails would be ripped, water bared and reseeded with a BLM approved seed mix developed by an interdisciplinary team (IDT) to reduce soil erosion and weed establishment. Water bar placement would follow the suggestions of Oregon's Forest Protection Laws for slope and soil type.

24. Site specific burn plans would be written and adhered to for any of the prescribed fire treatments within the project area. All burn plans would adhere to the aforementioned PDEs. The burn plan would outline the specific prescriptions and atmospheric conditions that the prescribed fire would take place in. Burn Plans outline mitigating measures for air quality and fire management to include prescribed fires and slash pile burning being planned for implementation when atmospheric conditions promote good smoke dispersion into the atmosphere. These conditions would be adequate mixing height, transport wind speed, and wind direction. Coordination with other prescribed fire projects occurring at the same time may be necessary. Piles should be burned when fuel moistures within the piles are low enough to promote efficient burning, thus reducing smoke

production. Prescribed fire and pile burning ignitions should be planned to curtail fire smoldering long into the night to minimize smoke pooling into the Silvies River Drainage and/or the Silver Creek Valley. A proximity analysis of all units indicated the greater Burns, Hines and Riley areas may be potentially impacted. In addition, developed campsites, various roads and Highways 20 and 395 may be potentially impacted. Subsequent site specific burn plans should contain a contact list of residents, other interested Federal, State and local agencies and/or other places of interest adjacent to the project area to communicate potential impacts. All burning should be coordinated with the Oregon Department of Forestry by following the Smoke Management Forecast and Instructions as issued by Salem Forestry Weather Center. Depending on the size or number of actual burn units or number of piles to be ignited, specific unit implementation consultation with the forecaster at the Oregon Department of Forestry may be necessary. Also, depending on the timing and type of burning, coordination with the Oregon Department of Transportation may be necessary.

B. Land Use Plan (LUP) Conformance

Three Rivers Resource Management Plan (RMP) Date Approved: September 1992

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

Supporting RMP Objectives:

- Fire Management 1 (RMP, p. 2-101): As determined through the values at risk analysis, maximize protection of life, property, and high value sensitive resources from the detrimental effects of wildfire.

- Fire Management 2 (RMP, p. 2-101): Consistent with the values at risk analysis, maximize the beneficial use of prescribed fire and wildfire to achieve other resource management objectives.

- Vegetation 1 (RMP, p. 2-51): Maintain, restore, or enhance the diversity of plant communities and plant species in abundances and distributions which prevent the loss of specific native plant community types or indigenous plant species within the resource area (RA).

- Wildlife 7 (RMP, p. 2-74): Restore, maintain, or enhance the diversity of plant communities and wildlife habitat in abundances and distribution which prevent the loss of specific native plant community types or indigenous wildlife species habitat within the RA.

- Grazing Management 1 (RMP, p. 2-33): Resolve resource conflicts and achieve management objectives as identified for each allotment.

- Soil Management 2 (RMP, p. 2-20): Rehabilitate areas with specific localized soil erosion problems and reduce accelerated (human influenced) sediment delivery to fluvial systems.

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

- SES Forest and Woodland Restoration EA (DOI-BLM-OR-BOSO-2010-0022-EA), June 2012.

- Finding of No Significant Impact (FONSI) and Decision Record (DR) for SES Forest and Woodland Restoration EA (DOI-BLM-OR-BOSO-2010-0022-EA), December 21, 2012.

- 1998 Burns District Noxious Weed Management Program EA (OR-020-98-05)

Project Objectives:

- Reduce western juniper encroachment into key wildlife habitat dominated by bitterbrush, mountain mahogany, aspen, or riparian hardwoods by 90 percent within the project area while maintaining habitat values.

- Reduce post-settlement western juniper density by 90 percent on low sagebrush/bunchgrass ecological sites that are targeted to improve sage-grouse habitat.

- Increase forage available to big game and other wildlife on public and privately owned lands in the project area while retaining adequate cover.

Greater Sage-Grouse Conservation Assessment and Strategy for Oregon, April 2011

- Goals: 1) maintain or enhance the current range and distribution of sagebrush habitats in Oregon, and 2) manage those habitats in a range of structural stages to benefit sage-grouse.

- Objectives: To maintain and enhance existing sagebrush habitats and enhance potential habitats that have been disturbed such that there is no net loss of sagebrush habitat.

Instruction Memorandum (IM) No. 2012-043, Greater Sage-Grouse Interim Management Policies and Procedures, December 2011

- Coordinate, plan, design, and implement vegetation treatments (e.g. pinyon/juniper removal, fuels treatments, green stripping) and associated effectiveness monitoring between Resources, Fuels Management, Emergency Stabilization, and Burned Area Rehabilitation programs to:

- Promote the maintenance of large intact sagebrush communities;
- Limit the expansion or dominance of invasive species, including cheatgrass;
- Maintain or improve soil site stability, hydrologic function, and biological integrity; and
- Enhance the native plant community, including the native shrub reference state in the *State and Transition Model*, with appropriate shrub, grass, and forb composition identified in the applicable ecological site description (ESD) where available.

- Where pinyon and juniper trees are encroaching on sagebrush plant communities, design treatments to increase cover of sagebrush and/or understory to (1) improve habitat for Greater Sage-Grouse; and (2) minimize avian predator perches and predation opportunities on Greater Sage-Grouse.

- Implement management actions, where appropriate, to improve degraded Greater Sage-Grouse habitats that have become encroached upon by shrubland or woodland species.

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 proposed action of this DNA is essentially the same as the proposed action analyzed in the SES Forest and Woodland Restoration EA (DOI-BLM-OR-BOSO-2010-0022-ES). The purpose of the proposed action is to move toward management objectives described in Three Rivers Resource Management Plan (RMP) within the SES Project area by reducing hazardous fuels, restoring plant communities, and improving wildlife habitat diversity. The emphasis on treatments in forested areas would be to reduce densities of small diameter trees and duff and litter accumulations. The emphasis in shrublands, woodlands, and riparian areas would be to move conditions toward historic species composition and structure while reducing fuels in the vicinity of the towns of Burns, Hines, and Riley, as well as of numerous ranches, homes, and dwellings. Burns, Hines, and Riley were identified as communities at risk in the Harney County Community Wildfire Protection Plan (CWPP 2005).

The differences in the Hay Creek Restoration proposed action and the SES Forest and Woodland Restoration EA are: The geographic area of the Hay Creek Restoration proposed action is more similar to the sagebrush steppe ecosystem of the analyzed decision than the ponderosa pine woodlands in the northern parts of the SES Forest and Woodland Restoration EA project area.

The location of the additional 25,800 acres would increase the original project boundary to 49,472 acres. The additional acres will be added to the north of the Emigrant Unit in the SES Forest and Woodland Restoration EA (See attached maps)

The proposed action consists of three separate treatments: cut, hand or machine pile, and burn piles. Under each treatment are management objectives and prescribed fire and/or mechanized activities that would be utilized to meet the objectives. Meeting the objectives described under each treatment should, in turn, satisfy the project objectives described in Chapter I, Purpose of and Need for Action. The Activities Section describes each of the prescribed fire and mechanical activities that would be utilized to meet the treatment objectives in detail. PDEs are the results of recommendations made by an IDT and approval by the deciding official. A detailed list of PDEs is presented in Section D of Chapter II (Alternatives Including the proposed action) and Section A of this DNA that pertain to the proposed conifer treatments. Treatments of juniper using cutting, machine piling, and pile burning are analyzed in the EA. The proposed action and PDEs would remain the same as those analyzed in the EA. Therefore, an analysis of the effects of the new proposed action would be the same as the proposed action analyzed in the SES Forest and Woodland Restoration EA.

The need for action is western juniper, ponderosa pine, and other conifers have encroached upon important plant communities (as described above) impacting biodiversity, hydrologic cycles, fauna, and nutrient cycling. Fuel accumulations (including duff and litter) have also occurred creating potential for large-scale, high-intensity wildfires threatening human life, property, and natural resources.

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 values?

Yes, the alternatives of the SES Forest and Woodland Restoration EA are still appropriate with respect to the new proposed action given current environmental concerns, interest, and resource values. The SES Forest and Woodland Restoration EA analyzed a No Action and Proposed action Alternative. The Proposed action Alternative utilized and analyzed a wide variety of management actions (treatments) necessary to improve and/or maintain sage-steppe ecosystems in the project area to meet resource objectives for wildlife habitat, diversity of vegetative communities, hydrologic processes, and other abiotic processes such as the nutrient cycle and soil stability.

Following the completion of the 2010 EA, the project area and the proposed project area have been designated as a Sage-grouse PAC. In addition to the PAC this area is now identified as the Hay Creek Invasive Species Assessment Project Planning Area (Hay Creek Fire and Invasives Assessment Tool (FIAT). This area is part of the US Department of the Interior (DOI) Bureau of Land Management (BLM) Greater Sage-Grouse Wildfire, Invasive Annual Grasses, and Conifer Expansion Assessment, Northern Great Basin, March 2015. Similar treatments are identified in the Assessment under the Habitat Recovery and Restoration section for the Hay Creek FIAT.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of Bureau of Land Management (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 analysis of the proposed action in the SES Forest and Woodland Restoration EA remains valid. No new threatened and endangered (T&E) or special status species (SSS) or environmental concerns have been identified in the project area since the 2012 EA and the signed FONSI/DR with the exception of the Greater Sage-Grouse becoming a candidate species for listing. The Greater Sage-Grouse Wildfire, Invasive Annual Grasses, and Conifer Expansion Assessment Northern Great Basin document (March 2015) identifies similar treatments in meeting objectives so this would not change the analysis of treating conifers using mechanical cut and pile treatments in the existing EA. Further, the proposed action meets goals and objectives of current management strategies to meet sage-grouse habitat needs (see Section C).The new proposed action adds 25,800 acres, and would impose no change in the analysis of the EA, because an analysis of the effects of the new proposed action would show the effects of the new proposed action to be similar to those of the EA that was analyzed.

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 proposed action from the SES Forest and Woodland Restoration EA analyzed juniper removal, machine piling, and pile burning as proposed in this decision to add 25,800 acres to the project area. Although we are adding 25,800 acres to the original analysis area, the cumulative effects to the resources discussed in the SES Forest and Woodland Restoration EA would be negligible due to the actual effects of the treatments and the vast amount of similar ecological sites in the area that are not proposed for treatments. Therefore, the direct, indirect, and cumulative effects of the action proposed in this DNA would be similar to those effects analyzed for the proposed action in the SES Forest and Woodland Restoration EA.

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

Yes, the proposed action from the SES Forest and Woodland Restoration EA and the proposed action in this DNA are within essentially the same analysis area and ecological sites, and the new proposed action would have the same environmental effects. Public involvement, groups of interest (see Section F below), and interagency review associated with the EA adequately covers the new proposed action. The Burns District sent out a scoping letter notifying the public of the DNA process and inviting them on a scoping tour of the proposed project area which took place on April 2, 2015. Two interested parties made it to the tour, the Oregon Department of Fish and Wildlife (ODFW) and the Burns Paiute Tribe Fish and Wildlife Department, and their responses to the process were in favor of the

proposed action to restore sagebrush habitat for sage-grouse and other associated sagebrush obligate species. Oregon Wild sent comments by email during the scoping period that stated their support for restoring sage-grouse habitat, but with concerns of removal of pre-settlement trees (addressed in the PDEs), building roads (not part of the proposed action), and other cultural resource issues such sensitive plants (addressed in the PDEs). The Oregon Natural Desert Association (ONDA) expressed concerns in a phone conversation, June 3, 2015, about resting treatment areas from livestock for two years and the use of forage kochia, a non-native sub-shrub. These concerns are addressed in PDEs 4 and 6.

E. Interdisciplinary Analysis:

Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

Specialist Signature and Date: Nick Miller 8/12/15
Nick Miller, Wildlife Biologist

Specialist Signature and Date: Carolyn Temple 8-19-15
Carolyn Temple, Fuels Archaeologist

Specialist Signature and Date: Lindsay Davies 8/18/15
Lindsay Davies, Fisheries Biologist

Specialist Signature and Date: Jon Reponen 8/12/2015
Jon Reponen, District Forester

Specialist Signature and Date: 8/12/15
Caryn Burri, Natural Resource Specialist (NRS) – Botany

Specialist Signature and Date: Eric Haakenson 8-12-15
Eric Haakenson, Outdoor Recreation Planner

Specialist Signature and Date: Ronda Purdy 8/12/15
Ronda Purdy, Range Technician

Specialist Signature and Date: Travis Miller 8/18/15
Travis Miller, Range Management Specialist

Specialist Signature and Date: 8/13/2015
Bill Dragt, Supervisory NRS

Specialist Signature and Date: Lesley Richman 8/18/2015
Lesley Richman, District Weed Coordinator

Specialist Signature and Date: Chad Rott 9/1/15
Chad Rott, District Fuels Specialist

Note: Refer to the EA/Environmental Impact Statement (EIS) for a complete list of the team members participating in the preparation of the original EA or planning documents.

F. Others Consulted:

Identify other individuals, agencies, or entities that were consulted with as part of completing the NEPA analysis.

Burns Paiute Tribe
Emigrant Creek Ranger District
Grazing Permittees
Harney County Courthouse
Harney County Soil and Water Conservation District
Harney County Watershed Council
Oregon Department of Fish and Wildlife
Oregon Natural Resources Council
Private Land Owners

G. 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 requirements of the NEPA.

Signature Sean Rothwell Date: 8-12-15
Project Lead: Sean Rothwell, Fuels Planner

Signature Holly Orr Date: 9/1/15
NEPA Coordinator: Holly Orr, District Planning and Environmental Coordinator

Signature Richard Roy Date: 9/1/15
Responsible Official: Richard Roy, Three Rivers Resource Area Field Manager

Decision: It is my decision to implement the proposed action with PDEs as described above.

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be mailed to the Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days of receipt of the decision. The appellant has the burden of showing the decision appealed is in error.

A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal did not include a statement of reasons for the appeal, it must be sent to IBLA, Office of Hearings and Appeals,

801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

Appeal Procedure:

You have the right to appeal to the IBLA, Office of the Secretary, within 30 days of receipt of this decision in accordance with regulations at 43 CFR 4.4. An appeal should be in writing and specify the reasons, clearly and concisely, why you think the decision is in error. A notice of appeal and/or request for stay electronically transmitted (e.g. email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper. If an appeal is taken, your notice of appeal must be filed with Richard Roy, Field Manager, Three Rivers Resource Area, Burns District Office at 28910 Highway 20 West, Hines, Oregon 97738. The appellant has the burden of showing that the decision is in error.

A copy of the appeal, statement of reasons, and all other supporting documents should also be sent to the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, Oregon 97205. If the notice of appeal does not include a statement of reasons for the appeal, it must be sent to the IBLA, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

The appellant may wish to file a petition for a stay (suspension) of this decision during the time that the appeal is being reviewed by the Board; pursuant to 43 CFR 4.21(b) the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must be submitted to each party named in this decision and to the IBLA and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for obtaining a stay—except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards (43 CFR 4.21(b)):

(1) The relative harm to the parties if the stay is granted or denied,
(2) The likelihood of the appellant's success on the merits,
(3) The likelihood of immediate and irreparable harm if the stay is not granted, and
(4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer. It must be printed or typed on paper and must be served in person or by certified mail.

Authorized Officer: Richard Roy, Three Rivers Resource Area Field Manager

Signature: Richard Roy Date: 9/1/15

Hay Creek Greater Sage-Grouse Habitat Restoration DNA