

# Determination of NEPA Adequacy (DNA)

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

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## A. Background

BLM Office: Prineville Oregon

NEPA Log #: DOI-BLM-ORWA-P000-2016-0006-DNA

**Location:** T15S R31E Section 33, 6.5 miles north of Seneca, Oregon, Grant County, 44° 13' 23" x -119° 00' 16"

**Proposed Action Title:** Swick Creek Prescribed fire

### Description of the Proposed Action

The proposed action is to allow the Malheur National Forest to use prescribed fire on 160 acres of forested BLM managed public land concurrently with prescribed fire the Malheur National Forest intends to conduct in the same general area. Underburning is the use of low intensity prescribed fire to reduce ground fuel loading. The proposed under burning on this parcel would be conducted between March 1<sup>st</sup> and May 31<sup>st</sup>. Monitoring would be conducted after each growing season to determine if recovery was sufficient to allow grazing to be allowed.

### Background

The Malheur National Forest analyzed 13,700 acres of prescribed fire in the the Damon Wildland Urban Interface Project Environmental Assessment (EA) and issued a decision in June 2010. The EA and decision are available at: <http://www.fs.usda.gov/project/?project=24314> . Although the surrounding National Forest lands were analyzed for prescribed fire in the EA, an isolated 160 acre block of BLM managed public land within the project area was not included in the analysis.

Burning the BLM parcel in conjunction with the larger Forest Service project would reduce the need for constructed fire lines by enabling the burning to occur "road to road." Burning the BLM parcel would accomplish the same objectives as those described in the Damon EA, including reducing fire hazard through fuel reduction, improving vegetative condition, improving habitat for a variety of wildlife species, and minimizing losses to commercial tree species.

## B. Land Use Plan Conformance

**Land Use Plan Name:** *John Day Basin Resource Management Plan*

**Date approved (ROD):** *April, 2015.*

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

**Objective F1, page 34:**

*Provide for the safety of firefighters and the public from the effects of wildland fire. Restore and maintain the integrity of ecosystems.*

**Management Actions**

- 1. Accomplish prescribed burns in accordance with approved fire management plans (see glossary), prescribed fire plans (see glossary), and the State of Oregon smoke management plan (ODEQ 2006a; ODEQ 2006b).*

**Objective W1, page 56:**

*Improve and maintain vegetative condition to benefit wildlife.*

**Management Actions**

- 1. Manage upland habitat for diversity to provide for a variety of wildlife.*
- 2. Maintain or improve habitat for threatened and endangered species.*
- 3. Maintain or improve winter range for deer and elk.*

**Objective W2, page 57:**

*Maintain or improve habitats to support healthy, productive, and diverse populations and communities of native plants and animals.....*

*Maintenance or improvement of habitats will consider habitat patch size, disturbance, quality and connectivity of habitats required to sustain wildlife. Provide effective wildlife habitat for individual species, groups of species, or habitats.*

**Management Actions**

- 1. Maintain or improve habitats using a variety of techniques, such as mowing vegetation, wildland fire, livestock grazing, commercial timber harvest, non-commercial tree cutting, planting, seeding, and water developments.*
- 2. Increase desirable big game browse species where appropriate.*

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

The following NEPA documents cover the proposed action:

Damon EA (Malheur National Forest June, 2010)

The following other documentation is relevant to the proposed action:

The Damon EA incorporates by reference the Fire and Fuels, Forest Vegetation, Aspen, Wildlife, Soils, Hydrology, Fisheries, Rangeland, Botany, Recreation, Visual Quality, Socio-Economic, and Heritage Specialist Reports. Copies of these reports, including the Biological Evaluation prepared for the USFWS are available at the Blue Mountain Ranger District, Malheur National Forest in John Day, Oregon, weekdays 7:45 am to 4:30 pm, excluding federal holidays.

## 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?**

The new proposed action, prescribed burning, is a feature of an alternative analyzed in the existing EA:

*“Underburning would be done to reduce surface fuels, reduce litter and duff depth, and increase canopy base height. Underburning is best used in areas with lighter fuel loads and is done over relatively large areas to reduce the need for constructed fire lines.”*

Damon EA, Proposed Action Overview, Page 11

The new proposed action does not substantially deviate from the original proposed action; it simply extends some of the treatments onto BLM managed lands. Also, the EA analyzed commercial thinning prior to underburning, whereas the new proposed action is to just underburn the BLM parcel. This would not change the predicted effects because the same levels of acceptable overstory mortality described in the burn plan and accompanying silvicultural prescription (and analyzed in the EA) would apply to both Forest Service and BLM lands.

The new proposed action is within the same analysis area. The effects of burning on the BLM lands would be essentially similar to the effects of burning analyzed in the Damon EA because the geographic and resource conditions are sufficiently similar as evidenced in the associated specialist reports.

The existing fuel loadings and canopy densities on the BLM lands are similar to those on the USFS lands proposed for burning, burning on the BLM parcel will be conducted between March 1<sup>st</sup> and May 31<sup>st</sup> to limit undesirable mortality to the overstory. See below for pictures of the BLM lands proposed for underburning.



**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?**

The range of alternatives is appropriate. Two alternatives were analyzed: no action and the proposed action. Nothing has changed that would alter the range of alternatives.

*“Rather than develop additional alternatives, the Proposed Action was substantially modified during the collaboration process using site-specific public input, including on-site visits with private landowners and interested members of the public, discussions with elected county officials, and interdisciplinary team knowledge of the planning area. The Proposed Action that*

*emerged from the 11 month long collaboration process (June 2008 – April 2009) and was primarily shaped by two main concerns; reducing the fire hazard and maintaining wildlife habitat. In some areas these two concerns could be reasonably met by minor design changes to the Proposed Action alternative. In other areas, fully meeting both concerns was not possible. A compromise was sought that would still provide some wildlife habitat while meeting the need to reduce fire hazard.” (Damon EA, Chapter 2, page 1)*

Although, there is only one action alternative, this alternative was developed and refined through a robust collaborative process. Public support for fuels reduction, including prescribed burning, is widespread and the peer reviewed scientific research supporting prescribed burning in ponderosa pine forests is prolific. The Damon EA is a relatively recent NEPA document and was developed using a collaborative process involving numerous stakeholders. There are no indications that the range of alternatives analyzed does not sufficiently address the current natural and sociopolitical environment.

**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 all new information and new circumstances would not substantially change the analysis of the new proposed action?**

There has been no change in circumstances and no new information that would alter the existing analysis. It remains valid for the new proposed action.

**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(s)?**

The BLM parcels are similar vegetation types as the USFS lands, and the qualitative effects to vegetation and wildlife habitat would therefore be the same as those analyzed in the existing EA. The additional prescribed burning that would occur in the analysis area is minimal (approximately 160 acres) compared to the 13,856 acres of underburning analyzed as the action alternative in the Damon EA. This one percent increase in acres treated would produce the same effects on all resources (Fire and Fuels, Forest Vegetation, Aspen, Wildlife, Soils, Hydrology, Fisheries, Rangeland, Botany, Recreation, Visual Quality, Socio-Economic, and Heritage) as those described in the EA.

The BLM completed a cultural resource field survey and submitted the report and finding of no effect to the Oregon State Historic Preservation Office (December 4, 2015). The proposed action has been designed to avoid impacts to historic properties for cultural sites 35GR953 and 35GR961. Compliance for Section 106 of the National Historic Preservation Act will be completed by early January 2016 for the BLM parcel. This information would have no

substantial change for the analysis.

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

The initial collaboration process for the Damon Project spanned 11 months, from June 2008 through April 2009, when it was selected as the second collaboration project to be undertaken by the Blue Mountains Forest Partners, and the first large landscape project on the Malheur National Forest. The collaboration process included meetings and several field trips. In March, 2009 the Proposed Action that was developed through the collaboration process was sent out to the public mailing list. This included Federal, State and local agencies, Grant County Court, Tribes, permittees, nearby property owners, advocacy groups, and the general public.

There are no indications that the collaboration process, interagency review and public involvement associated with the Damon projects are not adequate for this new proposed action.

**E. BLM preparers and reviewers**

<u>Name</u>	<u>Resource represented</u>
Sheldon Rhoden	Fire and Fuels Management
Christopher Anthony	Wildlife & Botany/Veg.
Theresa Holtzapple	Cultural
Steve Castillo	Forestry
Jimmy Eisner	Fisheries
Adam Belew	Range
Kirstin Heins	Recreation

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

Signature

Responsible official: H.F. "Chip" Faver 5.23.16  
H.F. "Chip" Faver Date  
Field Manager, Central Oregon Resource Area

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.

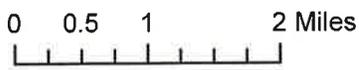
Contact Person

For additional information concerning this review, contact: Sheldon Rhoden, Fire Management Specialist, Prineville Field Office, 3050 NE 3rd Street, Prineville, OR 97754, telephone (541) 416-6780 or [srhoden@blm.gov](mailto:srhoden@blm.gov) .

# Swift Rx - Malheur NF Damon EA

## Legend

-  Project Area
-  Major Highways
-  BLM
-  U.S. Forest Service
-  National Park Service
-  U.S. Fish and Wildlife
-  Bureau of Indian Affairs
-  Other Federal
-  State
-  Local Government
-  Private/Unknown



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