

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

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**Office:** Burns District, Andrews Rivers Resource Area

**Tracking Number (DNA #):** DOI-BLM-ORWA-B060-2016-0001-DNA

**Case File/Project Number:** South Catlow Biological Thinning

**Proposed Action Title/Type:** South Catlow Biological Thinning

**Location/Legal Description:** South Catlow Allotment, W.M., T. 36 S., R. 31 E., sections 20–22, 27–29, 32–35; T. 37 S., R. 31 E., sections 2–5, 8–11, 13–17, 20–29, 32–36; T. 37 S., R. 32 E., sections 5, 8, 13–15, 17, 20–29, 32–36; and T. 37 S., R. 32.5 E., sections 7–9, 17–20, 29–31. See attached map.

**Applicant (if any):** Bureau of Land Management (BLM)/South Catlow Allotment Permittee and Adjacent Landowner

### **A. Description of the proposed action and project design elements**

The Bureau of Land Management (BLM) and South Catlow Allotment permittee and land owner propose to utilize biological thinning (cattle) within the South Catlow Allotment (on BLM-managed and private lands) to remove excessive build-up of fine fuels. Within the allotment, deep-rooted perennial grasses have been greatly reduced as determined through indicators of rangeland health completed in 2015, as well as photo monitoring and professional observation. This is likely due to perennial grasses being out-competed by sagebrush, which has become dominant due to lack of infrequent fire. This has resulted in the understory becoming dominated by annual grasses, especially cheatgrass (*Bromus tectorum* L.). The precipitation events over the last five years, especially late spring rains, have resulted in the accumulation of a large amount of fine fuel created by annual grass. Wildfire within the allotment under these conditions would be catastrophic and lead to an abiotic threshold, transitioning the ecological site to one dominated completely by annual grass, with limited to no shrub or perennial grass component (Natural Resources Conservation Service (NRCS) 2015).

As noted in 43 CFR 4190.1 Effect of wildfire management decisions. “(a) Notwithstanding the provisions of 43 CFR 4.21(a)(1), when BLM determines that vegetation, soil or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately.... Wildfire management includes but is not limited to: (1) Fuel reduction or fuel treatment such as ...biological thinning methods...” (emphasis added). Under this regulation, biological thinning would be allowed to occur within the South Catlow Allotment in order to biologically thin (by removal) fine fuels and reduce the risk of catastrophic wildfire. Biological thinning would have no effect on the South Catlow permittee’s permitted use, nor would it alter annual grazing management. Periods and intensity of biological thinning would be identified as the appropriate on-the-ground conditions exist (function of weather and plant phenology).

Proposed biological thinning would be allowed throughout the allotment, following the below project design elements. Generally, biological thinning would occur at the lower elevations (4,500 feet–4,700 feet) of the allotment, where annual grasses are prominent. Biological thinning would be authorized in areas dominated by annual grasses and in areas of perennial grasses where total utilization of above ground biomass of the perennial grasses is less than 40 percent. Biological thinning would follow the “Green and Brown” guide recommendations of Smith et al. (2012) for using ecologically-based invasive plant management. This would mean biological thinning would not be allowed when perennial species enter the boot stage until perennial grasses leave the flowering and seed development stage, when they are most sensitive to grazing damage. While the “Green and Brown” guide is focused on annual grasses, the recommendations are made to protect perennial species, and therefore would be applicable to all biological thinning.

Biological thinning would only be authorized if it had full interdisciplinary team (IDT) consensus and management approval. During periods of biological thinning, fuel in areas receiving treatment would be monitored to ensure compliance and to document the fuel reduction that has occurred. Monitoring would occur on a weekly basis, when road conditions allow access. Monitoring may consist of installing temporary utilization cages of approximately 5 feet by 5 feet in the treatment area, which would not be treated. The Ocular Estimate Method of utilization would be used as described in BLM Technical Reference 4400-3 Rangeland Monitoring: Utilization Studies. In addition, photo plots would be established and before and after biological thinning photos would be taken. Biological thinning would cease when monitoring shows livestock presence in areas of perennial grasses and above ground biomass of those perennial grasses is reduced by 50 percent (including any reduction caused by permitted livestock grazing and wildlife).

Biological thinning would be allowed using a cooperative agreement outlining the terms and conditions mentioned in this document (as well as any other terms and conditions that may be needed depending on the specific site) and approved by the IDT and management. The specific area(s) where biological thinning would occur would be identified on a map and included in the cooperative agreement. Supplements and water, if needed, would be allowed to be placed in these areas to help manage the movement of livestock while meeting their nutrient requirements. Where possible, these would be placed in areas of existing disturbance such as reservoirs, roadways, and salting locations, or on adjacent private property located within the allotment. When placed outside of these areas, cultural and botanical clearances would occur, and identified sites would be avoided. Any use occurring outside of the treatment area identified in the cooperative agreement may be subject to trespass actions. If trespass actions are carried out, that operator would no longer be authorized to participate in biological thinning treatments. If at any point the cooperative agreement is violated, biological thinning would immediately cease and that operator would no longer be authorized to participate in biological thinning treatments. Biological thinning permitting would occur under 43 CFR 4130.5(b)(1) which allows the authorized officer to authorize free use when the primary objective is “the management of vegetation to meet resource objectives...”

## **B. Land Use Plan (LUP) conformance**

Andrews Management Unit Resource Management Plan (RMP)/Record of Decision (ROD), approved August 2005, as amended by the Oregon Greater Sage-Grouse Approved RMP Amendment (ARMPA) and the ROD for the Great Basin Region including the Greater Sage-Grouse sub-regions of Idaho and southwestern Montana, Nevada and northeastern California, Oregon, and Utah, approved September 2015.

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

- Vegetation (RMP-24): Manage vegetation to achieve and maintain healthy watersheds.
- Rangelands (RMP-30): Goal 1 - Maintain, restore, or improve the integrity of desirable vegetation communities including perennial, native, and desirable introduced plant species. Provide for their continued existence and normal function in nutrient, water, and energy cycles. Goal 2 - Manage rangeland habitats so that forage, water, cover, structure, and security necessary to meet the life history requirements of wildlife are available on public lands.
- Grazing Management (RMP-54): Goal - Manage for a sustained level of livestock grazing while maintaining healthy public land resources.
- Noxious Weeds Inventory and Treatment (RMP-31): Goal - Control the introduction and proliferation of noxious weeds and reduce the extent and density of established populations to acceptable levels.

- Special Status Species (SSS) (RMP-34): Maintain, restore, or improve Special Status plant populations and animal habitats; manage public lands to conserve or contribute to the recovery of threatened or endangered species; and prevent future [Endangered Species Act] ESA listings.
- Wildlife (RMP-33): Goal - Provide diverse, structured, resilient, and connected habitat on a landscape level to support viable and sustainable populations of wildlife, fish, and other aquatic organisms.
- Wildland Fire Management (RMP-57): Goal 2 - Restore and maintain the integrity of ecosystems consistent with appropriate fire regimes and land uses.
- Fire (ARMPA ROD I-19, Table I-4): Identify and prioritize areas that are vulnerable to wildfires and prescribe actions important for [Greater Sage-Grouse] GRSG protection.
- Nonnative, Invasive Plant Species (ARMPA ROD I-19, Table I-4): Improve GRSG habitat by treating annual grasses.
- Special Status Species (ARMPA 2-3): Goal SSS 1 – Conserve, enhance, and restore the sagebrush ecosystem upon which GRSG populations depend in an effort to maintain and/or increase their abundance and distribution, in cooperation with other conservation partners.
- Vegetation (ARMPA 2-10): Goal VEG 1 – Increase the resistance of GRSG habitat to invasive annual grasses and the resiliency of GRSG habitat to disturbances such as fire and climate change to reduce habitat loss and fragmentation.
- Vegetation (ARMPA 2-10): Goal VEG 3 – Use integrated vegetation management to control, suppress, and eradicate invasive plant species per BLM Handbook H-1740-2. Apply ecologically based invasive plant management principles in developing responses to invasive plant species.
- Fire and Fuels Management (ARMPA 2-15): Objective FIRE 1 – Manage wildland fire and hazardous fuels to protect, enhance, and restore GRSG habitat.

The proposed action is in conformance with the LUP, as amended, and is specifically provided in the following LUP decisions:

- Vegetation (ARMPA 2-14): Management Decision VEG 14 - Allowable methods for vegetation treatment include mechanical, biological (including targeted grazing), chemical, or wildland fire or combinations of these general treatment categories.
- Vegetation (ARMPA 2-14): Management Decision VEG 21: Allowable methods of invasive plant control include mechanical, chemical, biological (including targeted grazing, biocides, and bio-controls), or prescribed fire or combinations of these methods. Treat areas that contain cheatgrass and other invasive or noxious species to minimize competition and favor establishment of desired species.

**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.

- Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan Environmental Assessment (EA) (DOI-BLM-OR-B060-2012-0047-EA), dated October 15, 2012.
- Holloway Wildfire Emergency Stabilization and Rehabilitation EA (DOI-BLM-OR-B060-2013-0003-EA), dated March 1, 2013.
- The Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EA (DOI-BLM-OR-B050-2014-0032-EA), dated October 2014.

- Integrated Invasive Plant Management for the Burns District Revised EA (DOI-BLM-OR-B000-2011-0041-EA), dated July 2015.

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).

- BLM National Sage-Grouse Habitat Conservation Strategy, approved November 2004.
- Greater Sage-Grouse Conservation Assessment and Strategy for Oregon, approved April 22, 2011.

#### **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?**

This determination of NEPA adequacy (DNA) proposed action is specifically provided for in the proposed action of the Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan EA on pages 26 and 27, the Holloway Wildfire Emergency Stabilization and Rehabilitation EA on pages 24–26, and the Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EA on pages 27–29.

The DNA proposed action was analyzed in detail in “Environmental Consequences”, Chapter III, of all three above documents. All components of the proposed action were included and analyzed in at least one of these documents, with most components being analyzed in all three.

The biological thinning that is being proposed is not in the same analysis area as the existing EAs; however, the analyses are sufficiently similar because the topography and vegetation are similar. Both the existing EAs and the proposed biological thinning occur in areas of lower elevation that consists of Wyoming big sagebrush and perennial grasses. The resource values present and affected in this DNA area are the same as those that were present and fully analyzed within at least one of the above mentioned EAs (cultural heritage, grazing management and rangelands, migratory birds, noxious weeds, riparian zones/wetlands and water quality, social and economic values, soils and biological soil crusts, SSS, upland vegetation, wilderness study areas (WSA), and wildlife and locally important species).

Therefore, an analysis of the effects of the proposed action for South Catlow biological thinning would be the same as for the proposed actions analyzed in the Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan EA, Holloway Wildfire Emergency Stabilization and Rehabilitation EA, and the Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EA.

**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 proposed biological thinning in the Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan, Holloway Wildfire Emergency Stabilization and Rehabilitation, and Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EAs are still appropriate with respect to the new proposed action given current environmental concerns, interests, and resource values. No issues were identified in the existing EAs that would generate additional alternatives and none were identified for this proposed action for the South Catlow biological thinning after internal interdisciplinary discussions.

**3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, or 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 analyses of the proposed actions in the Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan, Holloway Wildfire Emergency Stabilization and Rehabilitation, and Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EAs remain valid and sufficient in light of new information or circumstances. No new threatened and endangered (T & E) species or SSS or environmental concerns have been identified in the proposed DNA area since the 2012, 2013, and 2014 EAs for Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan, Holloway Wildfire Emergency Stabilization and Rehabilitation, and the Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans.

The proposed action meets goals and objectives of current management strategies to meet sage-grouse habitat needs. The above mentioned EAs all included both Priority Habitat Management Areas (PHMA), and General Habitat Management Areas (GHMA), as does the proposed South Catlow biological thinning area.

**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)?**

Each of the biological thinning locations is in a similar area to the proposed South Catlow biological thinning in regards to elevation (3,400 feet–8,200 feet) and Greater Sage-Grouse habitat (PHMA or GHMA), and Holloway Wildfire Emergency Stabilization and Rehabilitation EA included WSA. The direct, indirect, and cumulative effects of the current proposed action are unchanged from those identified in the Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan, Holloway Wildfire Emergency Stabilization and Rehabilitation, and Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EAs. There are no reasonably foreseeable future actions (RFFA) planned in the proposed biological thinning area. The EAs sufficiently document the site-specific impacts related to the current proposed action.

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

Interested publics and local, State and Federal agencies are fewer than those that participated in the Miller Homestead Fire Emergency Stabilization and Rehabilitation Plan, Holloway Wildfire Emergency Stabilization and Rehabilitation, and the Buzzard Complex Fire Emergency Stabilization and Rehabilitation Plans EAs and their issues and input were documented in the project file. Although there are different permittees in the South Catlow biological thinning area, the issues brought up were the same as those for the above mentioned EAs.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the NEPA analysis and preparation of this worksheet.

Andy Daniels, Wildlife Biologist: Andrew J Daniels 12/9/16  
Signature and Date

Jarod Lemos, Fisheries/Riparian Specialist: J Lemos 12/9/15  
Signature and Date

Caryn Burri, Botanist: [Signature] 12/10/15  
Signature and Date

for Eric Haakenson, Recreation: Mandy DeCristo 12/10/15  
Signature and Date

Tom Wilcox, Wilderness Specialist: [Signature] 12/10/2015  
Signature and Date

for Lesley Richman, District Weed Coordinator: [Signature] 12/8/15  
Signature and Date

Scott Thomas, District Archaeologist: [Signature] 12-8-15  
Signature and Date

Jamie McCormack, District Range Specialist: [Signature] 12/08/2015  
Signature and Date

Cam Swisher, Supervisory Natural Resource Specialist: Cam Swisher 12-10-15  
Signature and Date

Note: Refer to the EAs for a complete list of the team members participating in the preparation of the original environmental analyses or planning documents.

**F. Others Consulted:** Identify other individuals, agencies or entities that were consulted with as part of completing the NEPA analysis.

South Catlow Allotment Permittee  
Wildfire Collaborative

## G. Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable LUP and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

Autumn Toelle, Rangeland Management Specialist: Autumn Toelle 12-14-15  
Project Lead Signature and Date

Emily Erwin, Planning and Environmental Coordinator: Emily Erwin 12-14-15  
NEPA Coordinator Signature and Date

Rhonda Karges, Andrews/Steens Resource Area Field Manager: Rhonda Karges 12/14/15  
Responsible Official Signature and Date

## H. Authority

Authority for biological thinning is found under 43 Code of Federal Regulations (CFR) 4190.1 Effect of wildfire management decision (a) Notwithstanding the provisions of 43 CFR 4.21(a)(1), when BLM determines that vegetation, soil or other resources on the public lands are at substantial risk of wildfire due to drought, fuels buildup, or other reasons, or at immediate risk of erosion or other damage due to wildfire, BLM may make a rangeland wildfire management decision effective immediately. Wildfire management includes but is not limited to: (1) Fuel reduction or fuel treatment such as ... biological thinning methods. Under these regulations, implementation of biological thinning within the South Catlow Allotment in order to biologically thin (by removal) fine fuels buildup and reduce the risk of wildfire will be effective upon the date of the authorized officer's signature.

## I. Decision

It is my decision to implement the proposed action with project design elements as described above.

This decision is issued under 43 CFR 4190.1 and is effective immediately. The BLM has made the determination that vegetation, soil, or other resources on the public lands are at substantial risk of wildfire due to fuels buildup. Thus, notwithstanding the provisions of 43 CFR 4.21(a)(1), filing a notice of appeal under 43 CFR Part 4 does not automatically suspend the effect of the decision. Appeal of this decision may be made to the Interior Board of Land Appeals in accordance with 43 CFR 4.410. The Interior Board of Land Appeals must decide an appeal of this decision within 60 days after all pleadings have been filed, and within 180 days after the appeal was filed as contained in 43 CFR 4.416.

## Appeal Procedures

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal should be filed with the Andrew Resource Area Field Manager, Burns District Office, 28910 Highway 20 West, Hines, Oregon 97738, within 30 days following receipt of the final 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 the Interior Board of Land Appeals, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia 22203. It is suggested appeals be sent certified mail, return receipt requested.

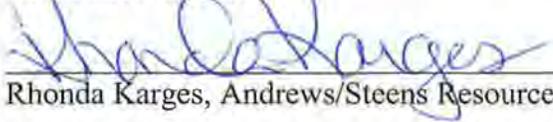
Standards for Obtaining a Stay except as otherwise provided by law or other pertinent regulation, a petition for a stay of decision pending appeal shall show sufficient justification based on the following standards (43 CFR 4.21(b)).

- (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.

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.

Authorized Officer:

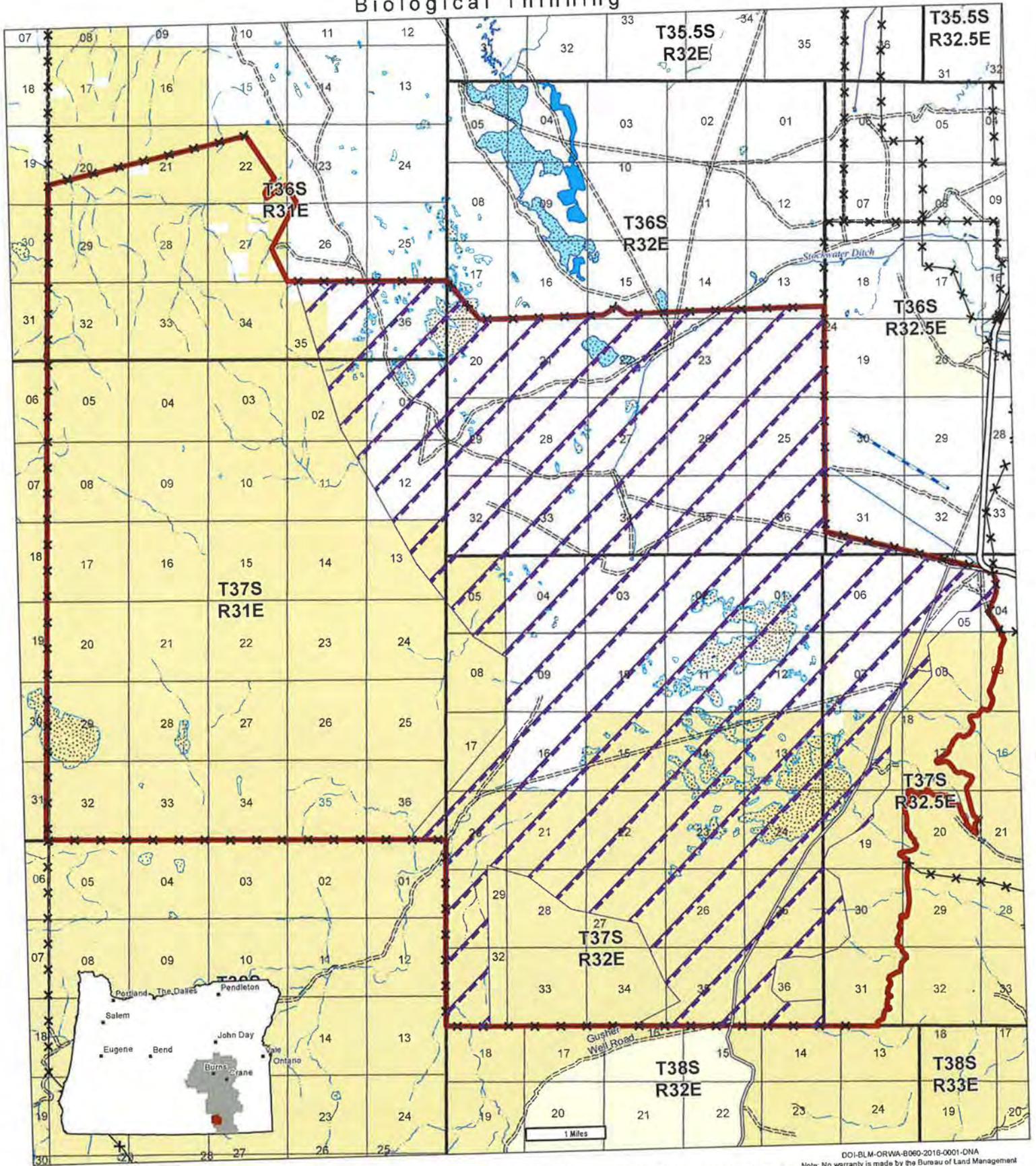


Rhonda Karges, Andrews/Steens Resource Area Field Manager

Date:

12/14/15

# South Catlow Allotment Biological Thinning



- |                                     |  |                   |                           |
|-------------------------------------|--|-------------------|---------------------------|
| South Catlow Allotment              | Bureau of Land Management<br>Private/Unknown | Intermittent Lake | Non-Paved Improved Road   |
| Fence                               | Perennial Lake                               | Playa             | Primitive/Unknown Surface |
| BLM Wilderness Study Area           | Perennial Lake                               | Paved Road        | Perennial Streams         |
| Authorized Biological Thinning Area |  |                   | Intermittent Streams      |

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 Note: No warranty is made by the Bureau of Land Management as to the accuracy, reliability or completeness of these data for individual or aggregate use with other data. Original data was compiled from various sources and may be updated without notification.

US DEPARTMENT OF THE INTERIOR  
 Bureau of Land Management  
 Burns District, Oregon

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