

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

FIELD OFFICE: Stillwater Field Office

NEPA NUMBER: DOI-BLM-NV-C010-2022-0001-DNA

CASEFILE PROJECT NUMBER: N/A

PROPOSED ACTION TITLE/TYPE: 2021 Indian Lakes Short-term Wild Horse and Burro Holding Facility Expansion, Fallon, NV

LOCATION/LEGAL DESCRIPTION: Mount Diablo Meridian Township 20 North, Range 29 East, section 35; Churchill County, Nevada; 5676 Indian Lakes Road, Fallon, Nevada 89406

APPLICANT (if any): Bureau of Land Management, Stillwater Field Office

A. Description of the Proposed Action and any applicable mitigation measures

The Bureau of Land Management (BLM) currently funds the Indian Lakes Facility in Fallon, an existing short-term holding facility (STH) for excess wild horses and burros and is proposing to fund an expansion of this facility. The existing facility is currently situated on 160 acres of private land. The proposed expansion would occur on three adjacent parcels that are owned by the contractor; these parcels encompass 238 acres of land (Map 1). The proposed expansion of the STH would allow for an increase from 3,200 excess wild horses and/or burros to approximately 7,600 excess wild horses and/or burros to be held at this STH. The expansion represents an increased area of 398 acres and an increase 4,400 wild horses and/or burros to be housed at the facility. The proposed expansion would encompass 238 acres adjacent to the project boundary analyzed in the original Environmental Assessment (EA) prepared in 2009 (Fallon Short-Term Holding Facility Environmental Assessment DOI-BLM-NV-C010-2009-0019-EA).

The proposed expansion would be constructed the same as the existing facility to ensure the health and welfare of excess wild horse and burros. The area of the proposed expansion is currently planted to alfalfa (*Medicago sativa*), which would be removed, and the area would then be graded to facilitate construction of the corrals and working facility (Map 2). This entire facility would be built using 1 1/8" solid polished rod for the fence rails and 3 1/2" oil field pipe for the support posts. The wild horses and/or burros would be housed in 44 pens that measure 280' wide x 250' long allowing for 700 sq ft (Map 3). The pens would be constructed using support posts that consist of 2 7/8" – 3 1/2" oil field pipe sunk four foot in the ground and spaced every ten feet. Each post has six holes cut 12" apart with 1 1/8-inch solid polished steel rod inserted through the posts and coupled together. The holes in the posts allow the rod to float so that the welds will not break with temperature fluctuations. The top rail would be over 72 inches high and would be set down in a notch on the top of the 3 1/2" post. The pens would have feed bunks that run along the perimeter of the pens. The expanded portion of the facility would be capable of holding up to 4,400 WHB upon completion.

Slopes within the pens at the STH would provide for adequate drainage. All the pens would be cleaned at least twice per year to remove excess manure or more often when warranted at the

direction of the Contracting Officers Representative (COR) or Project Inspector (PI). Separate corrals (with a minimum of 400 square feet per animal) at the facility would be available for confining lame or sick animals needing special care. These pens would have overhead cover along with a wind break. A perimeter fence at least 48 inches in height would be provided around the facility in the event a WHB escapes from an individual pen.

Feed (grass/alfalfa hay) would always be stored on-site in quantities appropriate to the number of wild horses and/or burros present. Some animals may require grass hay or additional feed in coordination with the BLM COR/PI. Feeding the wild horses and/or burros processed hay (cubes, chopped, pelleted or other processed) would need to be approved by the BLM COR/PI. Animals would be fed daily. Granulated, rock, or block salt would be accessible to all wild horses and/or burros in each pen. Minerals necessary to maintain them in good condition would be provided to wild horses and/or burros in each pen as a supplement or added to the salt. An inventory of wild horses and/or burros kept at the site would be maintained along with all treatments and records of deaths. Wild horses and/or burros would be observed daily. Any remains would be disposed of in accordance with State or local sanitation laws. Each pen would have a water trough, which would have a reliable water source capable of supplying a minimum of 16 gallons of clean water per animal, per day.

The short-term holding facility is located entirely on private land north of Fallon; however, federal funds are utilized to operate and maintain this short-term holding facility, thereby triggering a federal action.

The proposed facility expansion would have no effect on historic properties as the expansion area has been disturbed to the extent that historic properties could not exist; however, standard stipulations and protocol to be followed in the event of an unanticipated discovery of cultural resources during the course of facility expansion activities is attached to this DNA (Attachment 1). This no effect determination has been made in compliance with the *State Protocol Agreement between The Bureau of Land Management, Nevada and The Nevada State Historic Preservation officer for Implementing the National Historic Preservation Act* (Revised December 22, 2014); additionally, the expansion is exempt from cultural inventory requirement in accordance with Appendix A.2 of the *Protocol*.

B. Land Use Plan (LUP) Conformance

LUP Name: Carson City Field Office Consolidated Resource Management Plan
Date Approved: May 2001

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

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): Wild Horse and Burros pages WHB-1 through WHB-5

- WHB-2 RMP Level Decisions: Desired Outcomes – 2. Maintain sound thriving populations of wild horses and burros within herd management areas; 3. Maintain or improve the condition of public rangelands to enhance productivity for wild horses and burros within herd management areas.

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

- Fallon Short-Term Holding Facility Fallon, Nevada Environmental Assessment and Finding of No Significant Impact October 2009. DOI-BLM-NV-C010-2009-EA.

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)

- U.S. Fish and Wildlife Information for Planning and Consultation (IPaC) website. Accessed on November 8, 2021. [IPaC Website Link](#)

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 proposed facility expansion (expansion area) would occur on private lands that are adjacent to the analysis area. Resources identified and analyzed in the 2009 environmental assessment's analysis area would be the same as those in the expansion area. The proposed facility would be constructed the same as the facility analyzed in the 2009 environmental assessment and would serve the same purpose as that facility.

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 identified and analyzed in the 2009 environmental assessment are still appropriate for this proposed project. There are no new environmental concerns, interests, or resource values that would require analysis of additional alternatives other than the proposed action and the no action alternative found in the 2009 environmental assessment.

3. Is the existing analysis valid in light of any new information or circumstances (such as, range-land 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 analysis remains valid. According to data from the Nevada Natural Heritage Program, the proposed project site, along with the surrounding area is habitat for Nevada oryctes (*Oryctes nevadensis*), a BLM special status plant species. However, the project site has been converted to agricultural fields many decades ago as part of the Newlands Project, and has so altered the landscape such that Nevada oryctes would no longer be found within the proposed project site, resulting in a loss of 398 acres of habitat for this plant species.

No threatened, or endangered, species were identified in the 2009 environmental assessment. The monarch butterfly is currently listed as a candidate species. The primary threats to the monarch's biological status include loss and degradation of habitat from conversion of grasslands to agriculture. Despite the potential presence of this species within the vicinity of the project area, the conversion of land use from agriculture to a holding facility would not reduce habitat or impact this species. No other critical habitat or species have the potential to occur within the project 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?

Yes. The environmental consequences and cumulative impacts in Chapter 3 of the 2009 environmental assessment are the same as would be expected for this new proposed action as the area analyzed is adjacent to the expansion area. The additional animals would not create measurable impacts to the existing facility.

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

Yes, tribal consultation with the Fallon-Paiute Shoshone Tribe and the Nevada State Historic Preservation Office was conducted during the preparation of the original environmental assessment and for the original facility construction; this earlier consultation is considered adequate for the current proposed action as the original analysis area is adjacent to the new proposed action, and impacts would be similar to those analyzed in the 2009 EA.

F. Persons/Agencies/BLM Staff Review

NAME	TITLE	NAME & DATE
Nancy E. Army	Project Lead	NEA 10/5/2021
Tim Bowden	Wildlife Biologist	TSB 10-1-21
Christine McCollum	Archaeologist	CLM 10/5/2021
Dean Tonenna	Botanist	DT 11/12/21
Mark Mazza	Range/Weeds	MEM 9-20-21
Katy Paiva	Lands	KP 9-29-2021

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 project 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.

Nancy E. Army

Signature of Project Lead

Melanie Harnish

Signature of Planning and Environmental Coordinator



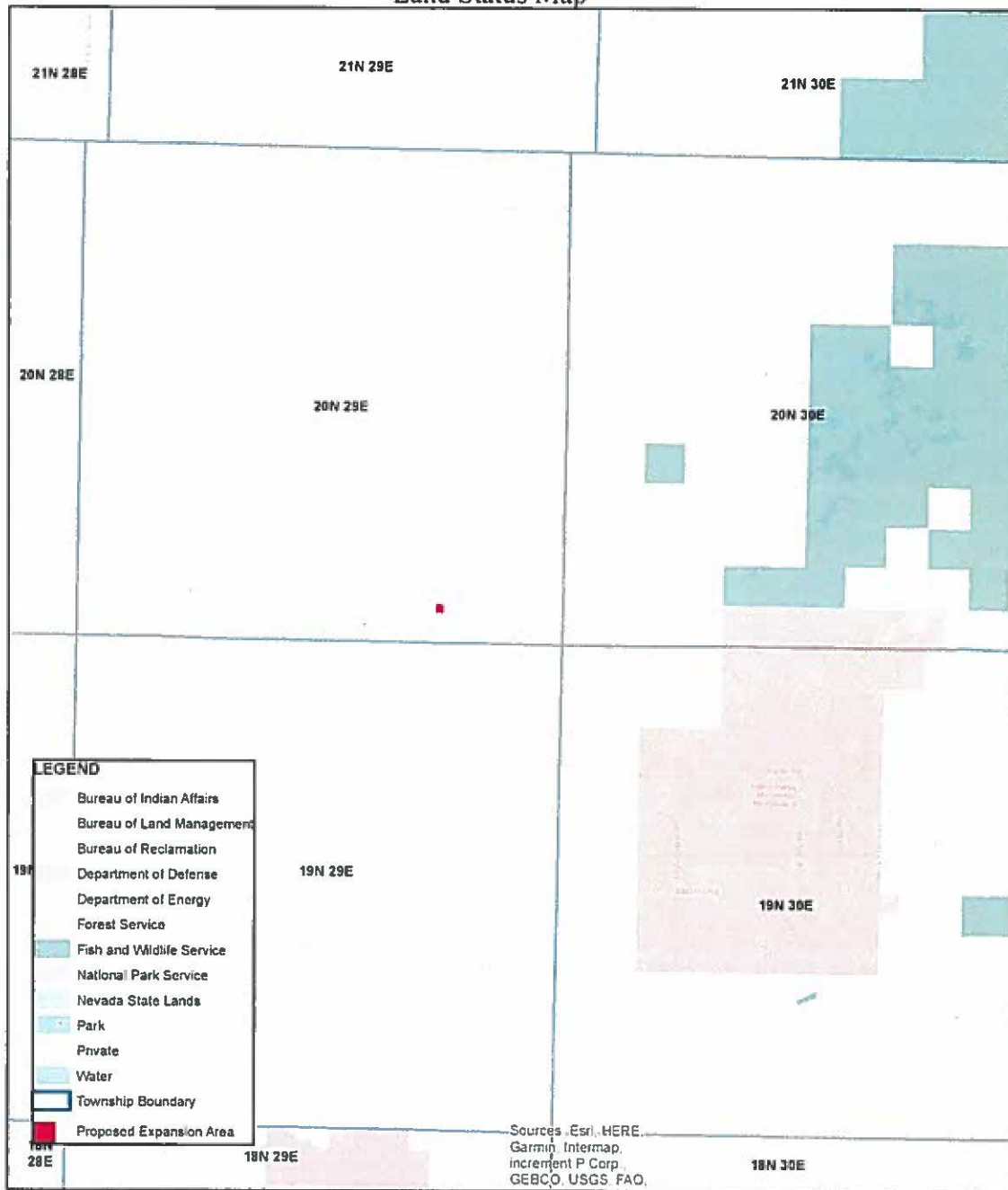
Signature of Responsible Official

Date 11-15-2021

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.

Map 1

Indian Lakes Off-Range Corral Expansion Project Land Status Map



0 0.5 1 2 Miles



No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual use or aggregate use with other data is not guaranteed.

Coordinate System: NAD83 Zone 11N

Date: 14 September 2021

Map 2 Proposed Facility Location Diagram



ATTACHMENT 1:

CULTURAL STIPULATIONS FOR INDIAN LAKES STH EXPANSION PROJECT

1. CONTRACTOR, or any person(s) working on its behalf, shall conduct all authorized activities within the physical limits authorized by the Bureau of Land Management (BLM). All vehicles associated with activities shall remain on existing routes and roads. Upon the discovery of any cultural resource(s) (historic or prehistoric site or object) by CONTRACTOR (or any person[s] working on its behalf) all activities shall be immediately suspended within 100 meters of the discovery. CONTRACTOR shall protect the discovery from any disturbance and immediately report the discovery to the Authorized Officer by telephone, followed by written confirmation of the discovery to the Authorized Officer. Activities may resume with the written consent of the Authorized Officer.
2. Upon the discovery of any Native American human remains, funerary item(s), sacred objects(s), or object(s) of cultural patrimony by CONTRACTOR (or any person[s] working on its behalf) all activities shall be immediately suspended within 100 meters of the discovery. CONTRACTOR shall protect the discovery from any disturbance and immediately report the discovery to the Authorized Officer by telephone, followed by written confirmation of the discovery to the Authorized Officer. Activities may resume with the written consent of the Authorized Officer.
3. Upon the discovery of any human bones or remains, or any bones or remains that are indeterminate (not clearly human or non-human) by CONTRACTOR (or any person[s] working on its behalf) all activities shall be immediately suspended within 100 meters of the discovery. CONTRACTOR shall protect the discovery from any disturbance and immediately report the discovery to the Authorized Officer by telephone, followed by written confirmation of the discovery to the Authorized Officer. Following the discovery the Authorized Officer shall conduct an evaluation to determine the significance of the discovery and consult with CONTRACTOR regarding any mitigation and/or treatment measure(s) necessary before activities may resume. CONTRACTOR may be responsible for costs of evaluation and any mitigation and/or treatment measures(s). Activities may resume with the written consent of the Authorized Officer.
4. Upon the discovery of any paleontological (fossil) resource(s) by CONTRACTOR (or any person[s] working on its behalf) all activities shall be immediately suspended within 100 meters of the discovery. CONTRACTOR shall protect the discovery from any disturbance and immediately report the discovery to the Authorized Officer by telephone, followed by written confirmation of the discovery to the Authorized Officer. Following the discovery the Authorized Officer shall conduct an evaluation to determine the significance of the discovery and consult with CONTRACTOR regarding any mitigation and/or treatment measure(s) necessary before activities may resume. CONTRACTOR may be responsible for costs of evaluation and any mitigation and/or treatment measures(s). Activities may resume with the written consent of the Authorized Officer.
5. CONTRACTOR (or any person[s] working on its behalf) is prohibited from moving, disturbing, and sharing the location of any cultural resource(s); Native American human remains, funerary item(s), sacred objects(s), or object(s) of cultural patrimony; faunal (animal) bones or remains that are indeterminate (not clearly human or non-human); or paleontological resource(s), unless authorized to do so by the Authorized Officer.