

Worksheet
Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)
 U.S. Department of the Interior
 Bureau of Land Management (BLM)

Note: This worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled "Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy" transmitting this worksheet and the "Guidelines for Using the DNA Worksheet" located at the end of the worksheet. (Note: The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision.)

A. BLM Office: Klamath Falls R.A. OR-014 **Permit/Lease:** #3601051

Proposed Action Title/Type: The proposed action is to renew an expiring 10-year grazing permit/lease (#3601051) for Edwin Gilman for approximately 1,044 acres of BLM administered land known as the Pope Allotment (#0848). The permit/lease expires on 2/28/2007 and is being renewed in accordance with the grazing regulations at 43 Code of Federal Regulations (CFR) §4110.1; §4110.2-1(a) (1) & (c); §4110.2-2(a); §4130.2; and §4130.3; and other pertinent policy and guidance.

Location of Proposed Action: The BLM Section 3 (of the *Taylor Grazing Act of 1934*) administered lands that comprise the Pope Allotment are located in T40S & R10E, R11E (see attached map). There are essentially no private lands within this allotment.

Description of the Proposed Action: The term of the renewed permit/lease will be 3/1/2007 through 2/28/2017; 10 years as authorized by the grazing regulations at §4130.2(d). The parameters of the renewed grazing permit/lease would be the same as the previous permit and as follows:

<u>ALLOTMENT</u>	<u>LIVESTOCK</u>	<u>GRAZING PERIOD</u>	<u>AUMs</u>
Pope (#0848)	16 cattle	5/01 – 7/31	48 AUMs

B. Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans

LUP Name*: *Klamath Falls R.A. Resource Management Plan and Environmental Impact Statement (KFRA RMP/EIS dated September 1994)*

Date Approved: June 1995 via the *Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS)*

Other document**: None

* List applicable LUPs (e.g., Resource Management Plans or applicable amendments).

**List applicable activity, project, management, water quality restoration, or program plans.

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

The KFRA ROD/RMP/RPS states on page 62 to "Provide for livestock grazing in an environmentally sensitive manner, consistent with other objectives and land use allocations.

Resolve resource conflicts and concerns and ensure that livestock grazing use is consistent with the objectives and direction found in Appendix H (Grazing Management)” (emphasis added). Also later on that same page is the following: “Provide for initial levels of livestock grazing within the parameters outlined, by allotment, in Appendix H.”

The 1995 KFRA ROD/RMP/RPS - Appendix H - lists the grazing parameters for the Pope(#0848) allotment on page H-39. The listed season-of-use for the Pope Allotment is different than the proposed action. This difference will be explained under D., 1 below. That KFRA ROD/RMP/RPS also noted that “All changes...livestock grazing management will be made through the monitoring and evaluation process as outlined in the (the plan)...” The “monitoring and evaluation process” outlined in the plan is now primarily the *Rangeland Health Standards Assessment (RHSA)* process, which as structured in this resource area, includes an evaluation of existing monitoring and related information. The RHSA assessment for this allotment is scheduled to be completed in FY 2007-2008.

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

Klamath Falls R.A. Resource Management Plan and Environmental Impact Statement (KFRA RMP/EIS dated September 1994) approved via the June 1995 Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS).

Klamath Falls Resource Area Fire Management EA #OR-014-94-09 (June 10, 1994)

List by name and date other documentation relevant to the proposed action (e.g., source drinking water assessments, biological assessment, biological opinion, watershed assessment, allotment evaluation, rangeland health standard’s assessment and determinations, and monitoring the report).

In 1995, a biological evaluation/assessment was completed for the KFRA’s Eastside allotments in which the grazing on this allotment was determined by the BLM to be a “no-effect” impact to the two endangered sucker species in the Klamath Basin.

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?

Documentation of answer and explanation:

The proposed action is different than the grazing management identified in the RMP/EIS Preferred Alternative and listed on page H-39 of Appendix H, Grazing Management and Rangeland Program Summary of the KFRA ROD/RMP/RPS. The season-of-use listed in the ROD/RMP/RPS is May 1 to June 15 (70 AUMs) and the proposed action season-of-use is May 1 to July 31 (48 AUMs). In 2005, 320 acres of the allotment was sold, which led to a reduction in AUM’s from 70 to 48 in 2006, and a slightly altered season-of-use. Thus, the proposed action season-of-use is longer than the season-of-use listed in the ROD/RMP/RPS. There are fewer AUM’s because although the AUM’s were calculated at the same rate as before the 320 acres were sold, there are less acres

available for grazing, leading to fewer livestock being permitted.

The ROD/RMP/RPS season-of-use was a proposal based upon preliminary interpretation of conditions on the allotment. In order to implement this season-of-use or a similar one, changes must be based upon an evaluation of monitoring data in an interdisciplinary allotment evaluation or through a Rangeland Health Standards Assessment in accordance with 43 CFR 4180. This process is outlined in the ROD/RMP/RPS on page 62, Grazing Management, Management Action/Directions, General. “Adjust grazing use (including, but not limited to, changes in season-of-use, kinds and classes of livestock, numbers of animals, grazing capacity, management facilities needed) based on and supported by the ongoing range land studies performed in accordance with the above guidance. Review the results of these studies by an interdisciplinary team of resource specialists through the allotment evaluation process. Recommend future management actions (in consultation, coordination, and cooperation with the affected interests) to the Area Manager for review, modification, and/or approval. When necessary, implement changes in permitted use through written agreement or decision.”

A Rangeland Health Standards Assessment is scheduled for completion on this allotment during FY 2007-2008. This assessment will determine if the existing grazing management and/or levels of grazing use on the Pope allotment promotes achievement or significant progress toward the Oregon Standards for Rangeland Health and conforms with the Guidelines for Livestock Grazing Management. The current season-of-use is longer than the season-of-use listed in the ROD/RMP/RPS, and authorized AUMs are less than those listed in the ROD/RMP/RPS and are appropriate for the allotment. Change of season-of-use on the allotment can not be implemented until further rangeland monitoring data shows that a change is necessary. Since the proposed action (permit/lease renewal grazing parameters) and the Pope allotment was specifically analyzed in the plan, the answer to this NEPA adequacy question must be “yes”.

Environmental impacts of grazing, for all allotments, are found in Chapter 4 - “Environmental Consequences” (4-1 through 4-143) of the RMP/EIS.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?

Documentation of answer and explanation:

The proposed action (permit/lease renewal) lies within the range of various alternatives identified and analyzed in the KFRA RMP/EIS (summarized in table S-1 “Comparisons of Allocations and Management by Alternative”, pages 18-50; and S-2 “Summary of Environmental Consequences by Alternative”, pages 52-53). This array and range of alternatives included the No Action alternative (status quo); five other alternatives (A through E) that covered a span of management from a strong emphasis on commodities production to a strong emphasis on resource protection/preservation; and the PRMP that emphasizes a balanced approach of producing an array of socially valuable products within the concept of ecosystem management. Since this plan is relatively recent (1995), it more than adequately reflects “current environmental concerns, interests, and resource values”. Recent formal evaluations of the RMP (1999 & 2003) affirmed the validity and adequacy of the plan.

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you

reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?

Documentation of answer and explanation:

A review was conducted to determine if any new information, studies, and/or analyses has been collected/completed since 1995 that would materially differ from that collected/completed during the RMP/EIS process. No new information has been collected or analyzed for this allotment that would change the analysis and conclusions completed during the RMP/EIS process. However, the following information is pertinent to the full addressing of this NEPA adequacy question:

- The science done during the Interior Columbia Basin Ecosystem Management Planning (ICBEMP) effort did not indicate any new or significant information that would modify the management direction in this allotment; that effort's broad scale did not allow for the specificity of the KFRA RMP.
- The allotment is a "C" (custodial) allotment, and "C" allotments receive the least amount of management attention. The current grazing use is consistent with LUP objectives and appropriate for the perpetuation and/or improvement of the vegetation community.
- In accordance with 43 CFR §4180 and related policy direction, the Klamath Falls Resource Area is implementing the *Standards for Rangeland Health and Guidelines for Grazing Management (S&G's)*, as approved by the Klamath PAC/RAC. A *Rangeland Health Standards Assessment* is scheduled for completion during FY 2007-2008. Necessary changes will be made to the grazing use to address Standards that are not being met (if any exist).
- Recent formal evaluations of the RMP/ROD/EIS (1999 & 2003) affirmed the validity, adequacy, and appropriateness of this Land Use Plan.

To summarize, the existing analysis and subsequent conclusions in the LUP are still considered valid at this time, including the described and analyzed livestock grazing impacts. Likewise, it is reasonable to conclude that the new information and new circumstances are insignificant with regard to the analysis of the proposed action.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Documentation of answer and explanation:

The KFRA RMP/EIS, and subsequent ROD/RMP/RPS, designated domestic livestock grazing as a principle or major use for this allotment under the principle of multiple-use on a sustained yield basis in accordance with FLPMA. The development of the Proposed Resource Management Plan in the RMP/EIS, as adjusted or affirmed by the ROD/RMP/RPS, meets NEPA standards for impact analysis. The methodology and analyses employed in the RMP/EIS are still considered valid as this planning effort is relatively recent (ROD - June 1995) and considered up to date procedurally. Recent formal evaluations of the RMP/ROD/EIS (1999 & 2003) affirmed the validity, adequacy, and appropriateness of this Land Use Plan. Litigation related or induced direction since the ROD has not indicated that the LUP "methodology and analytical approach" is dated, obsolete, or in need of amendment. The plan is "maintained" regularly to keep it current by incorporating new information, updating for new policies and procedures, and correcting errors as they are found. In addition, all the rangeland monitoring, studies, and survey methods (i.e. ESI) utilized in the resource area prior to and during the planning process continue to be accepted (or required) BLM methods and procedures. These accepted methods continue to be utilized where and as needed.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently

analyze site-specific impacts related to the current proposed action?

Documentation of answer and explanation:

The proposed action is essentially the same action as was analyzed by the existing NEPA documents cited throughout this document, except as noted under **D., 1.** above. The direct and indirect impacts of livestock grazing on this allotment were analyzed in most of the major sections of Chapter 4 - "Environmental Consequences" in the RMP/EIS. No new information has been discovered that would indicate that the previous analysis of impacts would change substantially.

In summary, it is thought at this time, based on current information and judgment, that this NEPA Adequacy "question" is in the affirmative; that the direct and indirect impacts of re-issuing this grazing permit are unchanged from that identified in the LUP and that plan also adequately analyzes the site-specific impacts.

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Documentation of answer and explanation:

The proposed action as analyzed in the PRMP of the KFRA RMP/EIS, as affirmed or adjusted by the ROD/RMP/RPS, would not change analysis of cumulative impacts. Any adverse cumulative impacts are the same as, and within the parameters of, those identified and accepted in that earlier planning effort for this allotment's grazing use, since the proposed action was specifically analyzed in the RMP/EIS. Recent formal evaluations of the RMP/ROD/EIS (1999 & 2003) affirmed the validity, adequacy, and appropriateness of this Land Use Plan, including the cumulative impact analysis. In addition, the recent analyses in the Interior Columbia Basin Ecosystem Management Plan (ICBEMP) have not indicated any cumulative impacts beyond those anticipated in the earlier analyses. (In addition, the ICBEMP, due to its regional approach, does not have the specificity of the RMP.)

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

Documentation of answer and explanation:

The KFRA RMP/EIS and ROD/RMP/RPS were distributed to all interested publics and other government agencies for review. Since this proposed permit/lease issuance is essentially as listed in the LUP - and that plan went through all of the appropriate and legally required public/agency review - public involvement is considered at least adequate.

All of those publics/agencies have also been kept informed of plan implementation through periodic planning update reports (i.e. May 1995, October 1997, February 1999, July 2000, August 2002, January 2004 (for FY 2003), FY 2004 (undated but published in 2005), FY 2005, and the FY 2006 pending. These planning updates, or Annual Program Summaries as they are now called, include information on range program and project accomplishments, updates to the RPS, monitoring accomplishment reports, planned activities for the upcoming year, allotment evaluation and Rangeland Health Standards Assessment scheduling, and other information necessary to allow for adequate public involvement opportunities.

No specific public involvement or "interested public" status (under the grazing regulations at 43 CFR 4100.0-5) has been requested for this allotment, with the exception of the existing permittee, who is granted automatic status.

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

<u>Name</u>	<u>Title</u>
Amber Knoll	Natural Resource Specialist
(See cover sheet for other participants and/or reviewers)	

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

There are no specific mitigation measures recommended or needed at this time.

CONCLUSION

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

(Signed) Heather Bernier
Acting Field Manager, Klamath Falls Resource Area

Date: 7/20/06

