

**Worksheet  
Interim  
Documentation of Land Use Plan Conformance and NEPA Adequacy  
(DNA)**

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

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**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.

**A. Describe the Proposed Action**

The proposed action is to issue a 10-year grazing lease (#361019) to new lessee Mike R. Davis for approximately 720 acres of BLM administered land known as the Drew Allotment (0817). The lease is being issued in accordance with the grazing regulations at 43 Code of Federal Regulations (CFR) §4110.1; §4110.2-1(a)(1) & (2), (c) and (e); §4110.2-2(a); §4130.2; and §4130.3. These BLM administered lands are located approximately 12 miles NE of Klamath Falls, Oregon on the east central side of Swan Lake Rim. The BLM administered lands are in one large, roughly rectangular, block which lies between two pastures of the Swan Lake allotment, though they are fenced separately from each other (see attached map).

This grazing lease (#361019) was issued previously to William Drew. However, Mr. Drew has not made substantial grazing use for many years - probably over 20 years - due to few livestock and the difficulty of controlling cattle on the allotment. Recently, the BLM formally cancelled his grazing lease via a "*Notice of Field Managers Proposed Decision*" dated August 25, 2000. This proposed grazing decision was not protested and thus became final as issued after the 15 day protest period (§4160.1). It was not appealed during the subsequent 30 day appeal period and thus, became final on October 23, 2000 (§4160.3 and §4160.3). The grazing lease was cancelled in accordance with the regulations at §4130.2(g)(2) and §4140.1(a)(2) (see the grazing decision in the Davis or Drew grazing files for more details).

On October 25, 2000, we received application from Mike Davis for the now open grazing lease on the Drew Allotment. Mr. Davis had previously applied for this lease in 1997 but was denied for the reasons fully outlined in the aforementioned August 25, 2000 decision. To briefly summarize the reasons: incomplete base property information with the application (§4110.2-1(c)), apparent inadequate base property appropriate to making proper grazing use (§4110.2-1(a)(2)), and a lack of proper fencing on the allotment that, if grazed, would precipitate neighboring private land problems. Since Mr. Davis has made his recent re-application, BLM range staff personnel from the KFRA (Tonya Pinckney and Bill Lindsey) have visited the allotment and the offered base properties and have determined that with the re-construction of BLM/private land boundary fence on the east side, Mr. Davis fully satisfies the requirements of the regulations and the August 25, 2000 decision. His private lands to the north of the

allotment also appear as though they will provide adequate watering for the BLM leased lands. (Note: If the private waters don't provide adequate watering, it is not a resource problem for the BLM administered lands; the cattle would just make little, if any, grazing use on the Drew allotment.) Thus, issuance of the lease to Mr. Davis is justified.

The term of the renewed lease will be 3/1/2001 through 2/28/2011; 10 years as allowed by §4130.2(d) of the current grazing regulations. This lease could be changed in the future and reissued with different parameters, if information from a future Rangeland Health Standards Assessment (to be discussed later) determines such or future policy or laws dictate different grazing management.

The parameters of the renewed grazing lease would be the same as the previous lessees and as follows:

<u>ALLOTMENT</u>	<u>LIVESTOCK</u>	<u>GRAZING PERIOD</u>	<u>AUMs</u>
Drew (0817)	36 cattle	5/1 - 6/30	72 AUMs

## B. Land Use Plan (LUP) Conformance

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)

\* List applicable LUPs (e.g., Resource Management Plans and activity, project, management, or program plans, or applicable amendments thereto)

☐ 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 KFRA ROD/RMP/RPS - Appendix H - lists the grazing parameters for the Drew allotment on page H-22. The parameters for the proposed action (lease re-issuance to new lessee) are the same as that listed in the KFRA ROD/RMP/RPS.

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

NA - the action is specifically provided for in the LUP.

**C. Identify applicable 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:

*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). This is the overall land use plan (LUP) for the Klamath Falls Resource Area.

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., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

None additional.

**D. NEPA Adequacy Criteria**

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?**

Documentation of answer and explanation:

The proposed action (lease re-issuance) is consistent with and identical to the grazing management identified in the KFRA RMP/EIS Preferred Alternative - called the "Proposed Resource Management Plan" or PRMP. Specifics by allotment are found in Appendix L, with the Drew allotment on page L-22. The preferred alternative was affirmed and implemented by the KFRA ROD/RMP/RPS, where the allotment specific information is found in Appendix H - pages noted previously. Environmental impacts of grazing, for all alternatives, are found in Chapter 4 - "Environmental Consequences" (4-1 through 4-143) - of the KFRA RMP/EIS. Since the proposed action (lease re-issuance grazing parameters) and Drew allotment were specifically analyzed in the plan, the answer to this NEPA adequacy question must be yes.

**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, and resource values?**

Documentation of answer and explanation:

The proposed action (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".

### **3. Is the existing analysis valid in light of any new information or circumstances?**

Documentation of answer and explanation:

A review was conducted to determine if any new information, studies, and analyses would materially differ from the data in the earlier analysis for this allotment during the RMP/EIS process. Included in these categories, and completed or extended since the date of the ROD/RMP/RPS, are the following:

There is no new information for this allotment, since completion of the planning process in 1995, that would significantly change the substance of the analysis in the RMP/EIS. However, some recent information is available that supports the analysis in the existing planning documents. It is as follows:

A recent field check of the allotment (October 18, 2000) has found the ecological conditions of the areas observed (*Pine-Sedge-Fescue 16-24" pz* and *Juniper Claypan 16-20" pz* ecological sites) to all be in either late seral ("good") or potential natural community ("excellent") condition classes. These observations indicate that vegetation conditions are equal to or better - i.e. more "functional" - than that generally analyzed in the RMP.

In addition, some juniper control and prescription fire under burning activities have been done in this allotment over the past several years (and more are planned for the future). Specifically, 149 acres have been mechanically treated and 45 acres were manual cut. These activities were done primarily to enhance ecological conditions by removing invasive (not old growth) juniper in the juniper and/or pine areas, and reducing the fuels loading, and thus fire hazard, in the pine areas. All this is consistent with and to a large extent, required by the KFRA RMP/EIS and subsequent ROD.

There is a golden eagle nest in the extreme southeastern portion of the Drew allotment and a bald eagle nest in the extreme east central portion (see attached map). The pine areas on or below the rim on the east side of the allotment are also a common winter eagle roosting area. The season-of-use does not overlap with the roosting activities of the eagles. There is some overlap with the entire

eagle nesting season, but little if any during the critical incubation/hatching period (latest documented hatching date has been May 6<sup>th</sup>). Unless the cattle are aggressively herded by ATV - which is not really possible in rocky areas that dominate this allotment - they are believed to be a benign impact on eagle nesting activities at any stage. (A good example of the limited affect is the success of nesting around Gerber Reservoir area where cattle grazing occurs every year.) Cattle grazing use is also unlikely to be significant on the thick pine/juniper dominated steep slopes where the eagle activities occur. It is thought that the vast majority of the grazing will take place within the open "old growth" juniper/low sagebrush/ bunchgrass dominated areas to the west and south of the eagle "rim" areas.

However, the following information is pertinent to the full addressing of this NEPA adequacy "question":

- Ongoing analyses in the Interior Columbia Basin Ecosystem Management Plan (ICBEMP) has not indicated any new significant information that would modify the management direction in this allotment.
- Rangeland monitoring studies (or other resource studies) have not been performed on this allotment since it is a very low priority "C" (custodial) category allotment that is small in size, fragmented and intermingled with private lands limiting some management options, and there have been no indications that the allotment has any critical resource related problems that need monitoring.
- In accordance with 43 CFR 4180 and related policy direction, the Klamath Falls Resource Area is in the process of implementing the *Standards for Rangeland Health and Guidelines for Grazing Management* (S&G's), as developed by the Klamath PAC/RAC. A "Rangeland Health Standards Assessment" is scheduled for completion on the Drew allotment in FY 2004. The assessment will ascertain whether current management is meeting, not meeting, or making significant progress towards meeting, the 5 Standards for Rangeland Health. The assessment will be based on information current at that time. Rangeland (or other) monitoring may be performed on the allotment between now and 2004 if additional information is deemed necessary to adequately assess the area.

To summarize, the existing analysis in the LUP is still considered valid at this time, including the described/analyzed livestock grazing impacts.

#### **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. The plan is also “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 utilized in the resource area prior to and during the planning process continue to be accepted (or required) BLM methods and procedures.

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

Documentation of answer and explanation:

The proposed action is consistent with the KFRA RMP/EIS, as affirmed or adjusted by the ROD/RMP/RPS. The impacts of livestock grazing were analyzed in most of the major sections of Chapter 4 - Environmental Consequences (pages 4-1 through 4-143) in the RMP/EIS. No new information has come to light since completion of the plan that would indicate that the previously analyzed direct/indirect impacts would be substantially different.

The details of the proposed action were also covered specifically in Appendix H - *Grazing Management and Rangeland Program Summary* (page H-22) of the KFRA ROD/RMP/RPS. During the pre-RMP process in 1990-91, a series of IDT meetings were held to specifically address the formulation of objectives for every grazing allotment in the KFRA. These objectives were based on data collected to that date, as well as professional judgement based on field observations. No allotment specific objectives were listed for this allotment as no resource issues were known to exist. That is true today, with the exception of the juniper density increases that could potential affect site productivity and functionality.

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

**6. Are the cumulative impacts that would result from implementation of the current proposed action 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 allotments grazing use, since the proposed action was specifically analyzed in the RMP/EIS. In addition, ongoing analyses in the Interior Columbia Basin Ecosystem Management Plan (ICBEMP) has 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 lease issuance is 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, and July 2000). 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 Standards and Guidelines assessments 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 Mike Davis, who will now be the designated lessee.

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

<u>Name</u>	<u>Title</u>
Bill Lindsey	Rangeland Management Specialist/author
(See attached NEPA cover sheet for reviewers/participants.)	

## 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 NEPA

Note: If you found that one or more of these criteria is not met, you will not be able to check this box.

/s/ Teresa A. Raml

Field Manager, Klamath Falls Resource Area

3/28/01

Date

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.



T38S

- SWAN LAKE ALLOT. IN BLUE
- ~~X~~ EXISTING FENCE LOCATION  $\pm$
- ~~X~~ FENCE RECONSTRUCTION LOCATION  $\pm$

