

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

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

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### **A. Describe the Proposed Action**

The proposed action is the renewal of the Section 3 grazing permit for the 240 acre DeVaul allotment, #00879 in accordance with 43 CFR 4100.0-8, 4110.1, 4130.2, and 4130.3. This allotment is located in the northwestern portion of the Gerber Block, approximately 2-3 miles west of Gerber Reservoir (see attached map). The base property for this permit is owned by Carson and Elizabeth Merkley.

The renewed grazing permit will have the same parameters as the expiring permit, 12 AUMs from May 1 to August 30. The term of the renewed permit is 3/01/2005 to 2/28/2015, ten years as required by 43 CFR 4130.2(d) of the current grazing regulations. The permit will be issued to Carson and Elizabeth Merkley, the owners of the recognized base property.

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

LUP Name: **Klamath Falls Resource Area 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)**

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 lists the grazing parameters for the DeVaul allotment on page H-52 of Appendix H, Grazing Management and Rangeland Program Summary. The listed season-of-use for the Buck Lake allotment is different than the proposed action. This difference will be explained under **D., 1** below.
- The ROD/RMP/RPS states on page 62, Grazing Management, Objectives, "Provide for livestock grazing in an environmentally sensitive manner, consistent with other objectives and land use allocations. Resolve resource conflicts and concerns and insure that livestock grazing use is consistent with the objectives and direction found in Appendix H (Grazing Management)".
- The ROD/RMP/RPS states on page 62, Grazing Management, Land Use Allocations, "Provide for initial levels of livestock grazing within the parameters outlined, by allotment, in Appendix H".

**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 Resource Area 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)**

**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?**

The proposed action is different than the grazing management identified in the RMP/EIS Preferred Alternative and listed on page H-52 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 August 1 and the proposed action season-of-use is May 1 to August 30. The proposed action season-of-use is the same as the No Action from the RMP/EIS. 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 was completed for this allotment during FY2003. This assessment determined that the existing grazing management and/or levels of grazing use on the DeVaul 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 and authorized AUMs were determined to be appropriate for the allotment. Thus, the proposed action season-of-use is consistent with this assessment.

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, and resource values?**

The proposed action lies within the range of alternatives analyzed in the RMP/EIS. These are summarized in table S-1 “Comparisons of Allocations and Management by Alternative”, pages 18-50 and in table S-2 “Summary of Environmental Consequences by Alternative”, pages 52-53. Since this plan is relatively recent, 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?**

A review was conducted to determine if any new information, studies, and analyses were available that would provide data that would materially differ from the data in the earlier analyses performed in the RMP, ROD, FEIS, and DEIS documents noted above. The following was found:

- In accordance with 43 CFR 4180, a Rangeland Health Standards Assessment was completed for this allotment during FY2003. This assessment determined that the existing grazing management and/or levels of grazing use on the DeVaul 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 and authorized AUMs were determined to be appropriate for the allotment.

The existing analysis performed in the LUP cited in B. above 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?**

The RMP was approved in 1995 and prepared under the guidance provided by BLM planning regulations issued under the authority of the Federal Land Policy and Management Act of 1976 (FLPMA) and in conformance with regulations established by the Council on Environmental Quality regarding the preparation of Environmental Impact Statements as required by the National Environmental Policy Act of 1970 (NEPA). This guidance is currently considered appropriate. . 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?**

The proposed action is essentially the same action as was analyzed by the existing NEPA documents sited 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. The completion of the Rangeland Health Standards Assessment for the allotment also provided additional site specific analysis of the current grazing management and concluded that no changes were necessary.

**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)?**

The cumulative impacts of the proposed action are essentially the same as those analyzed in the NEPA documents and other analyses sited throughout this document. No new impacts would result from the proposed action that has not already been analyzed.

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

The public involvement associated with the NEPA documents referenced above is outlined on pages R-7 and R-8 of the KFRA ROD/RMP/RPS under Public Involvement. This effort was in conformance with NEPA and FLPMA and is still considered adequate for the proposed action.

All 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, and January 2004). 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.

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

Klamath Falls Resource Area, Oregon

<u>Name</u>	<u>Title</u>
Dana Eckard	Rangeland Management Specialist/author

For a list of the team members that reviewed this document, see the signature sheet attached to the front of this document.

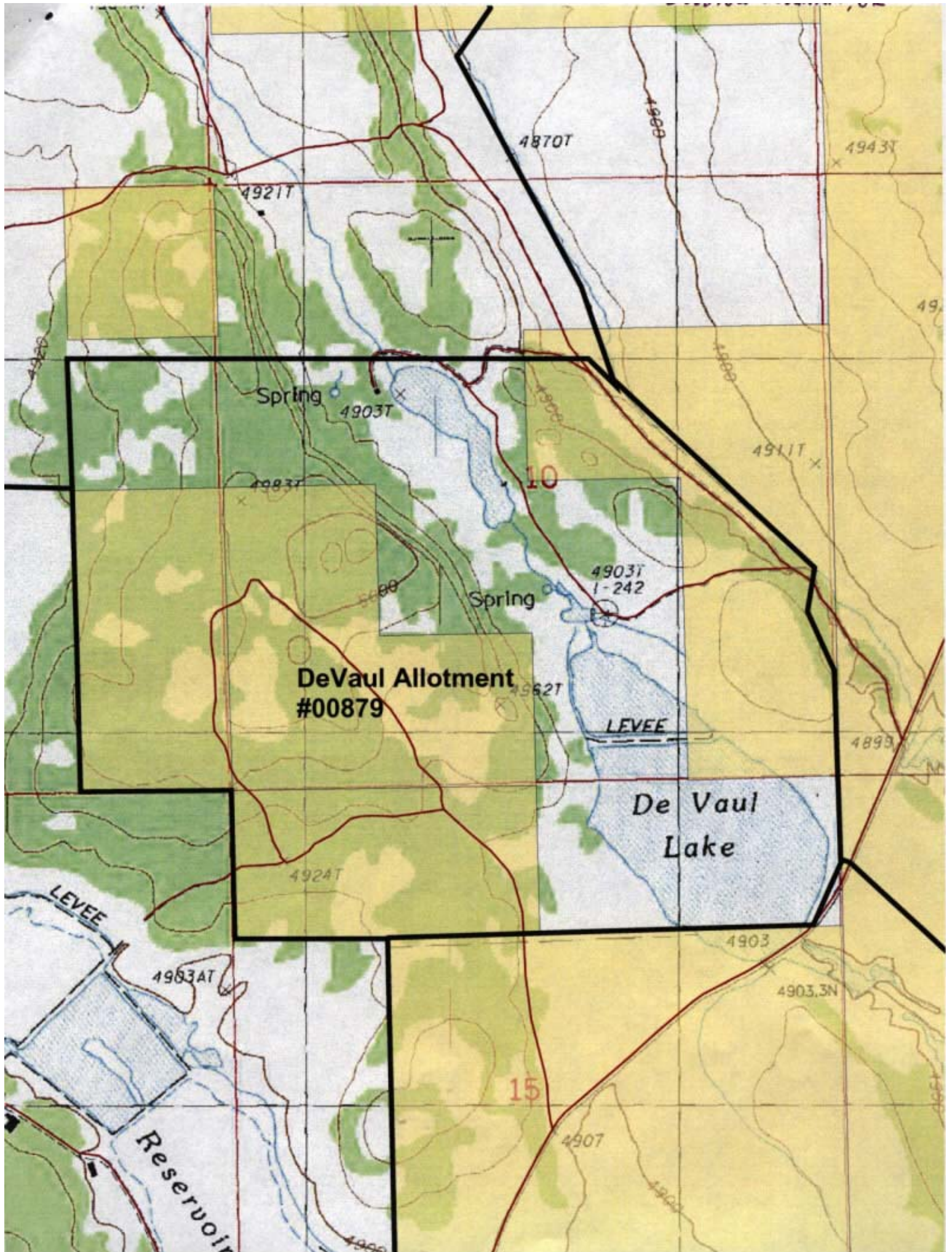
**Conclusion**

- 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

  
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Jon Raby  
Manager, Klamath Falls Resource Area

1/12/05  
\_\_\_\_\_  
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.



**Klamath Falls Resource Area Project Proposal Routing Slip for Internal Review**

**Project Name:** DNA-05-08 DeVaul Allot. Permit Renewal **Date Initiated:** 1/4/05

Resource or Staff Responsible	Review Priority	Preliminary Review Date/Initials	Comments Attached/Incorporated	Final Review Date/Initials
<b>Manager:</b> Jon Raby	Last			1/12/05
<b>Branch Chief:</b> Acting	Second to Last			1/11
<b>Branch Chief:</b> Acting				
<b>Planner/EC:</b> Don Hoffheins Kathy Lindsey	Third from Last			KL 1/11/05
<b>Range:</b> Bill Lindsey <b>Range:</b> Dana Eckard				
<b>Wild Horses:</b> Tonya Pinckney				
<b>Fire/Air Quality:</b> Joe Foran				
<b>Silviculture:</b> Bill Johnson				
<b>Timber:</b> Mike Bechdolt				
<b>Botany/ACEC/Sensitive Plants/Noxious Weeds:</b> Lou Whiteaker		JW 1/6/05	Surveyed in 1999.	JW 1/6/05
<b>Soils:</b>				
<b>Cultural:</b> Tim Canaday		TC 1/10/2005	cultural surveys complete	TC 1/10/2005
<b>Lands/Realty/Minerals/HazMat:</b> Linda Younger				
<b>Recreation/Visuals/Wilderness:</b> Scott Senter				
<b>Hydrology/Riparian:</b> Liz Berger				
<b>Wildlife/T&amp;E:</b> Steve Hayner		SA 1/10/05	none	SA 1/10/05
<b>Fisheries/T&amp;E:</b> Scott Snedaker				
<b>W&amp;S Rivers:</b> Grant Weidenbach				
<b>Engineering:</b> Brian McCarty				
Clearances/Surveys	Needed	Done/Attached	<p><b>*This document will not sit on your desk for more than 8 hours</b></p> <p><b>**Some resource areas may not apply for all projects. If so, just mark AN/A@ and date reviewed.</b></p>	
Cultural		TC 1/10/2005		
Botanical		JW		
T&E, BA & or Consultation	NO	SA 1/10/05		
404 Permit				
R-O-W Permits				