

**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 construct approximately 3/4 mile of steel "T" post fencing with 3 strands of barbed wire (top 3) and 1 strand of smooth wire (bottom). Location of the fence is as shown on the attached map. Fence will be constructed by the BLM range technician tentatively during the fall of 1999 and will be funded by BOR/ERO money (approved 8/19/99 via Interagency Agreement (BLM/BOR) 99-AA-20-0110) for both materials and labor. Fence will be built to standard BLM specifications as to post and wire spacing, gates, rock cribs, etc.

In conjunction with the BLM fencing, the neighboring private land owner (Ned Livingston) will be independently constructing a fence to protect his portions of Casebeer Creek and control the heavy livestock use that occurs within his fenced pasture. Both portions of the BLM fence attach to the Livingston fence in the middle. The proposed BLM project is located in the Barnes Inlet pasture of the Horsefly allotment (#0882) and is largely on the boundary between the BLM and private lands owned by a Mr. Myers. (Note: A small amount of the land inside Livingston's existing pasture fence - which has been in place for decades - is BLM that would be protected from his leased livestock with some of his fence project. However, all of Livingston's actual fencing work will be on his private lands.)

The primary purpose of the BLM portion of the fence is to protect a portion of Casebeer Creek on private lands - southwest of Livingston's fenced pasture - from grazing use by BLM permitted livestock. In the past, cattle typically concentrated along this portion of the creek for a few days in the early summer, but primarily in the fall (October) when trailing back to BLM lands from the National Forest permitted lands to the north and east. However, the problem time for the grazing is in the fall when the creek is overly attractive (green) to the trailing cattle. Part of the fencing proposal will be a narrow corridor that allows the cattle to cross the creek (on public) in order to make the fall transition from the Norcross pasture on the north, to the Barnes Inlet pasture on the south (again see map). Most of this corridor fence will be on Livingston's property.

Casebeer Creek is an important tributary to Gerber Reservoir in which the Federally Listed (endangered) shortnose sucker is known to reside. It is not believed that any suckers spawn or reside in Casebeer, though this private land portion of the creek is included within the Proposed Critical Habitat for the sucker (Unit Number 6, Gerber Reservoir and watershed). Casebeer Creek was known, however, as historic spawning habitat for the resident rainbows in Gerber Reservoir (redband?).

## **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 63, under "Grazing Management: Management Actions/Direction - *General*": "Construct range land improvements as needed to support achievement of management objectives. Range land improvements may include, but are not limited to fence and reservoir construction, spring developments, vegetative manipulations, and prescribed burns. See Appendix H for a listing of proposed range land improvements, for each grazing allotment, predicted to be necessary at this time." Appendix H, page H-68, lists 4 miles of fencing for the Horsefly (0882) allotment. This is the first fencing project, authorized under the RMP, to be constructed in the Horsefly allotment. Once the Casebeer fence is constructed, there will be approximately 3 1/4 miles of fence still allowable for construction in Horsefly via the RMP.

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):

The KFRA ROD/RMP/RPS, under the section on "Fish Habitat: Objectives" (page 35) states: "Promote the rehabilitation and protection of fish stocks at risk and their habitat." Even though the fence protects sucker and trout habitat on private lands, it is clearly consistent with this LUP objective.

The KFRA ROD/RMP/RPS, under the section on "Special Status and Supplemental Environmental Impact Statement Special Attention Species Habitat: Objectives" (page 36) states: "Protect, manage, and conserve federal listed...species and their habitats to achieve their recovery in compliance with the Endangered Species Act, approved recovery plans, and Bureau special status species policies." In addition it states,

“Study, maintain, or restore community structure, species composition, and ecological processes of special status plant and animal species.” This project fulfills these dictates.

The KFRA ROD/RMP/RPS, in Appendix D - “Best Management Practices, Livestock Grazing, A. General Guidelines” (page D-35) states the objective “To protect, maintain, or improve water quality, riparian-wetland areas and upland plant communities; to achieve properly functioning riparian ecosystems.” One of the recommended “practices” (#2) to meet this objective is to “Consider fencing springs, seeps, and water developments to protect water quality and riparian ecosystems...”. Another objective in the “Livestock Grazing” section of Appendix D is “To achieve properly functioning riparian-wetland ecosystems”. One of the recommended practices under this objective is to “permanently (exclude) livestock from those riparian-wetland areas that are at high risk and have poor recovery potential, and when there is no practical way to protect them while grazing adjacent uplands.” The Casebeer fence does all of this, albeit on private lands

**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 plan for the Klamath Falls Resource Area.

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).

USF&WS Biological Opinion for the Horsefly allotment - #1-ERO-95-F-001, dated May 22, 1995; most recently extended indefinitely by USF&WS Memorandum #1-10-99-I-47, dated April 6, 1999. This latter extension was prompted by the BLM’s recent re-consultation efforts and updated Biological Assessment/1998 End of Year Report dated February 17, 1999. This consultation effort has been ongoing since 1994 and covers all grazing related activities for the Horsefly allotment, as well as the neighboring Dry Prairie and Pitchlog allotments. The primary purpose of these consultation efforts has been to ensure that the grazing use is compatible with a properly functioning watershed around Gerber Reservoir. A properly functioning, good condition watershed is believed essential to the survival of the shortnose sucker populations in the reservoir. All consultation to date has affirmed that the grazing use is consistent with maintaining the currently good conditions. This proposed fence is also consistent with these consultations and specific consultation is not

required for this project (as per communications with Gayle Sitter, KFRA's Class One team member for consultation with the USF&WS).

The "Horsefly Allotment Rangeland Health Standards Assessment" was recently completed (signed 9/3/99) which covers the public lands in the project area. In short, this assessment affirmed that the currently permitted grazing use on this allotment is consistent with the meeting of the 5 Standards for Rangeland Health. This proposed project would protect riparian/aquatic habitat on private lands, but is entirely consistent with this assessment.

#### **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 is consistent with and the same as a portion of the grazing management identified and analyzed in the RMP/EIS Preferred Alternative (called the "Proposed Resource Management Plan" or PRMP; pages 4-136, L-53, and L-68) and affirmed and implemented by the ROD/RMP/RPS (pages 17, 63, H-53, H-68). Fencing specifically within the Horsefly allotment was listed in both plans "Potential Range Improvements by Allotment" tables (pages L-68 and H-68, respectively).

##### **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 lies within the range of various alternatives identified and analyzed in the 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, 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 these allotments during the RMP/EIS process. Included in these categories, and completed or extended since the date of the ROD/RMP/RPS, are the following:

- Section 7 consultation: Biological Assessments (BA) and subsequent Biological Opinions (BO) and amendments, have found that the grazing management on the Horsefly allotment is consistent with the recovery of the endangered shortnose sucker and with the perpetuation of its habitat (see the BA's, BO's, and End of Year reports for further information). The 1995 BO was recently affirmed and extended by the USF&WS memorandum 1-10-99-I-47, dated April 6, 1999.
- Ecological Site Inventory (ESI): In 1997-98, the field data collection for the ESI was performed on this allotment. This information indicates that the conditions and trends on this allotment (including the BLM lands immediately adjacent to the private portions of Casebeer Creek) are overall appropriate and equal to, or better than, the conditions assumed and analyzed in the RMP/EIS.
- 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.
- Water quality listings under Section 303(d) of The Clean Water Act reflect the information used in, and are extensions of, the original analysis (Note: Casebeer is **not** a 303(d) listed stream).
- Extensive rangeland monitoring studies have been performed on the Horsefly allotment since completion of the RMP. All of these studies and information strongly indicate that there have been no adverse changes in resource conditions or trends that would require a change in management on this allotment. In fact, the information shows that conditions - upland and riparian - are improving throughout the allotment. However, the portion of Casebeer Creek that would be protected by the proposed project is on private land, but in need of protection from BLM permitted livestock.
- In accordance with 43 CFR 4180, 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" was completed (signed) for the Horsefly allotment on September 3, 1999. This assessment indicated that we are either meeting, or making significant progress towards meeting, all 5 of the Standards for Rangeland Health. This positive assessment also implies that the allotment specific objectives for Horsefly (ROD/RMP/RPS page H-53) are being met, or significant progress is being made towards meeting them.

All of the above affirms that the analysis in the RMP/EIS was accurate, appropriate, and valid, and if anything, rangeland conditions and trends are better than predicted.

**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 RMP/EIS and subsequent ROD/RMP/RPS designated domestic livestock grazing (with associated rangeland improvement projects) 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 (June 1995) and considered up to date procedurally. In addition, all the rangeland monitoring, studies, and survey methods utilized in the 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 impacts of rangeland improvement projects, including fences, were analyzed in various sections of the Chapter 4 - Environmental Consequences of the RMP/EIS.. The proposed action (fencing within the Horsefly allotment) was also covered specifically in "Potential Range Improvements by Allotment" tables the RMP/EIS, as affirmed by the ROD/RMP/EIS. Thus, direct and indirect impacts of the fencing proposal can not be significantly different than the EIS. In addition, recent (post RMP) rangeland monitor studies and Ecological Site Inventory (ESI) information leads us to believe that the grazing related environmental impacts predicted in the RMP/EIS were accurate and the analysis still valid.

**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 RMP/EIS, as affirmed or adjusted by the ROD/RMP/RPS, would not change analysis of cumulative impacts. The proposed fencing project is a very small portion (3/4 mile) of the total fencing (58.5 miles) analyzed and approved via the planning process. To date, less than 5 miles of total fencing has been completed of that approved by the plan; about 1/10 of the amount analyzed in the plan. Any adverse cumulative impacts are the same and within the parameters of those identified and accepted



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.

## Guidelines for Using the DNA Worksheet and Evaluating the NEPA Adequacy Criteria

These guidelines supplement the policies contained in the Instruction Memorandum entitled "Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy". During preparation of this worksheet, if you determine that one or more of the criteria are not met, you do not need to complete the Worksheet. If one or more of these criteria is not met, you may reject the proposal, or complete appropriate NEPA compliance (EA, EIS, Supplemental EIS, or CX if applicable) and plan amendments before proceeding with the proposed action. Documenting why the criterion (criteria) has (have) not been met may be beneficial in preparing new or supplemental NEPA documents, however.

**Criterion 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 at a site specifically analyzed in an existing NEPA document?** In the limited situations in which an existing NEPA document(s) can properly be relied upon without supplementation, explain whether and how the existing documents analyzed the proposed action (include page numbers). If there are differences between the actions included in existing documents and the proposed action, explain why they are not considered to be substantial.

**Criterion 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?** Explain whether the alternatives to the current proposed action that were analyzed in the existing NEPA documents and associated record constitute a reasonable range of alternatives with respect to the current proposed action, and if so, how. Identify how current issues and concerns were addressed within the range of alternatives in existing NEPA documents. If new alternatives are being proposed by the public to address current issues and concerns, and you conclude they do not need to be analyzed, explain why.

**Criterion 3. Is the existing analysis valid in light of any new information or circumstances?** New information or circumstances could include the following. If any of the listed items below are applicable, you need to determine whether it (they) constitute(s) new information or circumstances.

- a. New standards or goals for managing resources. Standards and goals include, but are not limited to: BLM's land health standards and guidelines, recovery plans for listed species prepared by the Fish and Wildlife Service or National Marine Fisheries Service, requirements contained in a biological opinion or conference report related to Section 7 of the Endangered Species Act, and the requirement to address disproportionate impacts on minority populations and low income communities (E.O. 12898).
- b. Changes in resource conditions within the affected area the existing NEPA analyses were conducted, e.g., changes in habitat condition and trend; listed, proposed, candidate, and Bureau designated sensitive species; water quality, including any identified impaired water bodies under Section 303 of the Clean Water Act; air quality; vegetation condition and trend; soil stability; visual quality; cultural resource condition; and wildlife population trend(s); etc.
- c. Changes of resource-related plans, policies, or programs of State and local governments, Indian tribes, or other federal agencies.
- d. Designations established in the affected area since the existing NEPA analysis and documentation was prepared. Designations include, but are not limited to wilderness, wilderness study areas, National Natural Landmarks, National Conservation Areas, National Monuments, National Register properties, Areas of Critical Environmental Concern, and Research Natural Areas.

**Criterion 4. Do the methodology and analytical approach used in the existing NEPA document continue to be appropriate for the proposed action?** Explain how the methodologies and analytical approach used in the existing NEPA document are current and sufficient for supporting approval of the proposed action. If valid new technologies and methodologies (e.g. air quality modeling) exist, explain why it continues to be reasonable to rely on the method previously used.

**Criterion 5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?** Review the impact

analysis in the existing NEPA document(s). Explain how the direct and indirect impacts of the proposed action are analyzed in the existing NEPA documents, and would, or would not, differ from those identified in the existing NEPA document. Consider the effect new information or circumstances may have on the environmental impacts predicted in the existing NEPA document.

**Criterion 6. Are the cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)?** Would the current proposed action, if implemented, change the cumulative impact analysis? Consider the impacts analysis in existing NEPA documents, the effects of relevant activities that have been implemented since existing NEPA documents were completed and the effects of the current proposed action.

**Criterion 7. Is the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?** Explain how the nature of public involvement in previous NEPA documents continues to be adequate and valid in light of current issues, concerns, views, and controversies.