1/11/00 #00-03

Worksheet
Interim

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

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

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 renew the grazing permit for Eldon Kent for the 282 acre (BLM) Pankey Basin allotment (0884) in accordance with 43 CFR 4110.1, 4110.2-1(d) and (e), 4130.2, and 4130.3. The previous permit expired on 12/1/99 due to the expiration of the base property lease. The recognized base property for this grazing permit ("Pankey Springs Ranch") is owned by Victoria and Adam Lane and has been leased to Mr. Kent for grazing purposes since 1989. The term of the renewed permit is 12/1/1999 through 11/30/2004; 5 years as specified on the private base lease and as required by 43 CFR 4130.2(d)(3) of the grazing regulations. The Pankey Basin allotment is located on the northwest edge of the Gerber Block, south of the Gerber Road and just north of the mouth of the Miller Creek canyon (see attached map.)

The parameters of the renewed permit will be 5/15 - 8/31 for 12 cattle (43 active AUMs). There are also 38 AUMs of suspended grazing use, as a result of range re-adjudications in the 1960's. This permit allows for grazing the BLM lands in conjunction with the larger, unfenced private lands (508 acres) which are licensed via an exchange of use (allows for an additional 27 head). The previous grazing permit had the same parameters. The 1995 Klamath Falls R.A. ROD/RMP/RPS (Appendix H - page H-55) has largely the same parameters, with the exception of a slightly different season of use (see below).

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 lists the grazing parameters for the Pankey Basin allotment on page H-55 of Appendix H. The grazing use listed in that plan is the same as to be permitted with one exception - the plan suggested a slightly different season of use - 5/1 - 8/1, instead of 5/15 - 8/30. However, as stated in Appendix H (page H-1), "All changes to these and other attributes of livestock grazing management will be made through the monitoring and evaluation process as outlined in the section Rangeland Monitoring and Evaluation." That section (pages H-70 to H-74) outlines the process for making changes to allotment management, including the changes proposed in the ROD/RMP/RPS. Since Pankey Basin is a low priority ("C" category) allotment, it is not being actively monitored, although some other information has been recently collected and a Rangeland Health Standards Assessment is scheduled for completion (see Question #3 below).

In addition the 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." This permit issuance meets that direction, until an allotment evaluation/assessment determines differently.

☐ 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):

N/A - 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 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).

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 is consistent with and essentially the same as the grazing management identified in the RMP/EIS Preferred Alternative (called the "Proposed Resource Management Plan" or PRMP; specifics by allotment found in Appendix L- with the Pankey Basin allotment on L-55) and affirmed and implemented by the ROD/RMP/RPS (allotment specific information found in Appendix H - page H-55). Environmental impacts of grazing, for all alternatives, is 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?

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 is thought to adequately reflect "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:

- During the 1997 and 1998 field seasons, an Ecological Site Inventory (ESI) was conducted for the public lands in the Gerber Block, including this allotment. This survey rated all of the upland areas of this allotment (approx. 95% of the public acreage) as either "late seral" (good) or "potential natural community" (excellent) - both fully acceptable or better condition ratings.
- A Proper Functioning Condition (PFC) rating was made of the Pankey Springs drainage on 9/8/97. Approximately, 0.7 mile of this drainage is on public lands between the private Pankey Springs ranch and Miller Creek. The 0.4 mile stretch just below the private lands and Pankey Reservoir was found to be "Non-functional" due to, as stated on the PFC form, "Heavy cattle trampling on streambank and hoof action in muddy areas. Adjacent uplands have been heavily grazed and are contributing some sediment. There are sedges, etc. in channel to help stabilize bottom, but bare streambanks that are nearly trampled." Below this stretch and above Miller Creek, the remaining 0.3 miles of the drainage was rated as "Proper Functioning Condition" due to "high gradient, rocky stream, shrub lined - Klamath Plum, dogwood, etc. No cattle access."

In addition, 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.
- General rangeland monitoring studies have not been performed on the Pankey Basin allotment since it is a low priority "C" category allotment, is small in size, is intermingled with private lands, and there have been no indications, besides the PFC rating, that the allotment has resource related problems that need monitoring (see Question #5 for information about the two LUP objectives for this allotment).
- 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" is scheduled for completion on this allotment during FY 2001. This assessment will ascertain whether we are meeting, not meeting, or making significant progress towards meeting, all 5 of the Standards for Rangeland Health. The standards assessment will be the formal process for determining if management changes are needed based on existing information, including the previously mentioned PFC determinations and ESI, and any additional information collected between now and the assessment. If needed, this grazing permit will be modified to meet pertinent Standards and LUP objectives. A statement to this effect has been added to the "Terms and Conditions" section of the renewed grazing permit, as required by W.O.I.M. #98-91 - "Healthy Rangeland Initiative: Implementation of Standards and Guidelines.

To summarize, the existing analysis is considered valid at this time, though may need modification based on this allotments Rangeland Health Standards Assessment.

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 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 general 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 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. Although some new information has come to light since completion of the plan (PFC determination and the ESI) that would indicate the previously analyzed direct/indirect impacts may be somewhat different, the formal process for making such a determination is through an allotment evaluation or assessment.

The details of the proposed action were also covered in Appendix H - Grazing Management and Rangeland Program Summary (Pankey Allotment - page H-55 of the ROD/RMP/RPS). In that section, the following "Identified Resources Conflicts/Concerns" were listed: "Riparian or aquatic habitat is in less than good habitat condition." and "Water quality may not currently meet the Department of Environmental Quality water quality standards for beneficial use." The respective "Management Objectives" for these concerns were: "Maintain and improve riparian or aquatic habitat in good or better condition." and "Maintain and improve water quality on public lands to meet or exceed standards for beneficial uses, as specifically established by the Depart of Environmental Quality, where BLM authorized actions are having a negative effect on water quality." Both of these objectives are covered within several of the 5 Standards for Rangeland Health and will be assessed during the "Rangeland Health Standards Assessment" scheduled for 2001. Specifically, Standard 2 "Watershed Function - Riparian/Wetland Areas" and Standard 4 - "Water Quality" directly address the

two allotment specific ROD/RMP objectives.

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. Any adverse cumulative impacts are the same as and within the parameters of those identified and accepted in that earlier planning effort for the Pankey Basin Allotment 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 the proposed permit renewal 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, with another pending in early 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 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 ever been requested for the Pankey Basin allotment.

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

Name _____ _____ Title _____

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_____
Manager, Klamath Falls Resource Area

__1/31/00_____
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.

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.