

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

U.S. Department of the Interior
Bureau of Land Management (BLM)
Salem District, Oregon
Tillamook Resource Area

Elkhorn Fish Habitat Enhancement
OR086-08-01DNA

- A. **Location of Proposed Action:** T.2S, R.6W, sections 5 and 8, Willamette Meridian, Yamhill County, Oregon.

Description of the Proposed Action:

The proposed action is to implement the Elkhorn Fish Habitat Enhancement Project by placing purchased or donated logs in Elkhorn Creek of the Trask River Watershed using a helicopter. This project is designed to improve habitat for Oregon Coast coho salmon, chinook salmon, steelhead and cutthroat trout over an area of approximately 1.5 river miles on BLM lands. Other actions in the area include log placement on 1.5 river miles of Weyerhaeuser and 1.0 river mile of Oregon Department of Forestry lands. This addition of logs to the North Fork of the Trask will occur in the Riparian Reserve Land-Use allocation on BLM-managed lands. The proposed action is described in the *Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects Environmental Assessment* (EA# OR-086-05-01), and the *Final Decision Record and Finding of No Significant Impact for Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects* documents.

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

LUP Name: *Salem District Record of Decision and Resource Management Plan*, dated May, 1995 (ROD/RMP) and *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, dated September 1994 (RMP/FEIS).

This action also conforms to the following documents:

- The *Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late-Successional and Old-Growth Related Species Within the Range of the Northern Spotted Owl* (USDA, USDI 1994a) (Northwest Forest Plan)
- The *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (July 2007).

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

The Salem District ROD/RMP calls for giving the highest priority to watershed restoration in Key Watersheds of which Elkhorn is included (RMP p. 6)
The ROD/RMP also calls for restoration of stream channel complexity (p. 7) to attain Aquatic Conservation Strategy objectives (p. 11).
The proposed action is within the Riparian Reserve LUA.

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

Applicable NEPA Documents:

Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects Environmental Assessment (EA# OR-086-05-01), November 30, 2004, Salem District, Tillamook Resource Area, which shall be referred to as the EA.

Final Decision Record and Finding of No Significant Impact for Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects, May 9, 2005, Salem District, Tillamook Resource Area.

Other Related Documents:

This proposed action is covered under *Endangered Species Act - Section 7 Programmatic Consultation Biological and Conference Opinion And Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation Fish Habitat Restoration Activities in Oregon and Washington, CY2007- CY2012, April 28, 2007.* The respective Biological Opinions from National Marine Fisheries Service and the US Fish and Wildlife Service cover this project for ESA Section 7 Consultation for both Fish and wildlife species within the project area.

D. NEPA Adequacy Criteria

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

Yes. The EA considered projects called the Cruiser Creek and Elkhorn Fish Habitat Enhancement on approximately 2.0 miles of streams located in T2S R6W sections 5 and 8. The Elkhorn Fish Habitat Enhancement project is located in a portion of this area.

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?

Yes. The EA analyzed two alternatives, which was an appropriate range given the purpose and need for the project. Alternative 1, The Proposed Action, was designed to (1) improve fish habitat within the Elkhorn Tier 1 Key Watershed. Alternative 2 was

the No Action Alternative. Both Alternatives are described in detail in EA section 2.1.3 and 2.2. The selected alternative is Alternative 1. *See Final Decision Documentation and Finding of No Significant Impact for Elkhorn Creek Density Management Thinning, Wildlife Habitat Enhancement, and Fish Habitat Enhancement Projects.* No new environmental concerns, interests, resource values, or circumstances have been revealed since the EA was published in 2004 that would indicate a need for developing additional alternatives.

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?**

Yes. No new information or circumstances have arisen since the EA was published in 2004 that would affect the adequacy of the analysis. The inclusion of additional work managed by ODFW on private industrial timberland adjacent to the planned project area and similar work by Oregon Department of Forestry will provide benefit to fisheries resources. These activities were anticipated but not planned at the time this EA was completed.

There have been changes in the Survey and Manage program and Aquatic Conservation Strategy implementation since the EA was released. These changes, however, have not affected the adequacy of the analysis, and there has been no new information or circumstances that would require a new analysis. The proposed action was subsequently found by US Fish and Wildlife Service to be not likely to jeopardize the continued existence of bald eagles, spotted owls or marbled murrelets. The National Marine Fisheries Service (NMFS) has issued a Biological Opinion on this restoration work which covers essential fish habitat designated under the Magnuson-Stevens Fishery Conservation and Management Act (MSA). The analysis and conclusions in the EA appear to be appropriate and adequate.

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

Yes, the methodology and analytical approach used for the analysis contained in the EA continue to be appropriate in regard to the current proposed action. (1) There are no new standards or goals for managing resources; no new recovery plans for listed species have been developed. (2) There are no changes in resource conditions since the EA was published in 2004. (3) There are no changes in resource-related plans, policies or programs of other government agencies. (4) There are no new land designations in the Trask River watershed or the Elkhorn Creek project planning area. (5) There are no changes in statute, case law or regulation that would affect the implementation of the Elkhorn Fish Habitat Enhancement Project.

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?**

Yes. The EA adequately addresses the impacts (direct, indirect, and cumulative) of the proposed action on the relevant elements of the environment (EA, pp. 22-51). The EA describes impacts to air quality, Endangered Species Act (ESA) listed wildlife species and habitat, water quality, invasive and non-native plant species, soil resources, Bureau Sensitive and Special Attention plant and animal species and habitats, and rural interface areas. Impacts from implementing the Fish Habitat Enhancement Project would fall within those analyzed in the EA, and were anticipated in the EA.

Also see section D (3) of this DNA for further discussion.

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)?**

Yes. The cumulative effects considered in the EA included those from past, and reasonably foreseeable future actions including timber harvest on public and private lands, past and future fisheries enhancement work, and past and future forest road management. No unanticipated actions or events have occurred in the planning area that would have additional cumulative effects on the Elkhorn Fish Habitat Enhancement Project. The two days required for implementation of helicopter log placement including the additional actions on private industrial and Oregon Department of Forestry Lands are anticipated to have no additional cumulative impacts.

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

Yes. There have been many opportunities for public involvement and interagency review associated with the Project EA. The projects documents in the Elkhorn EA and Decision Record were listed in the September, June and March 2004 editions of the *Salem District Project Update* which were mailed to over 1,000 addresses, as well as a letter mailed on April 26, 2004, to 97 potentially affected and/or interested individuals, groups, and agencies. A presentation was also given to the Tillamook Watershed Council on May 25, 2004, which was attended by twelve people. A total of two letters, one e-mail and one voice-mail, were received as a result of this scoping. The Interdisciplinary Team (IDT) reviewed, clarified, and assessed the public comments. The response to the public comments is documented in Elkhorn EA Addendum 1- *Public Comment to Environmental Assessment and BLM Response*.

On December 9, 2004, a pre-decision letter, along with a copy of the EA and appendices and a preliminary FONSI (Finding of No Significant Impact), were sent to 13 individuals, groups and agencies that had expressed an interest in the project. Also, a legal notice requesting public comment to the EA and preliminary FONSI appeared in the *Tillamook Headlight-Herald* newspaper of Tillamook, OR. The EA and preliminary

FONSI were released for public comment from December 9, 2004 to January 10, 2005. A field trip was held on February 23, 2005 to the project site, with a representative of the Oregon Natural Resource Council (ONRC) and several BLM staff members. As a result of this scoping, one letter was received. The BLM's response to this letter is contained in Elkhorn EA Addendum 1. That public involvement process provided an appropriate coverage for the current proposed action. See section C of this DNA for a discussion of compliance with ESA (Endangered Species Act) and the Magnuson-Stevens Fishery Conservation and Management Act, Essential Fish Habitat.

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

<u>Name</u>	<u>Resource Represented</u>
Dennis Worrel	Soils / Water
Matt Walker	Fisheries
Andy Pampush	Wildlife
Bob McDonald	Environmental Coordinator

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.

This project incorporates design features set forth on page 8 (hauling) and 10-11 of the EA. These design features are consistent with the Best Management Practices described in Appendix C to the ROD/RMP on pages C9 – C10.

REVIEWED BY


 Environmental Coordinator

1/18/08
 Date

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.


 Tillamook Resource Area Field Manager

Jan 22, 08
 Date