

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

DETERMINATION OF NEPA ADEQUACY (DNA)

OFFICE: BLM Eugene District

TRACKING NUMBER: DOI-BLM-OR-E050-2014-005-DNA

CASEFILE/PROJECT NUMBER: WEW 10 year Schedule EA (2005)

PROJECT NAME: WEW Vegetation Project

LOCATION/LLEGAL DESCRIPTION: Within the Long Tom River watershed/Willamette Valley, Oregon

A. Description of Proposed Action and any applicable mitigation measures

The Proposed Action is to continue implementing vegetation and maintenance operations treatments under the *West Eugene Wetland (WEW) Schedule Environmental Assessment (EA)* in Eugene, Oregon. The purpose of this project is to protect, maintain, or enhance the amount of high, medium, and low quality habitats located on prairie habitat types found in the West Eugene Wetlands on BLM lands (Map 1- WEW Project Area). The scheduled work will include 1) control woody vegetation encroachment, 2) control invasive species, 3) reduce litter/thatch build up, 4) maintain native plant species diversity, and 5) maintain habitat for western pond turtles. BLM may treat approximately 700 acres in the high, medium, and low habitat categories for 2014. Actions specifically required by the City or County ordinance such as mowing and vegetation abatement would also occur under this project. All lands within the treatment area lie in the Long Tom River Basin. Project actions shall be accomplished through the use of a suite of treatment techniques listed in the WEW EA and attached to this document (Table 1). Table 2 lists the WEW sites where treatments are to occur. Prescribed fire treatments are implemented in late summer through early fall and may continue until October. Propane treatments occur in fall through spring in specific areas less than ¼ acre. All treatments will comply with design features by resource (Appendix C).

Background

The West Eugene Wetlands (WEW) Project is promoted by the Bureau of Land Management (BLM), Eugene District, to protect and restore prairie ecosystems in the southern Willamette Valley of Oregon. This unique program involves a partnership of federal, state, and local agencies and organizations to manage lands and resources in an urban area for multiple public benefits. The BLM works cooperatively with several WEW partners under assistance agreements to implement some of the schedule of work under this long term WEW Schedule EA.

A. Land Use Plan (LUP) Conformance

West Eugene Wetland Plan (WEWP) 1993, 2000, WEW Recreation, Access, and Environmental Education Plan (2000). The proposed West Eugene Wetlands Resource Management Plan and final Environmental Impact Statement.

The BLM, Eugene District, adopted the WEWP as the land management plan for those BLM lands within the WEW Project on March 23, 1993. This plan was revised, and BLM adopted the revised WEWP (City of Eugene, 2000) on September 17, 2001. For actions within the WEW, the alternatives

are consistent with the adopted plan. For actions within the Long Tom Area ACEC, the alternatives are in conformance with the BLM, Eugene District RMP, ROD (1995) as amended.

B. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

Biological Opinion and Letter of Concurrence on Effects of Implementation of the Ten-year schedule of Management Activities to Maintain, Enhance and Expand Prairie Habitats within West Eugene Wetlands (Dec. 2005)

Biological Opinion and Letter of Concurrence for Reinitiation of Informal Consultation on the (Ten Year) Schedule of Management Activities within the WEW to Address the Potential Effects to Designated Critical Habitat (2007).

WEW Threatened and Endangered Augmentation Environmental Assessment (2011).

Letter of Concurrence for informal consultation and on effects of WEW Threatened and Endangered Augmentation EA (2012).

C. NEPA Adequacy Criteria

- 1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes - The Proposed Action is part of the proposed actions previously analyzed for the ***West Eugene Wetland Schedule Environmental Assessment (October, 2005)***. This WEW EA analyzed the effects of potential issues summarized in the WEW Schedule EA on page 4 -5.

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes – The ***West Eugene Wetland Schedule Environmental Assessment (October, 2005)*** analyzed an appropriate range of alternatives given the purpose and need for the project. Four alternatives were analyzed, Alternative A (No action), Alternative B (minimal maintenance), Alternative C (Selected Rare species Habitat Maintenance, Enhancement, and Expansion) and Alternative D (Habitat type Maintenance, Enhancement, and Expansion). Alternative D was selected to be implemented for the next 10 years.

- 3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes – These findings are consistent with effects analysis in previous environmental assessments. In 2006, the US Fish & Wildlife Service published its final rule designating Critical Habitat for Fender's blue butterfly, Kincaid's lupine, and Willamette daisy. The final rule delineated a total of 3,720 acres of critical habitat for these species within the WEW project area. BLM reinitiated consultation for BLM's West Eugene Wetlands Schedule EA in order to analyze management activities that may affect 491 acres of designated critical habitat. The USFWS Service responded to BLM with a Letter of Concurrence and Biological Opinion (2007) covering the actions to maintain, enhance and expand prairie habitat in the WEW. These findings are consistent with

effects analysis in the 10 year schedule EA and with the Biological Opinion. Resource conditions have not changed in any way that would invalidate the analyses and the conclusions. The effects of the proposed action on listed plants and their communities; fenders blue butterfly habitat; western pond turtles and western meadowlarks were analyzed in the EA.

In 2013, the US Fish & Wildlife Service listed the Taylor's checker spot butterfly as an endangered species, and the streaked horn lark as threatened species under the Endangered Species Act. Surveys conducted in the spring of 2014 have not yielded detections of Taylor's checkerspot butterflies in the areas being proposed for treatments. The analysis of the effects on fenders blue butterfly habitat and on western meadowlarks in the 10 year schedule EA is adequate. The habitat occupied by Taylor's checkerspot butterflies is similar to the habitat occupied by fenders blue butterflies (page 36-38). The analysis in the EA for the western meadowlark is adequate for the streaked horn lark as well since the habitat occupied by these two species overlap (page 39-42). The EA acknowledged that the western meadowlark is an "umbrella species" and that managing for this species would meet the habitat needs of most other grassland bird species (page 25).

The Service proposes to designate critical habitat for these species within occupied known locations in Washington and Oregon. These occupied known locations for both wildlife species are outside the WEW project area. Additional pre project surveys will include site visits within habitat areas for these two species and if occupied locations are documented a buffer of 10 feet will be created in order to avoid nesting disturbance. Mowing treatments and use of heavy equipment for mastication of woody species, within the WEW project area for 2014 will occur after July 15. This would prevent disturbance to the Taylor's checkerspot butterfly and streaked horn lark breeding cycles.

Currently there are no detections to confirm occupancy by Taylor's checkerspot butterflies within the treatment areas. The breeding period of the streaked horn lark extends from April 1 to July 15 - no treatments are scheduled to occur during this period. Burning treatments are being proposed at Fir Butte, Hansen, Oxbow West, South Taylor and Isabelle sites. Nesting surveys for the streaked horn lark were carried out in 2013 and are currently being completed for 2014 at these sites; nests have not been detected this year. In any case burning and mowing will occur well after the breeding period for this avian species. Due to the lack of survey detections, lack of confirmed nesting and strategic timing of the treatment applications the actions will have no effect on the recently listed Taylor's checkerspot butterfly and the streaked horn lark. Therefore re-initiation of consultation has not been requested from the USFWS.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes – Direct and indirect impacts from the use of treatment techniques listed on page 57 to maintain, enhance and expand prairies would remain the same identified in the WEW Schedule EA. This WEW EA does analyze site specific impacts related to the current proposed action as well as provides "Design features by Resources" see Appendix C for more details in the WEW Schedule EA.

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

Yes – Ongoing research and annual monitoring in the wetlands units and in the Willamette Valley support the proposed action, as an appropriate method for the maintenance, enhancement & expansion of prairie ecosystems similar to those in the proposed project area.

D. BLM Staff Consulted

| <u>Name</u> | <u>Title</u> |
|----------------------|-----------------------------|
| Sally Villegas-Moore | Natural Resource Specialist |
| Eric Johnson | Fuels Specialist |
| Heather Ulrich | Archaeologist |

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 constitute BLM's compliance with the requirements of the NEPA.

Signature of Project Lead:

/S/ Sally Villegas

Sally Villegas

Date: 6/6/2014

Signature of NEPA Coordinator:

/S/ Sharmila Premdas

Sharmila Premdas

Date: 6/6/2014

Signature of the Responsible Official:

/S/ Michael J. Korn

Michael J. Korn

Field Manager

Siuslaw Resource Area

Date: 6/6/2014

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. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program specific regulations.

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DECISION RECORD
DOI-BLM-OR-E05-2014-005-DNA
WEW Vegetation Project

DECISION

It is my decision to implement this action as described in the Determination of NEPA Adequacy documentation DOI-BLM-OR-E05-2013-005-DNA.

DECISION RATIONALE

The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the West Eugene Wetland Plan (WEWP) 1993, 2000, WEW Recreation, Access, and Environmental Education Plan (2000). The proposed West Eugene Wetlands Resource Management Plan and final Environmental Impact Statement.

ADMINISTRATIVE REMEDIES

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205.

Signature of the Responsible Official:

/S/ Michael J. Korn
Michael J. Korn
Field Manager
Siuslaw Resource Area

6/6/2014
Date:

Table 1 – Actions and Treatment Techniques

| Treatment Techniques | Selected Rare Species Habitat Maintenance, Enhancement, and Expansion Actions – Alternative D | | | | |
|--|---|--------------------------|-----------------------|----------------------------|--|
| | Action 1 | Action 2 | Action 3 | Action 4 | Action 5 |
| | Control woody vegetation encroachment | Invasive species removal | Reduce Thatch Buildup | Enhance native plant cover | Improve/maintain nesting/rearing habitat for WPT |
| Carbon addition * | | | | X | |
| Chainsaws/Thinning | X | | | | X |
| Biosolids treatments * | | X | | X | |
| Fill removal * | | | | X | X |
| Girdling trees | X | | | | X |
| Grind tree stumps | X | X | | | |
| Grubbing | X | X | | | X |
| Hand pulling tools (Hoeing and Clipping) | X | X | | | X |
| Livestock grazing (particularly sheep or goats)* | X | X | | | |
| Mowing | X | X | X | X | |
| Mycorrhizae addition * | | X | | X | |
| Planting propagules | | X | | X | X |
| Prescribed burning | X | X | X | X | X |
| Raking | | | X | | |
| Shade cloth | | X | | | X |
| Sod rolling * | | X | | | X |
| Solarization* | | X | | | X |
| Spot tilling * | | X | | | X |
| Thermal (flame weeder, hot foam, propane) * | X | X | | | X |
| Tilling * | | X | | X | |
| Weed whacking | X | X | | | X |
| Western Pond Turtle | | | | | |
| Planting of aquatic vegetation | | | | | X |
| Create/improve upland soil mounds for nesting | | | | | X |
| Remove vegetative barriers to movement | | | | | X |
| Create permanent ponds | | | | | X |
| Coarse wood and boulder placement in ponds | | | | | X |

* These treatment techniques will not be applied within Federally-listed T&E plant populations when the treatment could result in adverse affects to populations of T&E species.

Table 2 - WEW Sites 2014

| Site Name | Township, Range, Section |
|----------------------|--|
| Balboa | T. 17S. R. 4W. Sec. 33 |
| Beaver Run | T. 17S. R. 4W. Sec. 33 |
| Burley | T. 17S. R. 4W. Sec. 34 |
| Danebo | T. 17S. R. 4W. Sec. 33 |
| Eastern Gateway | T. 17S. R. 4W. Sec. 35 |
| Greenhill | T. 17S. R. 4W. Sec. 30 |
| Isabelle | T. 17S. R. 4W. Sec. 33 |
| Larsen | T. 17S. R. 4W. Sec. 29 |
| Nolan | T. 17S. R. 4W. Sec. 34 |
| Oxbow East | T. 17S. R. 4W. Sec. 28 |
| Oxbow West | T. 17S. R. 4W. Sec. 32-33 |
| Rosy | T. 17S. R. 4W. Sec. 33 |
| Speedway | T. 17S. R. 4W. Sec. 33 & T. 18S. R. 4W. Sec. 4 |
| Stewart Pond Complex | T. 17S. R. 4W. Sec. 27, 34 |
| Willow Crk Conflu | T. 17S. R. 4W. Sec. 33 |
| Vinci | T. 17S. R. 4W. Sec. 32 |
| Hansen | T. 17S. R. 5W. Sec. 23, 24 |
| Long Tom ACEC | T. 16S. R. 5W. Sec. 33 |
| Oak Hill | T. 17S. R. 4W. Sec. 30 |
| Fir Butte | T. 17S. R. 5W. Sec. 24 |
| Hansen | T. 17S. R. 5W. Sec. 24 |
| Isabelle | T. 17S. R. 4W. Sec. 33 |
| Oxbow West | T. 17S. R. 4W. Sec. 32-33 |
| South Taylor | T. 17S. R. 5W. Sec. 4 |
| Spectra Physics | T. 17S. R. 4W. Sec. 29 |
| Turtle Swale | T. 17S. R. 4W. Sec. 29 |
| Willow Corner Annex | T. 17S. R. 4W. Sec. 4 |
| North Taylor | T.16S. R. 5W. Sec. 33 |
| South Taylor | T.17S. R. 5W. Sec. 3, 4 |

APPENDIX C – DESIGN FEATURES BY RESOURCE

Additional design features may be developed by appropriate resource specialists on a site-specific basis, in response to on-site conditions and most current research and basin wide plans (e.g., Willamette Valley Recovery Plan).

AIR QUALITY/PRESCRIPTION BURNING

- All burning will be done in compliance with Lane Regional Air Pollution Authority and the unit- specific Prescribed Fire Burn Plan.
- Prescribed burns would generally occur at an interval of every 2-3 years, but intervals would be based on results of monitoring and/or research.
- Prescribed burning is generally restricted to late summer and fall months, when soils have low moisture values, and can support fire-fighting vehicles without damage to the soils.
- Burns would be of short duration and would be implemented on only a portion of any listed species population.
- Prescribed burns would be ignited by hand using propane, fusees, or drip torches.
- Fire control/suppression would be accomplished with the use of pre-burn hose lays, wet-lining, and/or fire retardant foam.
- An area approximately 10-20 feet wide would be mowed around the outside boundary of the prairie area to assure fire control.
- Access routes for vehicles (including fire vehicles) would be planned ahead of time to minimize potential effects to T&E species, Special Status species, and other sensitive wetland resources.
- Trampling by burn staff in areas of T&E species would be discouraged to avoid/minimize potential effects.

BIOLOGICAL RESOURCES (BOTANY and WILDLIFE)

- Ground-nesting and other key bird breeding areas would be identified prior to mowing. Mowing within these areas would not occur between April 15 – July 15, generally the nesting season.
- Removal of trees and shrubs would be timed to minimize adverse effects to occupied bird nests.
- Temporary protective fencing and restrictive signage would be placed along the boundary of project areas as needed to protect plant and wildlife habitat during construction activities.
- Use of native seed and other plant materials will be consistent with the Wetland Plant Supply Strategy (1996). Seed mixes would include nectar plant seed for the great copper butterfly.
- Livestock, particularly goats and sheep, would be used on areas that have a high percent cover of exotic species.

T&E and OTHER SPECIAL STATUS SPECIES

- Pre-project surveys for T&E and other Special Status Species would occur as needed, in accordance with the BLM policy at the time of project implementation. Areas of listed T&E species and Special Status species within or near project areas would be identified with flagging.
- Human activities, including walking, in areas occupied by T&E species would be limited to avoid/minimize potential effects.

- When burning in areas with Fender's blue butterfly, the size of the burn units for sites supporting 100 or more adult Fender's would be a maximum of 1/3 of the occupied habitat. The size of the burn units for sites with less than 100 adult Fender's would be a maximum of 1/4 of the occupied habitat. Un-burned occupied habitat would be maintained within 100 meters of the burn area to provide a re-colonization source for the butterfly. Where patch size allows, butterfly refugia within burn units would be protected with a fire break and/or watering down prior to a burn. Intervals for burning would be determined based on monitoring of butterfly populations.
- Treatments applied to areas of listed T&E species, and other Special Status species, would generally occur after plant populations have senesced for the season. If any treatments occur during periods when T&E plants and other Special Status species are actively growing (February-September), plants would be well-marked on the ground so that plants would not be damaged by crews and equipment. When possible, work would be supervised by a trained specialist and would be implemented with as few workers as possible to limit trampling.
- Planting of native vegetation in areas occupied by Fender's blue butterfly would be conducted in late spring or winter and only between patches of extant Kincaid's lupine plants, where inactive larvae may be present.
- When mowing areas with T&E species and other Special Status species, work would occur after plants have senesced. Mower decks would be a minimum of six inches above ground to prevent soil disturbance on sites with irregular soil-surface topography and to reduce potential for disturbance to Fender's blue larvae in the thatch layer
- No more than 2/3 of a population of T&E plant species, with the exception of Kincaid's lupine, would be treated by mowing or burning in a given year.
- Use of shade cloth in areas occupied by any of the three T&E plant species would be placed a minimum of 5 feet away from known populations of these plants
- Girdling trees, grinding tree stumps or use of chainsaws would not occur within populations of the T&E species.
- Raking or weed whacking in areas of T&E plant species would occur only after plants have senesced.
- Any western pond turtle nest sites found during project implementation would be protected in coordination with ODFW.
- Silt/drift fences would be installed where appropriate to direct turtles away from construction/project activities and would be removed after project completion.

NON-NATIVE and NOXIOUS WEEDS

- Native plants would be seeded or planted post-treatment when needed to encourage establishment of native vegetation and to discourage potential spread and establishment of exotic and invasive woody and herbaceous species.
- To prevent the spread of noxious weeds and nonnative plants, all vehicles and heavy construction equipment would be cleaned to remove mud, debris, and vegetation material prior to arriving at the project site.
- Grazing would be monitored and restricted to the dry season in wetland habitat.
- Livestock would be quarantined and fed weed-free food before and after release on each project area. Quarantine should be sufficient to prevent seeds from one site contaminating the next. If the livestock are being used for

treatment of the same species of invasive plants and noxious weeds on different sites within the WEW, no quarantine is needed.

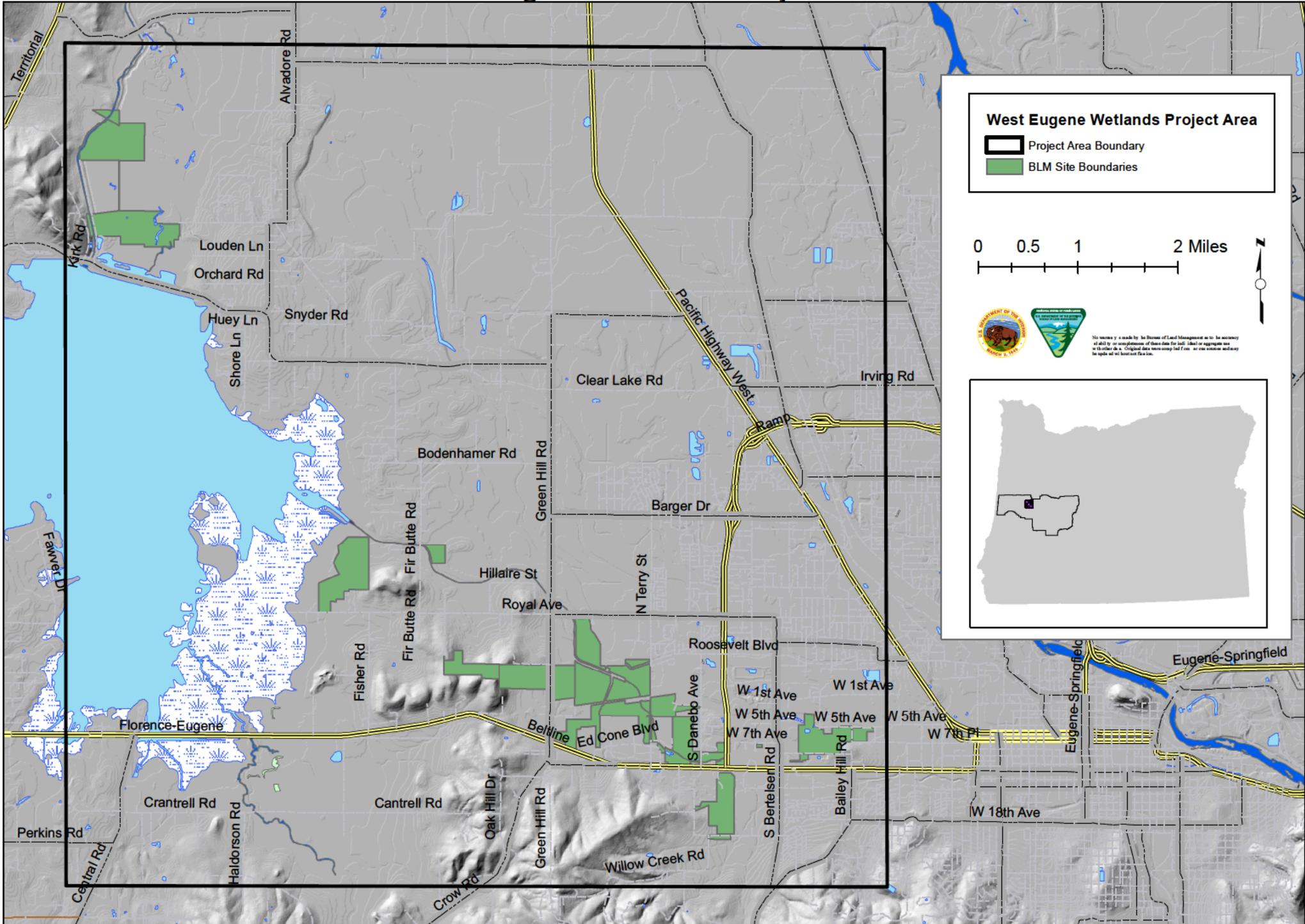
HYDROLOGY/WATER QUALITY AND SOILS

- Grazing animals would not be allowed within 50 feet of any stream or river channel.
- Soil disturbing restoration techniques (where disruption of nitrogen removal, sediment stabilization, and phosphorus retention might occur) would be designed to protect functionality of wetland and riparian sites.
- Ground disturbing activities would be designed to retain organic materials (primary production of soil animals and microbes).
- Excavation of native soils would be designed to minimize disturbance to the historic native soil profile.
- Protective barriers would be placed around specified staging areas, drainages, ditches, and stream edges as needed to minimize sedimentation. Protective barriers would be removed after project completion.
- Sediment Traps/Retention Ponds will be constructed, as needed, during project implementation to intercept runoff from disturbed areas and will be located away from natural stream channels. The traps/ponds should be adequate in size and number to provide for storm events and predicted sediment accumulation. Sediment traps/retention ponds would be removed or left in place, based on site-specific circumstances.
- Weed free native straw mulch or geo-textiles will be used to minimize erosion from bare soils adjacent to streams, ditches or drainage ways.
- Soil disturbing work would occur during the dry season to minimize compaction. Use of low ground pressure equipment would be required to minimize compaction. Tilling would be used for decompaction where appropriate during low moisture soil conditions (summer/fall).
- Topsoil would be retained on site, if possible. Where feasible, disturbed soil would be salvaged, segregated during storage, composted, and reused in a similar location and depth. Where feasible, wetland soils would be salvaged and reused as fill in wetland areas.
- Monitoring of soils during sod rolling or fill removal would be required to minimize the disturbance and loss of the shallow native surface.

CULTURAL RESOURCES

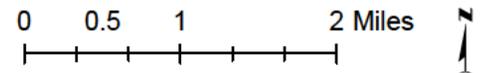
- Cultural resource surveys would be conducted in advance of surface disturbing activities in areas with intact historic soil profile where cultural resource surveys have not been previously conducted. No excavation would occur in areas where the historic soil profile is intact.
- In the event paleontological remains or archaeological specimens are uncovered or found within the project area, the area would be secured by the BLM until the site can be evaluated to determine its eligibility for inclusion on the National Register of Historic Places.

West Eugene Wetlands Project Area



West Eugene Wetlands Project Area

- Project Area Boundary
- BLM Site Boundaries



No warranty is made by the Bureau of Land Management as to the accuracy of data by its compilation of these data for field, local or aggregate use without the original data source compiled from an aerial photograph and may be made at the discretion of the user.

