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

DETERMINATION OF NEPA ADEQUACY (DNA) WORKSHEET

OFFICE: Upper Willamette Resource Area

TRACKING NUMBER: DOI-BLM-OR-E060-2015-003-DNA

PROJECT NAME: Anthony Creek Road Crossing Restoration Project

LOCATION/LEGAL DESCRIPTION: T19S R1W, Section 31

A. Description of Proposed Action and any applicable mitigation measures

This project would replace an undersized, fish barrier culvert with a fish passable bridge. This crossing would accommodate 100 year flood waters, reduce chronic sediment sources, allow wood and sediment transport, improve water quality and allow fish passage. Work would occur between July 16 and August 1, 2015 using heavy equipment. The project is expected take up to 14 days to complete. The Middle Fork Willamette Watershed Council would be overseeing the Project that they obtained a grant from OWEB to conduct. All applicable Project Design Features (PDFs) from the Eugene District Aquatic and Riparian Restoration Activities Environmental Assessment (Aquatic Restoration EA) would be implemented. (See Appendix A.)

B. Land Use Plan (LUP) Conformance

LUP Name: Eugene District Record of Decision and Resource Management Plan (RMP), as amended. Date Approved: June 1995

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions:

Watershed restoration will be an integral part of a program to aid recovery of fish habitat, riparian habitat, and water quality. The most important components of a watershed restoration program are control and prevention of road-related runoff and sediment production, restoration of the condition of riparian vegetation, and restoration of in-stream habitat complexity. Other restoration opportunities include meadow and wetland restoration and mine reclamation.

Focus watershed restoration on removing some roads and, where needed, upgrading those that remain in the system (RMP, Page 20).

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

Environmental Assessment for Eugene District Aquatic and Riparian Restoration Activities
EA # DOI-BLM-OR-090-2009-0009-EA (Restoration EA)

National Marine Fisheries Service Fish Habitat Consultation for Fish Habitat Restoration Activities in Oregon and Washington Biological Opinion (2008/03506) (ARBO I)

Reinitiation of Aquatic Restoration Activities in States of Oregon and Washington
NMFS Consultation Number: NWR-2013-9664 (ARBO II)

D. 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?**

   The Proposed Project was analyzed in the Aquatic Restoration EA to occur anywhere on the district. Projects of this type were specifically proposed and analyzed in the Aquatic Restoration EA. "Activities would include the removal and replacement of existing road stream crossings (culverts and bridges) than restrict fish passage and flow with structures than allow for passage." p.10. This Project has been reviewed by area resource specialists to ensure it conforms to standards and guides in the Aquatic Restoration EA, and that all applicable Project Design Features from the Aquatic Restoration EA would be implemented

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?**

   The Aquatic Restoration EA analyzed a reasonable number of alternatives, including no action that showed differences in the effects in each alternative. No changes to the existing environment or resource values have occurred that would trigger the initialization of new NEPA analysis here.

3. **Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, 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?**

   The existing Aquatic Restoration EA analysis covers this project and no new information, circumstances, or recent listings would alter the analysis that was conducted. There are no new circumstances or new information that would change the original analysis conducted in the Aquatic Restoration EA.

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. The effects analyzed in the Aquatic Restoration EA were programmatic in nature and are essentially similar to the proposed action. The Interdisciplinary Team reviewed the project and determined that there would be no effects to resources beyond those described in the original EA.

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

   The BLM completed the NEPA process for the Aquatic Restoration EA and responded to all comments and questions associated with the EA. Copies of the Aquatic Restoration EA and preliminary FONSIs were mailed to interested individuals on the Eugene District mailing list.

E. Persons/Agencies /BLM Staff Consulted

Name	Title	Resource
Kristine Struck	Planning & Environmental Coordinator	NEPA
Steve Liebhardt	Fisheries Biologist	Fisheries
Cheryl (Cheshire) Mayrsohn	Botanist	Vegetation and Weeds
Susan (Rudy) Wiedenbeck	Soil Scientist	Soils
Chris Langdon	Wildlife Biologist	Wildlife
Andrew Hamilton	Hydrologist	Hydrology
Douglass Fuller	Forester	Timber
Jessica LeRoy	Engineer	Roads
Heather Ulrich	Archaeologist	Archaeology

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/ Steve Liebhardt Date: May 13, 2015
Steve Liebhardt, Fish Biologist

Signature of NEPA Coordinator:

/s/ Kristine M Struck Date: May 26, 2015
Kristine M. Struck, PEC

Signature of the Responsible Official:

/s/ William O'Sullivan Date: May 28, 2015
William O'Sullivan, Field Manager

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.

Appendix A

Relevant Project Design Features (PDFs)

Project Design Features from Restoration EA

To prevent the introduction or spread of invasive plants:

1. Seed all disturbed ground using genetically appropriate, certified weed free, native plant seed and/or other plant materials.

2. Assure that all equipment entering and/or leaving project area is clean of invasive plant material(s), mud, or material that could transport seeds or plant material.

3. Assure that equipment, vehicles, and materials are not staged in known invasive plant populations.

4. Assure that any materials brought into the project area (clean fill, straw, gravel, large wood) are free of invasive plant material(s).

5. Minimize soil disturbance as part of restoration project(s) and retain native vegetation to the extent practical.

6. Where necessary, provide general invasive plant awareness to project workers to reduce spread and improve efficiency of treatment.

To minimize impacts to soils:

19. Where soil is disturbed or compacted, take appropriate measures to revegetate the area, place woody debris and brush over tilled surface, install erosion control measures and improve bank stability. Take appropriate measures to block future access. This may include topsoil replacement, planting or seeding with native species, and weed-free mulching.

To reduce impacts to aquatic resources:

20. Limit the number and length of equipment access points through Riparian Management Areas.

21. Design access routes for individual work sites to reduce exposure of bare soil and extensive streambank shaping.

22. Use waterbars, barricades, seeding, and mulching to stabilize bare soil areas along project access routes prior to the wet season.

24. Place sediment control devices such as water bars, hay bales, and other silt trapping devices in areas determined to have high potential for sediment input into the stream.

25. Rehabilitate and stabilize disturbed areas where soil will support seed growth by seeding and planting with native seeds mixes or plants, or using erosion control matting.

26. When using heavy equipment in or adjacent to stream channels during restoration activities, develop and implement and approved spill containment plan that includes having a spill containment kit on-site and at previously identified containment locations.

27. Inspect all mechanized equipment daily for leaks and clean as necessary to help ensure toxic materials, such as fuel and hydraulic fluid, do not enter the stream.

28. Refuel equipment, including chainsaws and other hand power tools, at least 100 feet from water bodies to prevent direct delivery of contaminants into a water body.

29. Do not store equipment in stream channels when not in use.

30. Minimize damage of hardwoods within 50 feet of stream bank.

31. Minimize pulling or felling of trees from within 60ft of streams.

33. When replacing culverts, install grade control structures (e.g. boulder vortex weirs or boulder step weirs) where excessive scour could occur.

34. Adhere to the in-water work window as defined by the Oregon Department of Fish and Wildlife (ODFW). Projects outside of this work window would require waivers from ODFW and National Marine Fisheries Service (NMFS).

To protect objects of cultural value:

38. If any objects of cultural value (e.g. historic or prehistoric ruins, graves, fossils, or artifacts) are found during the implementation of the proposed action, operations would be suspended until the site has been evaluated to determine the appropriate mitigation action. Mitigation might include avoidance or systematic excavation of a portion of the site.

To reduce impacts to wildlife species:

39. A wildlife biologist will participate in the design of all projects that may affect Threatened and Endangered species, BLM Sensitive species, or migratory birds of conservation concern.

40. Any activity must meet any applicable standards found in the most current Biological Opinion for northern spotted owls and/or marbled murrelets in the appropriate Planning Province in addition to those found in the ARBO.

41. Although permitted under the ARBO, no "take," as defined by the Endangered Species Act, of northern spotted owls or marbled murrelets will be allowed. Determinations of potential take will follow methods described in the most current Biological Opinion in the appropriate Planning Provinces, and will be determined by a wildlife biologist for each project.

42. Any activity must meet the standards of the Bald and Golden Eagle Protection Act, and associated administrative rules and associated BLM Instruction Memoranda.

43. Any activity must meet BLM Special Status Species policy, found in BLM Manual §6840 and associated BLM Instruction Memoranda.

44. Any activity must meet the standards of the Migratory Bird Treaty Act and associated BLM Instruction Memoranda.

45. No activity shall disrupt the normal behavior of a peregrine falcon, bald eagle, northern goshawk, harlequin duck, or purple martin at a known nest site during the breeding season, nor shall habitat-modifying activities remove nest trees or affect the function of known nest sites for these species.

46. No activity shall disrupt the normal behavior of fringed myotis, pallid bats, or Townsend's big-eared bat at known hibernacula or roost sites.

48. Snags shall be reserved except as necessary for human safety. Activities shall be relocated away from snags occupied by sensitive species, if feasible. Snags occupied by sensitive species that must be felled shall not be felled when in active use. All felled snags shall be left on site as coarse woody debris.

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DECISION RECORD

DOI-BLM-OR-E060-2015-003-DNA
Anthony Creek Road Crossing Restoration Project

DECISION

It is my decision to implement this action as described in the Determination of NEPA Adequacy documentation DOI-BLM-OR-E060-2014-003-DNA.

DECISION RATIONALE

The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended). Based on the Determination of NEPA Adequacy, I have determined that the existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

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/ William O'Sullivan
William O'Sullivan
Upper Willamette Field Manager
Eugene District Office

May 28, 2015
Date: