

**Documentation of Land Use Plan Conformance  
and  
NEPA Adequacy (DNA)  
for  
Ashland Resource Area  
Bobar Thin Timber Sale**

**DOI-BLM-OR-M060-2013-009-DNA**

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**A. Describe the Proposed Action**

This project will remove commercial sized trees and utilize timber within two units along Eagle Canyon Road, 39-3-13, on BLM lands within the Medford District. Timber will be harvested to maintain 80 basal area within the units. The two units to be managed are approximately 17 acres (see map).

Trees identified for commercial sale will be skidded to a landing using a skidder or tractor and hauled using log trucks. Mechanized equipment will not be allowed off of pre-designated skid roads. Directional falling will be used to the extent possible to minimize disturbance to the ground. Activity fuels created by operations shall be hand piled and burned.

The location of the project is along the lower section of Eagle Canyon Road (Road 39-3-13) in southwest Oregon, Jackson County. Legal Description: T39S R3W, NW ¼ of the NE ¼ of Section 13, SE ¼ of the NE ¼ of Section 13.

The proposed action is consistent with Environmental Assessment for the Bald Lick Environmental Assessment (EA-OR116-05-01) and will incorporate all appropriate Project Design Features (EA pp. 2-20 through 2-37). The treatment will downgrade NRF habitat outside of the 2012 CHU and was consulted on in the 2011 AshPass May Affect, Likely to Adversely Affect (LAA) Biological Assessment and a corresponding USFWS Biological Opinion (#13420-2011-F-0206).

**B. Land Use Plan (LUP) Conformance**

The Proposed Action is in conformance with the following plans:

- Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl (Northwest Forest Plan FSEIS, 1994 and ROD, 1994)\*
- Final Medford District Proposed Resource Management Plan/Environmental Impact Statement, and Record of Decision and Resource Management Plan (EIS, 1994 and RMP/ROD, 1995)
- Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon (FSEIS 2004) and ROD (2004)
- Medford District Integrated Weed Management Plan Environmental Assessment (1998) and tiered to the Northwest Area Noxious Weed Control Program (EIS, 1985)
- Final Supplemental Environmental Impact Statement and Record of Decision and Standards and Guidelines for Amendment to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (FSEIS, 2000 and ROD, 2001)\*\*

\*The Medford District initiated planning and design for this project to conform and be consistent with the District's 1995 RMP. The Bobar Thin Project contains Project Design Features that apply Best Management Practices (BMPs) in Appendix D of the 1995 RMP (as modified by IM-OR-20 11-074). As designed, this project complies with Management Direction, Objectives, and Best Management Practices of the 1995 Medford District RMP. This proposal is also in compliance with the direction given for the management of public lands in the

Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act of 1973 (ESA), the Clean Water Act of 1972 (CWA), Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act of 1990, the Archaeological Resources Protection Act of 1979 (ARPA) and the National Historic Preservation Act of 1966 as Amended (NHPA).

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an order in *Conservation Northwest, et al. v. Sherman, et al.*, No. 08-1067-JCC (W.D. Wash.), granting Plaintiffs' motion for partial summary judgment and finding NEPA violations in the *Final Supplemental to the 2004 Supplemental Environmental Impact Statement to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines* (USDA and USDI, June 2007). In response, parties entered into settlement negotiations in April 2010 and the Court filed approval of the resulting Settlement Agreement on July 6, 2011. Projects that are within the range of the northern spotted owl are subject to the survey and management standards and guidelines in the 2001 ROD, as modified by the 2011 Settlement Agreement. The Bobar Thin Project is consistent with the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD), as modified by the 2011 Settlement Agreement.

### **C. Identify applicable NEPA documents and other related documents that cover the proposed action.**

The following documents cover the proposed action:

The Environmental Assessment for the *Bald Lick Landscape Project* (EA-OR116-05-01).

The Decision Record and Finding of No Additional Significant Impact for the *Bald Lick Landscape Project*. USDI Bureau of Land Management. August 29, 2005.

The Decision Record, signed 6/5/98, for the *Integrated Weed Management Plan* with the associated FONSI and Medford District Integrated Weed Management Plan.

The U.S. Fish and Wildlife Service (USFWS) Biological Opinion (#13420-2011-F-0206).

The National Marine Fisheries Service' *Letter of Concurrence* (2005).

### **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 within the same analysis area of the previously analyzed project?** Yes, the Bald Lick Environmental Assessment (EA-OR116-05-01), listed above, analyzed density reduction activities being reviewed for NEPA adequacy under this determination of NEPA. This site-specific project includes falling, yarding, and hauling merchantable trees to a designated landing location. Project design features required under the above referenced EA are included in this project.
- 2. Is the range of alternatives analyzed in the existing NEPA documents appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?** The range of alternatives analyzed in the above EA is appropriate with respect to the current proposed action. The units being considered for implementation now were common to all action alternatives.
- 3. Is the existing analysis valid in light of any new information or circumstances?** This project is a subset of activities analyzed in the above referenced EA. No new information exists.

4. **Do the methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the current proposed action?** The interdisciplinary team approach was used in evaluating the proposed action. The present methodology continues to be appropriate because the action is the same.
5. **Are the direct, indirect, and cumulative effects of the current proposed action similar to those identified in the existing NEPA documents?** This project is a subset of the activities analyzed in the above referenced EA and the effects were analyzed and disclosed. No new information or circumstances would affect the predicted environmental impacts as stated in the above referenced EA.
6. **Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?** The Bald Lick Environmental Assessment (EA-OR116-05-01) was made available for public review at the Medford BLM office in 2005.

**E. Interdisciplinary Analysis:** This worksheet was distributed to the appropriate members of the Ashland Resource Area Interdisciplinary Team for review and input.

**F. Mitigation Measures:** Although no mitigating measures are recommended, Project Design Features (PDFs), discussed in Section A above, are included as part of the proposed action for the purpose of minimizing anticipated adverse environmental impacts.

**CONCLUSION**

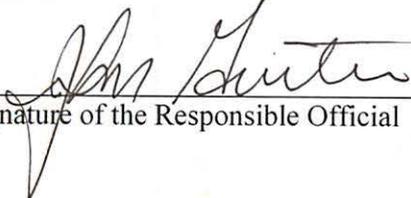
Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of NEPA.



\_\_\_\_\_  
Signature of Project Lead



\_\_\_\_\_  
Signature of NEPA Coordinator



\_\_\_\_\_  
Signature of the Responsible Official

3-11-13

\_\_\_\_\_  
Date

# Bobar Thin

