

## Determination of NEPA Adequacy (DNA)

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

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**Office:** Medford District Office, Butte Falls Resource Area

**Tracking Number:** DOI-BLM-OR-M050-2011-0008-DNA

**Casefile/Project Number:** *Butte Falls Blowdown Salvage Environmental Assessment*  
EA#OR115-08-02

**Proposed Action Title/Type:** Butte Falls Insect and Blowdown Salvage

**Location/Legal Description:** Township 34 South, Range 1 East, Section 11  
Township 34 South, Range 3 East, Section 31  
Township 35 South, Range 2 East, Section 25  
Township 35 South, Range 2 East, Section 35  
Township 36 South, Range 2 East, Section 3  
Township 36 South, Range 2 East, Section 13  
Willamette Meridian, Jackson County, Oregon

### A. Description of the Proposed Action and any applicable mitigation measures

The Butte Falls Resource Area, Medford District Bureau of Land Management (BLM) proposes to implement mortality salvage on approximately 25 acres of matrix lands in the Big Butte Creek fifth field watershed, 39 acres in the Little Butte Creek fifth field watershed, and blowdown salvage on approximately 1 acre within the Rogue River-Lost Creek watershed. Most of the mortality is caused by the Douglas-fir beetle, though there is some incense cedar, sugar pine and ponderosa pine mortality. Tree selection is based on the marking guidelines included in the Butte Falls Blowdown Salvage Environmental Assessment (EA) (p. 184-188). The project would recover the economic value of the dead and dying trees before fire or natural decay causes the trees to lose their economic value. The proposed salvage activities were analyzed in the *Butte Falls Blowdown Salvage Environmental Assessment* (EA) (July 2008).

The *Butte Falls Blowdown Salvage EA* stated, should additional salvage trees be discovered after this EA is approved, the harvest of that material could occur after a determination of NEPA adequacy or additional NEPA analysis is completed, and the following criteria are met:

1. Newly discovered material must be located on matrix lands within the Project Area, which is defined as BLM-administered lands in
  - T33S, R1E, R2E, R3E
  - T34S, R1E, R2E, R3E
  - T35S, R1E, R2E, R3E
  - T36S, R2E, R3E

2. Inventories and surveys for cultural resources, Special Status Species, and Threatened and Endangered plants must be undertaken at the same levels as they were for the salvage units identified in this EA.
3. Harvest systems must be essentially the same as those previously described.

The insect mortality trees are located within existing timber sales, Look Out B Low and Windy Salt blowdown salvage units and within the project area analyzed in the EA. Where salvage is not accessible from existing roads, existing skid trails will be used to minimize ground disturbance.

### **Project Design Features**

Applicable project design features identified by the interdisciplinary team for the Butte Falls Blowdown Salvage EA will be implemented in this project (EA, p. 17-22).

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

The Medford District initiated planning and design for this project to conform and be consistent with the Medford District's 1995 RMP. Following the March 31, 2011 decision by the United States District Court for the District of Columbia in Douglas Timber Operators et al. v. Salazar, which vacated and remanded the administrative withdrawal of the Medford District's 2008 ROD and RMP, we evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP. Based upon this review, the selected alternative contains some design features not mentioned specifically in the 2008 ROD and RMP. The 2008 ROD and RMP did not preclude use of these design features, and the use of these design features is clearly consistent with the goals and objectives in the 2008 ROD and RMP. Accordingly, this project is consistent with the Medford District's 1995 RMP and the 2008 ROD/RMP.

Land Use Plan (LUP) Name: *Medford District Record of Decision and Resource Management Plan*

Date Approved: June 1995

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

“Mortality of entire stands or of scattered trees that results from disturbance would be harvested in salvage operations. Only mortality above the level needed to meet snag retention and other habitat goals and provide desired levels of coarse woody debris would be harvested” Medford District Resource Management Plan (page 186).

This proposal also complies 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), Endangered Species Act of 1973 (ESA), National Environmental Policy Act (NEPA) of 1969, Clean Water Act of 1987 (CWA), Safe Drinking Water Act of 1974 (as amended 1986 and 1996) (SDWA), Clean Air Act of 1990 (CAA), Archaeological Resources Protection Act of 1979 (ARPA), and Healthy Forests Restoration Act of 2003 (HFRA).

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

- *Butte Falls Blowdown Salvage Environmental Assessment*, July 25, 2008
- *Finding of No Additional Significant Impact for Butte Falls Blowdown Salvage*, September 3, 2008
- *Decision Record for Butte Falls Blowdown Salvage*, September 3, 2008
- *Second Decision Record for Butte Falls Blowdown Salvage*, November 12, 2008
- Medford Bureau of Land Management (BLM) 2008 Biological Assessment for Blowdown Salvage that May Affect but will not Adversely Affect Spotted Owls and Critical Habitat
- Letter of Concurrence [LOC #8330.I0101(08)] from US Fish and Wildlife Service for “may affect, not likely to adversely affect” northern spotted owl or designated spotted owl critical habitat, July 10, 2008
- Letter of Concurrence [LOC #2008/04499] from National Marine Fisheries Service for projects within the Big Butte Creek 5<sup>th</sup> field watershed, August 12, 2008
- *Water Quality Restoration Plan for the Big Butte Creek Fifth-field Watershed*, January 2008
- *Survey and Manage Tracking Sheet: Botany*, October 6, 2008
- *Survey and Manage Tracking Sheet: Wildlife*, October 6, 2008

**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?**

Yes. The acres of insect mortality salvage harvest in the new proposed action were included in the analyses of the *Butte Falls Blowdown Salvage EA* and subsequently included in the three Decision Records (September 3, 2008, November 12, 2008). The proposed salvage is located within the geographical area of the *Butte Falls Blowdown Salvage EA*, and the EA did not identify any substantial impacts that would result from the original level of salvage harvest.

**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 EA analyzed two action alternatives and a no action alternative. This range of alternatives was appropriate to address the purpose and need for the project to salvage and recover economic value of dead and dying trees. The alternatives are described in the EA in Section 2.4, Description of the Alternatives (EA p. 16).

**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?**

Yes. A BLM interdisciplinary team of resource specialists reviewed the project and determined no significant changes in circumstances or significant new information have occurred since the EA was written. All surveys were completed for plants, wildlife, and cultural resources.

**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 EA provided a thorough analysis of direct, indirect, and cumulative impacts of the salvage harvest on pages 26-141. During preparation of the EA, the BLM interdisciplinary team furnished an extensive list of project design features to provide resource protection measures during salvage activities (EA p. 17-22). These measures also apply to this proposed action and would provide the same level of protection during implementation of the new proposed action.

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

Yes. Public involvement for the *Butte Falls Blowdown Salvage EA* included sending letters to individuals, organizations, tribes, and other government agencies seeking input on their concerns with the project. The BLM held a public meeting on June 12, 2008 in the community of Butte Falls. A total of 15 comment letters, public meeting comment forms, and e-mails were received from adjacent land owners, private citizens, timber companies, organizations, and environmental groups concerning the proposed salvage project.

The BLM conducted a field trip with Klamath Siskiyou Wildlands Center on May 7, 2008 to reveal the effects of the windstorm and discuss the BLM project proposal. The BLM met with Southern Oregon Timber Industry Association on May 13, 2008 and Jackson County Natural Resource Advisory Committee on June 17, 2008 to apprise them of the Butte Falls Blowdown Salvage project. On August 14, 2008, the BLM met with Jackson County Commissioners to discuss the Butte Falls Blowdown Salvage proposal on BLM-administered lands. A formal public comment period for the project was held from July 27 to August 26, 2008. The public was notified through a newspaper notice in the *Medford Mail Tribune* and the *Upper Rogue Independent*. Letters and copies of the EA were sent to 29 individuals, organizations, and government entities. Copies of the Scoping Letter, EA, FONSI, and Decision Record for the project were also posted on the BLM website.

Since the new proposed action is essentially the same as the original action analyzed in the EA, we consider the level of public review to be adequate.

**E. Reviewers**

Name	Title	Date	Initials
Jean Williams	NEPA Coordinator	7/20/11	JW
Marcia Wineteer	Botanist	7/15/11	MW
Dave Roelofs	Wildlife Biologist	6/29/11	D.R.
Dale Johnson	Fish Biologist	6/28/11	DJ
Shawn Simpson	Hydrologist	7/19/11	SS
Ken Van Etten	Soil Scientist	7/19/11	XBK
Al Mason	Fire/Fuels Specialist	6/28/11 6/28/11	AM APM
Lisa Brennan	Archaeologist	7/13/11	LB
Randy Bryan	Engineer	7-5-11	RRB
Trish Lindaman	Outdoor Recreation Planner	7/19/11	TL

**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 the NEPA.



7/20/2011

Signature of Project Lead

Date



7-20-2011

Signature of NEPA Coordinator

Date



7/20/11

Signature of the Butte Falls Field Manager

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. The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies,

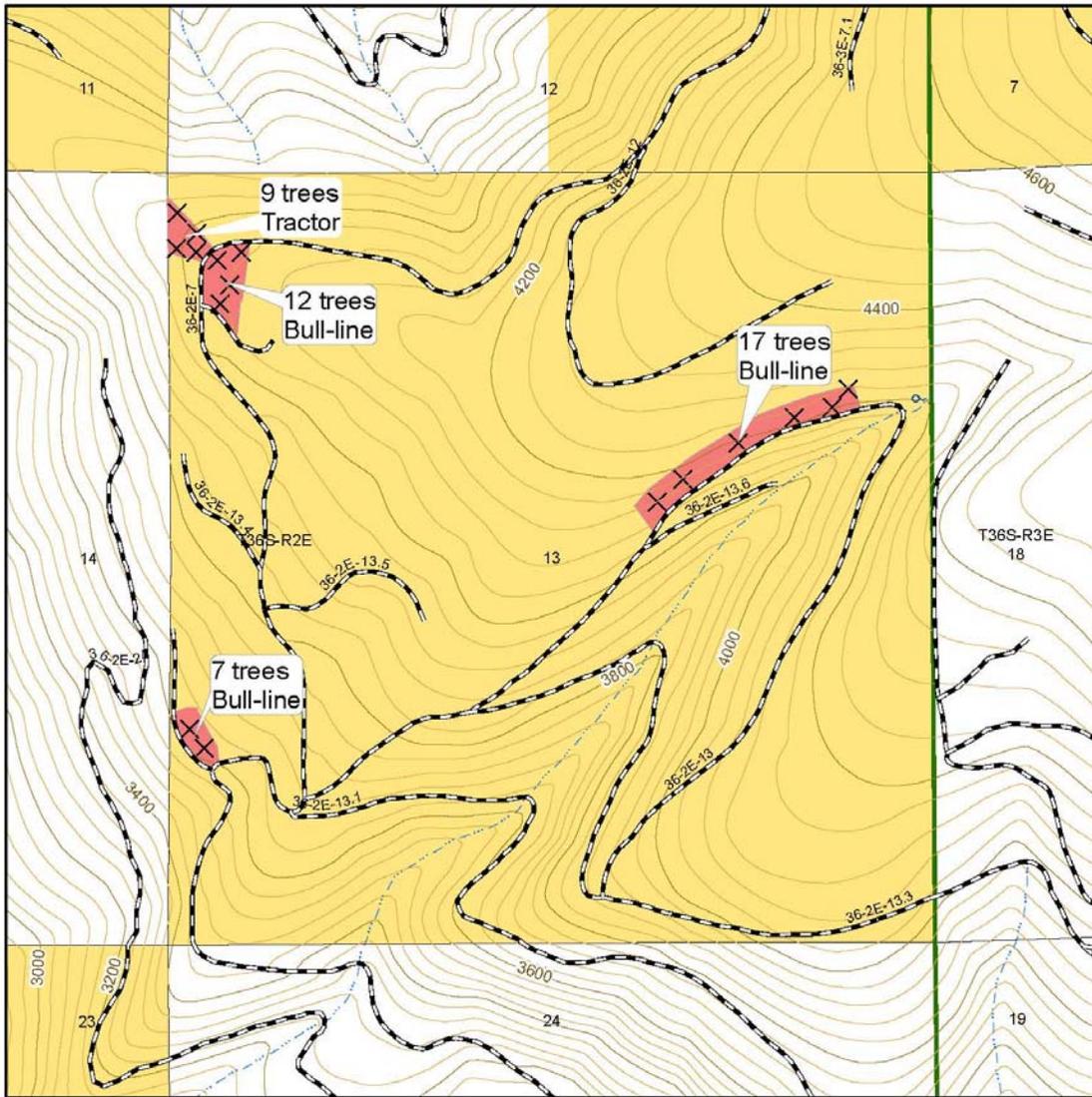
protests of this decision may be filed with the authorized officer, Jon Raby, within 15 days of the publication date of the notice of decision in the *Medford Mail Tribune*, Medford, Oregon. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (b) states: “Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision.” This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. **Only written and signed hard copies of protests delivered to the Medford District Office will be accepted.** The Medford District Office is located at 3040 Biddle Road, Medford, Oregon.

43 CFR § 5003.3 subsection (c) states: “Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered.” Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available to him. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 5003.3(f).

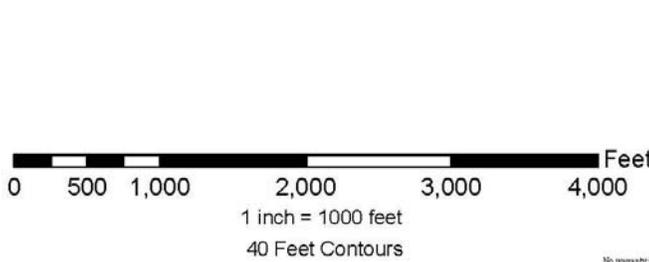
If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Butte Falls Resource Area will issue a protest decision.

U.S.D.I. BLM MEDFORD DISTRICT  
 T. 36S. R. 2E., SEC 13, WILL. MER.  
 BUTTE FALLS INSECT AND BLOWDOWN SALVAGE



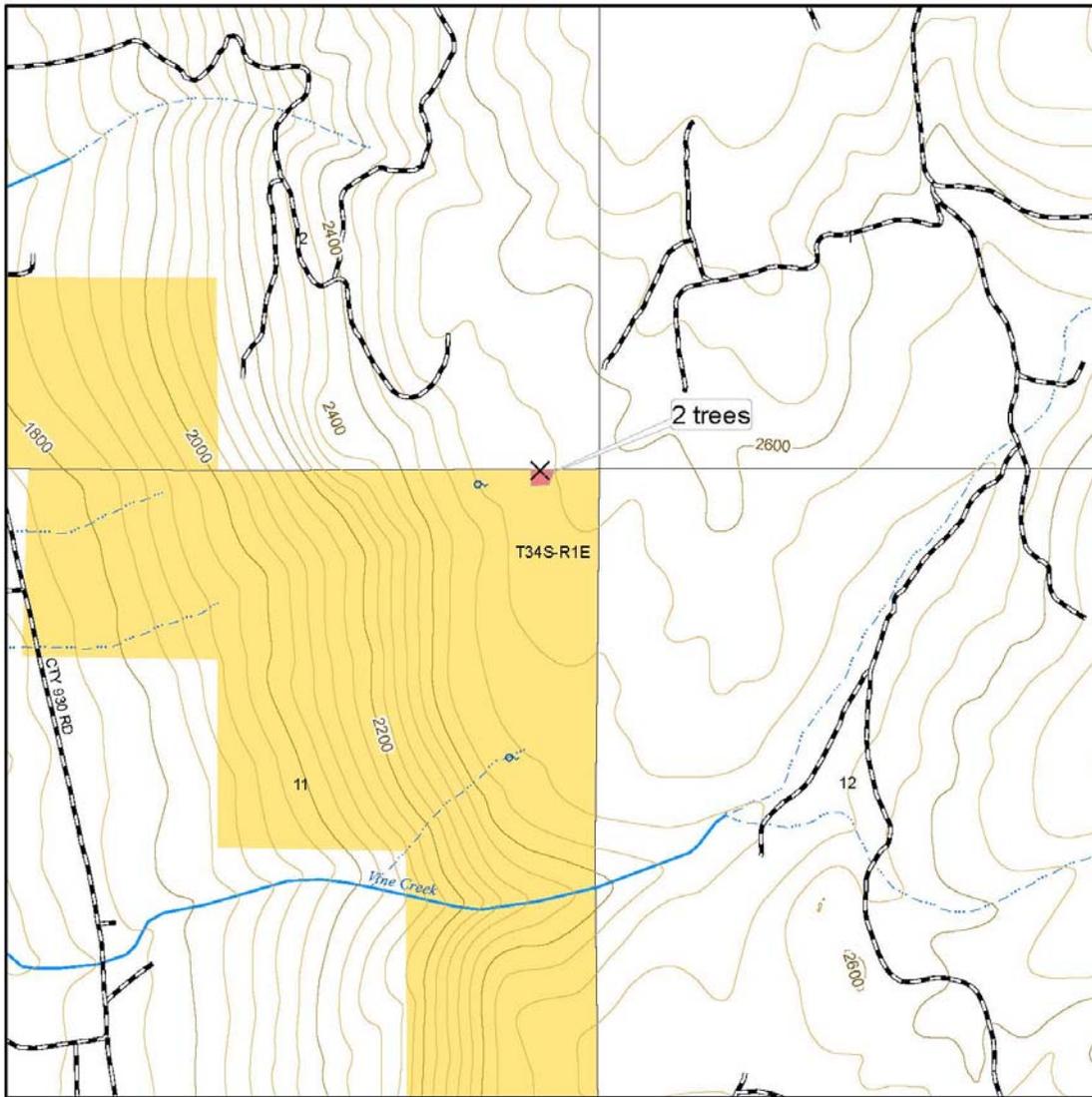
**Legend**

- ✕ SalvageTrees
- Paved Road
- Road
- Streams**
- Perennial Stream
- Intermittent Stream
- BLM-Administered
- Private
- Forest Service



No warranty is made by the Bureau of Land Management as to the accuracy, availability or completeness of these data. The individual user agrees to use with other data. Original data were compiled from various sources and may be updated without notification.

U.S.D.I. BLM MEDFORD DISTRICT  
 T. 34S. R. 1E., SEC 11, WILL. MER.  
 BUTTE FALLS INSECT AND BLOWDOWN SALVAGE

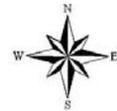
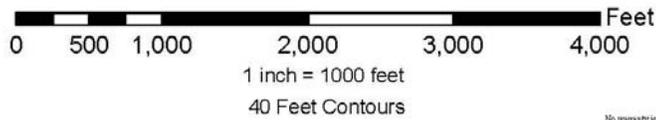


**Legend**

- ✕ SalvageTrees
- Paved Road
- Road

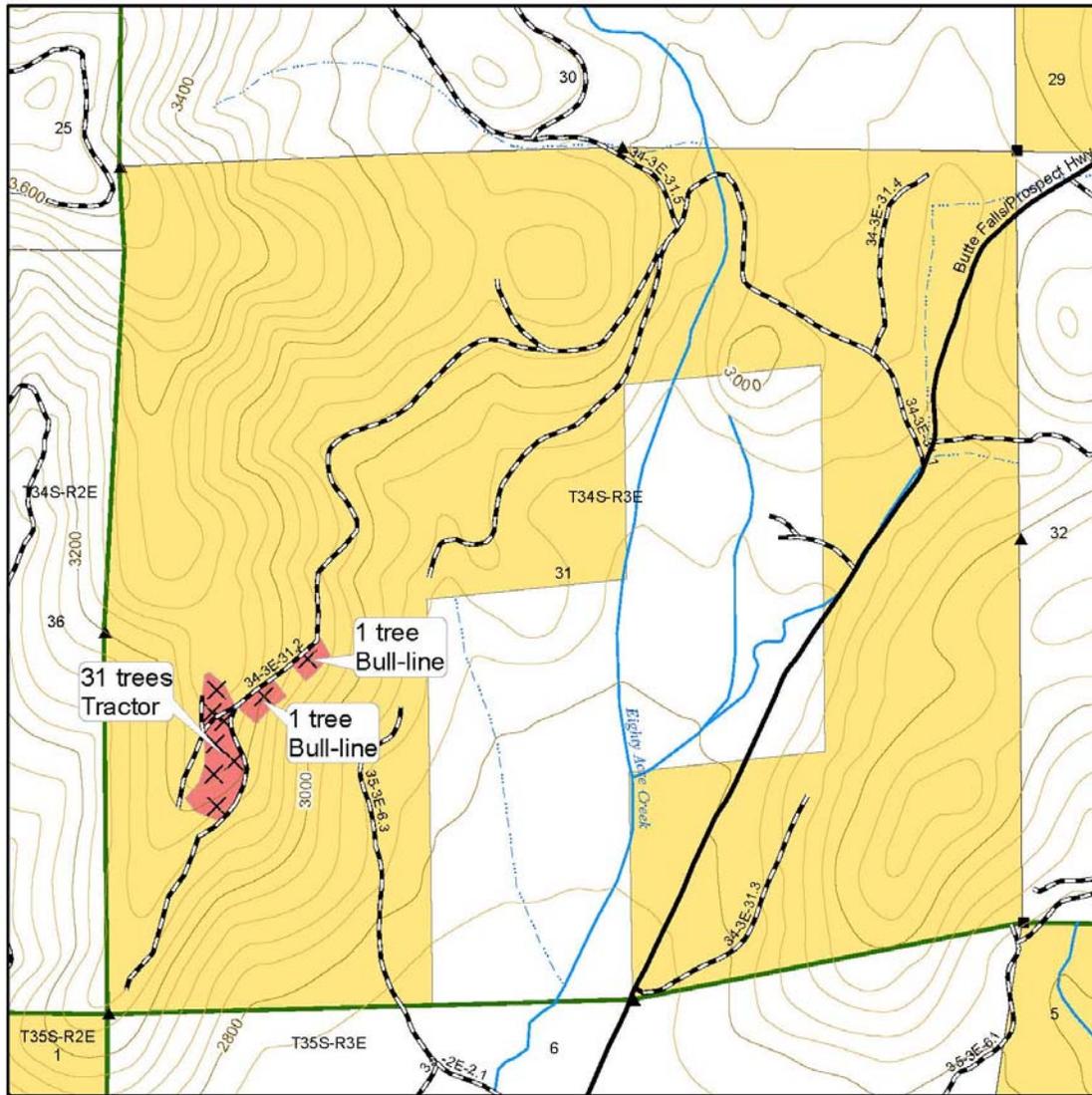
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U.S.D.I. BLM MEDFORD DISTRICT  
 T. 34S. R. 3E., SEC 31, WILL. MER.  
 BUTTE FALLS INSECT AND BLOWDOWN SALVAGE



**Legend**

- ✕ Salvage Trees
- Paved Road
- Road

**Streams**

- Perennial Stream
- Intermittent Stream

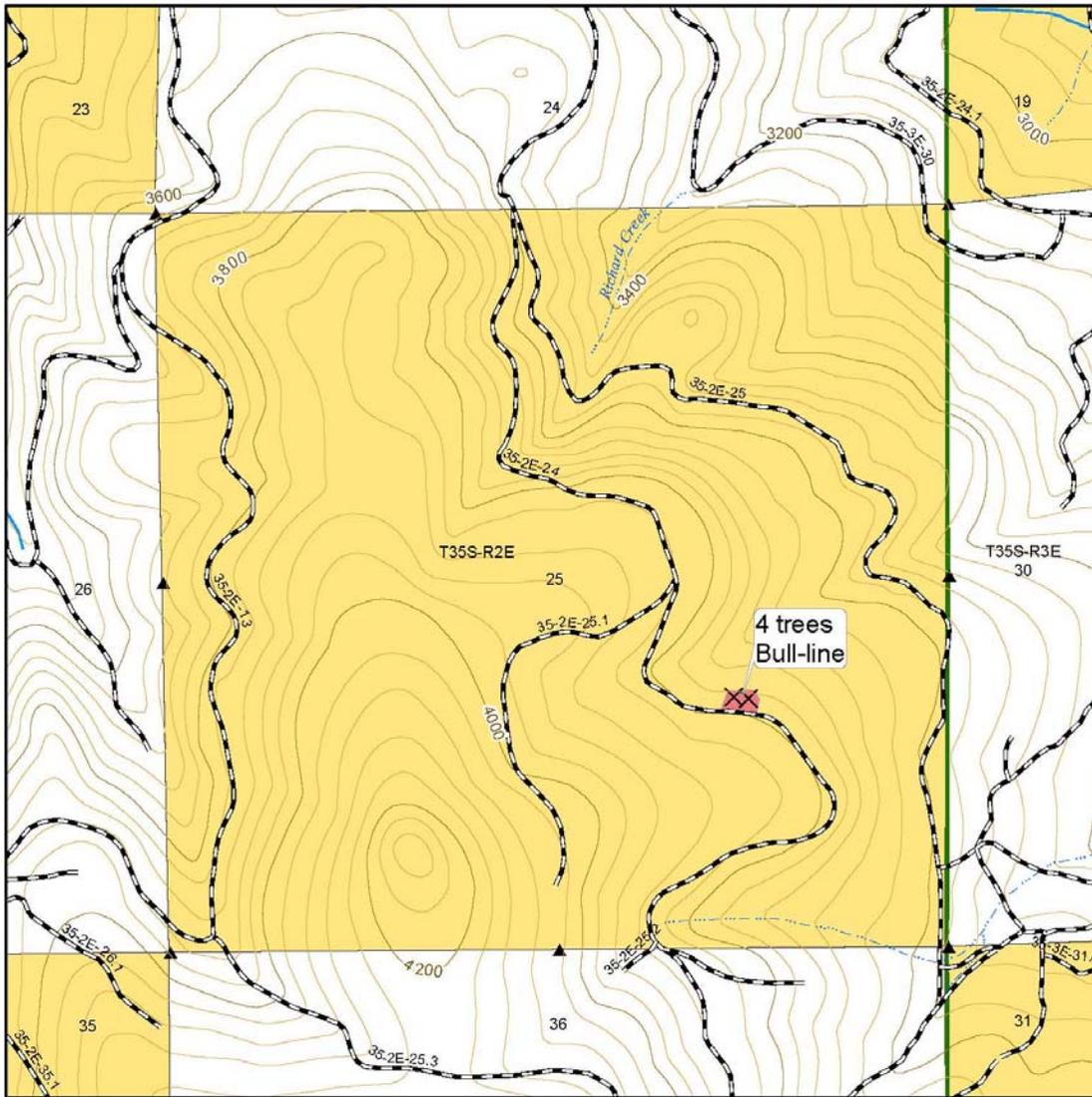
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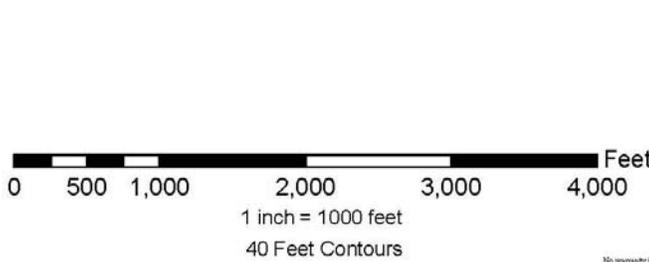
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 T. 35S. R. 2E., SEC 25, WILL. MER.  
 BUTTE FALLS INSECT AND BLOWDOWN SALVAGE



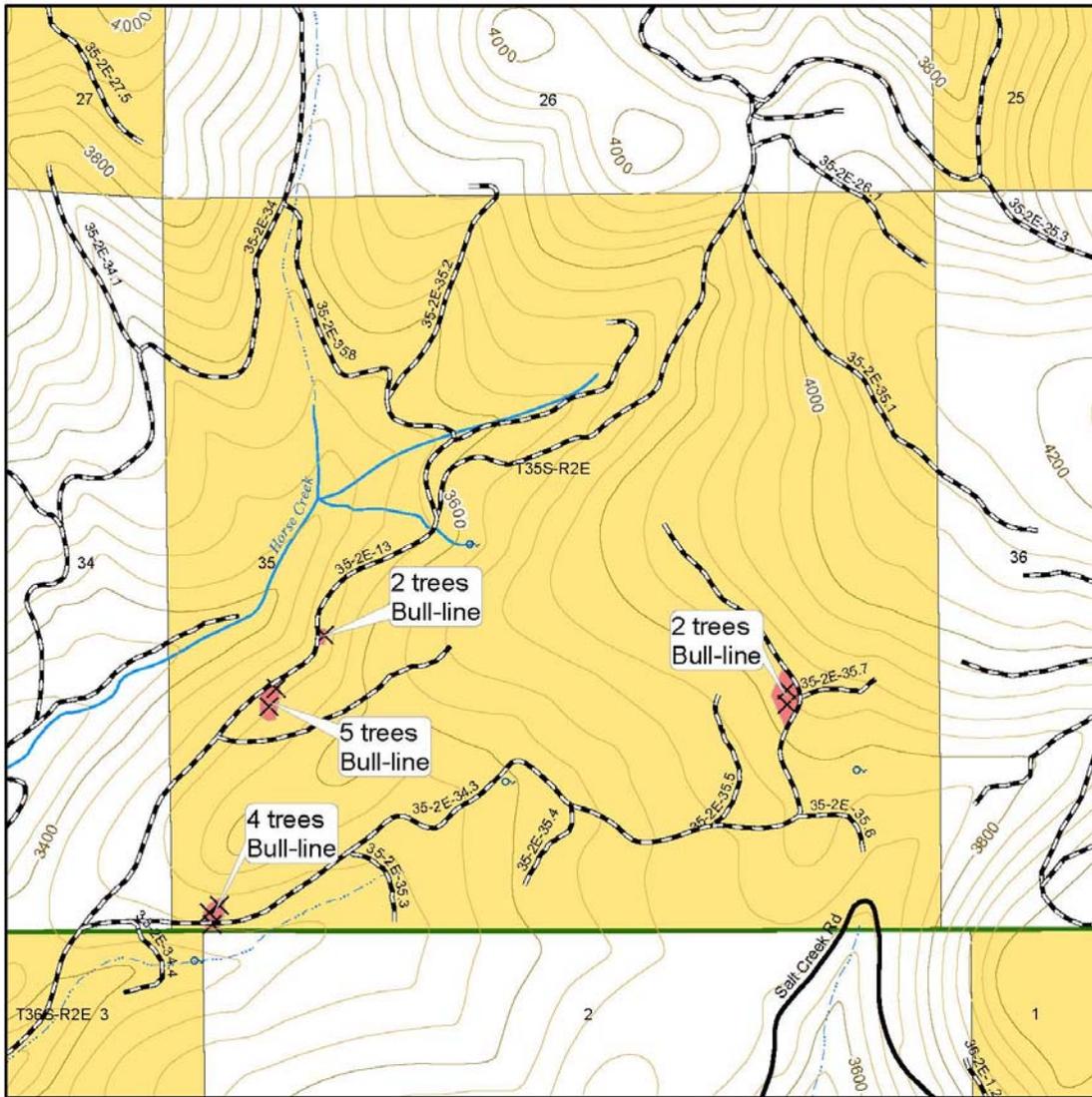
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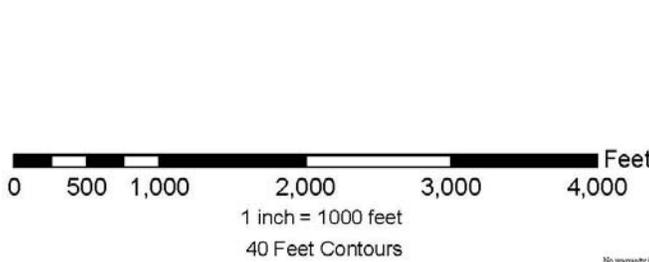
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 T. 35S. R. 2E., SEC 35, WILL. MER.  
 BUTTE FALLS INSECT AND BLOWDOWN SALVAGE



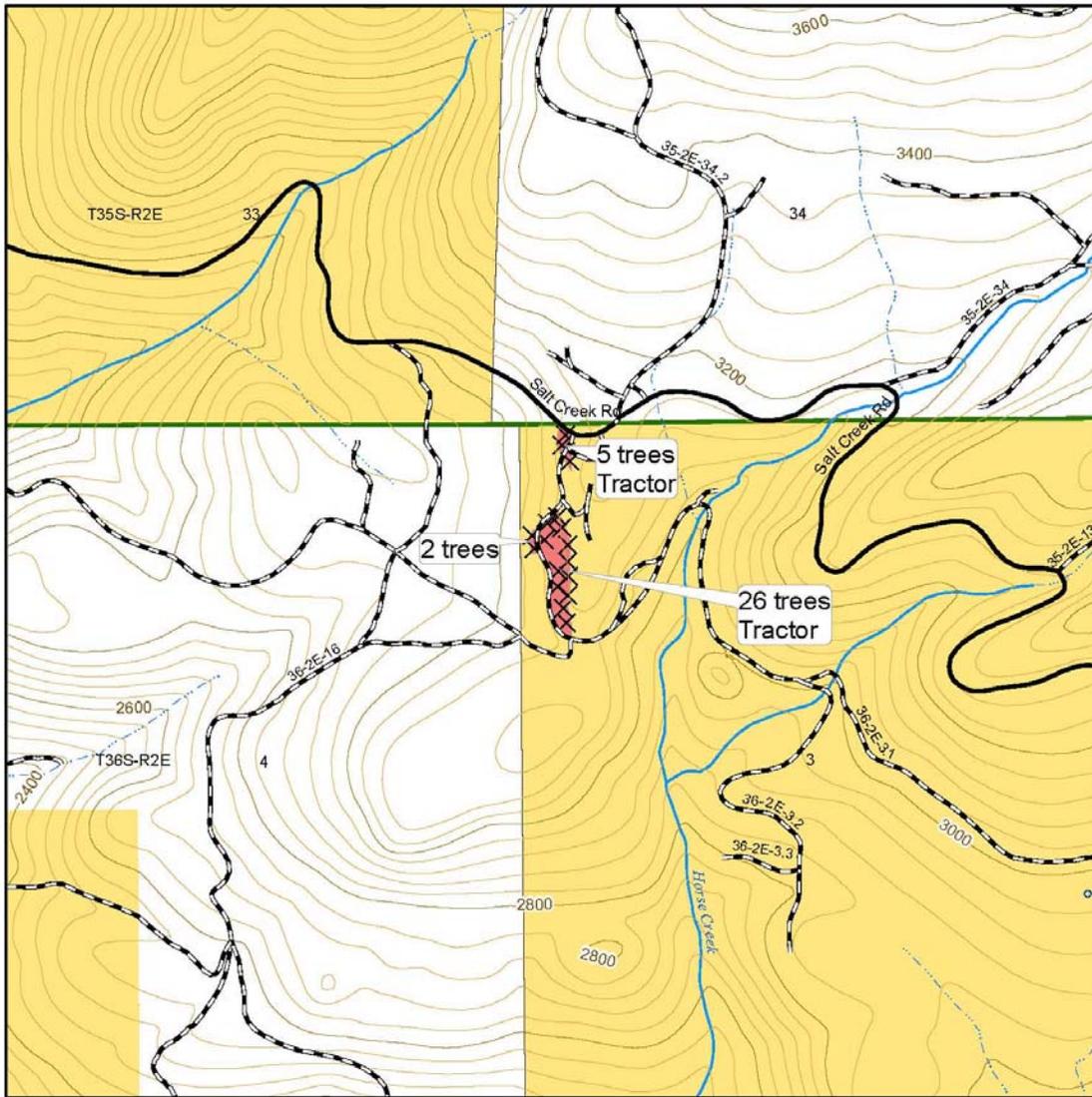
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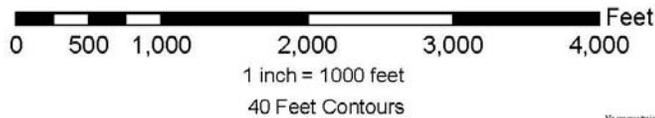
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U.S.D.I. BLM MEDFORD DISTRICT  
 T. 36S. R. 2E., SEC 3, WILL. MER.  
 BUTTE FALLS INSECT AND BLOWDOWN SALVAGE



**Legend**

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