

**Determination of NEPA Adequacy (DNA)**  
**Medford District, Grants Pass Field Office**  
**U.S. Department of the Interior**  
**Bureau of Land Management**

**Office:** Grants Pass Field Office

**Tracking Number:** DOI-BLM-OR-M070-2015-0018-DNA

**Environmental Assessment:** DOI-BLM-OR-M000-2013-0004-EA

**Proposed Action Title/Type:** 2015 Powell Creek Instream Restoration Project

**Location / Legal Description / Land Use Allocation:** Powell Creek / T38S, R05W, Section 15, 17, 18, and 19 / Riparian Reserve

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

The Grants Pass Field Office, Medford District, Bureau of Land Management (BLM) proposes to improve fish habitat by placing large wood jams into the Powell Creek stream channel. This will be accomplished by yarding logs into streams. Approximately 250 logs in 50 log jams will be placed along a 2.5 mile, non-continuous reach of Powell Creek. Cables will be used to pull logs into place with a mobile yarder operated from existing roads. Logs for this project will be obtained by falling hazard trees along BLM roads on BLM administered lands using the *Hazardous Tree Felling/Removal within the Medford District BLM Categorical Exclusion* (DOI-BLM-OR-M000-2014-001-CX). Only trees identified as hazardous by the *Field Guide for Danger Tree Identification and Response* (Toupin et al. 2008) will be felled. If needed, additional trees may be obtained from culled decks that were created from logging slash leftover from the 2014 Douglas Complex Recovery Project (DOI-BLM-OR-M070-2014-006-EA).

All log placement activities will take place on Powell Creek within the Williams Creek Watershed (HUC 10). This project is part of a collaborative effort with the Applegate Partnership and Watershed Council and the Williams Creek Watershed Council to improve stream channel conditions for Coho Salmon and steelhead by improving stream habitat complexity.

All project activities will take place between July 1 through September 15, in 2015 and again between this same date range in 2016.

The National Oceanographic and Atmospheric Administration Fisheries (NOAA Fisheries) division listed the Southern Oregon/Northern California Coast (SONCC) Coho Salmon Evolutionarily Significant Unit (ESU) as “threatened” under the Endangered Species Act (ESA) in June 2008. As directed under the ESA, NOAA Fisheries designates SONCC Coho Salmon Critical Habitat (CCH) and Essential Fish Habitat (EFH), which is defined as areas within the geographical area currently or historically occupied by the species that have the physical or biological features essential to the conservation of the species and requires special management

and protection. There are approximately five stream miles of Coho Salmon presence in Powell Creek.

Powell Creek has suitable habitat for Coho spawning and rearing, but lacks structural complexity. Adding log jams to Powell Creek will provide cover, invertebrate habitat, high-flow refuge, sorted gravels, and deeper pools. These outcomes not only benefit anadromous and resident fish populations, but will also improve the general hydrologic function of Powell Creek.

### **Project Design Features**

Specific Best Management Practices (BMPs) and Project Design Features (PDFs) identified in the *Aquatic and Riparian Habitat Enhancement Environmental Assessment* (DOI-BLM-ORM000-2013-0004-EA) on pages 9 through 13 have been incorporated into the design of this project. These PDFs are a combination of resource protection measures identified by the Interdisciplinary Team and Best Management Practices identified in the 1995 *Medford District Record of Decision and Resource Management Plan* (ROD/RMP) and the Biological Opinion for Aquatic Restoration Activities in the States of Oregon and Washington #NWP\_2013-9664.

### **Riparian Reserves**

- All instream work will occur between July 1 and September 15 of the same year to accommodate both seasonal owl restrictions (March – June 30) and the instream work period (June 15 – September 15) in accordance with State of Oregon regulations.
- Trees felled for placement in the stream will be in stands identified as fully stocked and will not reduce effective shade on Powell Creek by more than 10 percent.

### **Soil and Hydrology**

- No mechanized equipment will leave existing roads or existing landings.
- Plantings, mulch or organic debris, and other sediment trapping material (e.g. straw bales) will be placed on ingress and egress access routes, staging areas, and other disturbed areas prior to the onset of winter rains, thus preventing/minimizing sediment input.

### **Wildlife**

- No work will occur from March 1 through June 30 within ¼ mile of known northern spotted owl nesting areas to prevent disturbance to nesting spotted owls, unless surveys have determined the site to be unoccupied or not nesting.
- Chainsaws (includes felling hazard/danger trees) and heavy equipment use will not occur within 110 yards of suitable nest stands within the critical nesting period of April 1 to August 5, and in the late season nesting period from August 6 to September 15 will only occur between 2 hours after sunrise and will end 2 hours before sunset.

## **Fuel Hazard Reduction**

- Proper fire prevention and suppression equipment will be onsite to ensure compliance with Oregon State fire prevention and containment laws.

## **Special Status Plants**

- No trees with special status nonvascular plants will be felled.
- Surveys were conducted (2009) in the proposed project area and no special status plant locations were found. If a special status vascular, nonvascular, or fungi species is located during project implementation, the site will be protected by no-entry buffers. Buffers will be determined based on species, proposed treatment, site-specific environmental conditions, and management recommendations.

## **Noxious Weeds**

- All heavy equipment will be pressure washed, including undercarriages, before initial move-in and prior to all subsequent move-ins into the project area to remove soil and plant parts in order to prevent the spread of invasive and noxious weeds. Cleaning shall be defined as removal of dirt, grease, plant parts, and material that may carry noxious weed seeds and parts onto BLM lands.
- Only equipment visually inspected for weeds by a qualified BLM specialist will be allowed to operate within the project area, or in the immediate vicinity of the project area. All subsequent move-ins of equipment will be treated the same as the initial move-in.
- Large woody debris placement access sites will be seeded and mulched using native seed and weed-free straw after final disturbance if rutting has occurred that could transport sediment-laden water directly to Powell Creek.

## **Archaeology**

- All surveys will be completed before work is started.
- Mitigation measures would be applied to areas containing known archaeological sites. Buffer sites would be based on proposed treatment, site-specific environmental conditions, and protection recommendations.
- The operator must stop work and notify the BLM within 12 hours if an archaeological or paleontological site is discovered during project activities.
- If human remains are discovered during project activities, all work must cease immediately and the Grants Pass Field Office Manager and the Medford District Archeologist should be notified immediately.

## **Port-Orford-Cedar**

- Port-Orford-cedar (POC) will be managed according to the May 2004 BLM POC-FSEIS/ROD.
- Mitigation measures will be implemented for uninfected POC in, near, or downstream of the activities (USDA-USDI 2003).

- Prior to entering a POC area or leaving a known *Phytophthora lateralis* (PL) area, all heavy equipment will be washed according to Management Guidelines in the Port-Orford Cedar Rangewide Assessment (USDA-USDI 2003).
- To minimize risk to POC, log placement and any associated work will occur downstream from infected POC areas, then upstream from infected POC areas, before they occur within infected POC areas. After working in infected stands, all heavy equipment will be pressure washed, including undercarriages, with uninfested water. Cleaning shall be defined as removal of dirt, grease, plant parts, and material that may carry PL into uninfested POC areas.

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

This proposal is in conformance with objectives, land use allocations, and management direction in the 1995 ROD/RMP and any plan amendments in effect at the time this document is published. Watershed restoration is addressed in the Medford District ROD/RMP as one of the four components of the Northwest Forest Plan's Aquatic Conservation Strategy (ACS). The primary objective of the ACS is to restore and maintain the ecological health of watersheds and aquatic ecosystems contained within them on public lands. Proposed actions in the EA are identified in the 1995 RMP as actions necessary to enhance natural populations of fish (RMP/ROD, pp. 49-50); increase instream habitat, channel stability, complexity and passage (RMP/ROD, pp. 23-28).

This project also conforms with the *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).

### **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the Proposed Action.**

- *Aquatic and Riparian Habitat Enhancement Environmental Assessment* (EA# DOI-BLM-OR-M000-2013-0004-EA) (March 2014) and Decision Record (April 2014).
- *Williams Watershed Analysis* (March 1996).
- *Water Quality Restoration Plan*, Southern Oregon Coastal Basin, Applegate Subbasin, Bureau of Land Management (BLM), Medford District, and US Forest Service (USFS), Rogue River-Siskiyou National Forest (January 2005).
- Pursuant with the Endangered Species Act, BLM consulted on all actions authorized by the decision with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). All proposed projects would be consistent with actions identified by the NMFS (Fisheries BO 2013/9664) and the USFWS (Wildlife BO #01EOFW00-2013-F-0090, and Plant LOC #01EOFW00-2014-I-0013) for Programmatic Consultation on Fish Habitat Restoration Activities in Oregon and Washington.

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 (O&C Act) of 1937, the Federal Land Policy and Management Act (FLPMA) of 1976, the Endangered Species Act (ESA) of

1973, the Clean Water Act of 1987, the Safe Drinking Water Act of 1974 (as amended 1986 and 1996), the Clean Air Act of 1970, and the Archaeological Resources Protection Act of 1979.

#### **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 2015 Powell Creek Instream Restoration Project is fully analyzed under the 2013 *Aquatic and Riparian Habitat Enhancement EA*. The proposed project activity is the same as listed under Alternative 2 of the EA, in which stream enhancement projects were analyzed that included the placement of instream structures (EA pp. 7-9). Alternative 2 analyzed for actions that include the placement of log structures to create in stream habitat by falling trees from adjacent riparian areas if necessary (EA p. 7).
- 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 range of alternatives analyzed in the 2013 *Aquatic and Riparian Habitat Enhancement EA* is appropriate because the Grants Pass Field Office has not received nor is aware of any new environmental concerns or interest since the decision was signed in 2014.
- 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?** An interdisciplinary team of resource specialists reviewed the proposed project and determined that no significant changes in circumstances or significant new information have occurred since the EA was written. All surveys will be completed for plants, wildlife, and cultural resources at the proposed sites prior to implementation. If listed species are present at a project site or area, that site will be protected as consistent with the most recent Medford District protocols. Project implementation will not change but may be reduced in scope, and therefore would not substantially affect the analysis.

Since the release of the 2013 *Aquatic and Riparian Habitat Enhancement EA*, the status of the fisher has changed. Specifically, the USFWS issued a proposal to list the West Coast Distinct Population Segment (DPS) of fisher (*Pekania pennanti*) as a threatened species under the Endangered Species Act in the Federal Register (Federal Register/Vol. 79, No. 194/Tuesday, October 7, 2014/Proposed Rules, pages 60419-60425) on October 7, 2014. However, the 2013 *Aquatic and Riparian Habitat Enhancement EA*, recognized the Fisher as a candidate species, and included analysis for this species.

The Powell Creek Instream Restoration Project is located within the range of the fisher. The project will result in minor habitat changes in a very localized area and is consistent with the effects already considered and analyzed in the *Aquatic and Riparian Habitat Enhancement EA*. All treatments will retain large snags and coarse woody debris (CWD) to provide future habitat for fishers, and reduce potential impacts. Additionally, project implementation is scheduled to occur between July 1 and September 15 to accommodate both the in-stream work period (June 15 – September 15) and the seasonal restrictions listed as Project Design Features for other resources. This will benefit fishers by restricting project activities until young are approximately six weeks old, approximately the age when fisher move young from natal dens and become more mobile. Fishers have large home ranges and would be able to move away from the action area while the disturbance is occurring, without impacting their ability to forage and disperse within their home range.

**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?** The 2015 Powell Creek Instream Restoration project is fully analyzed under the 2013 *Aquatic and Riparian Habitat Enhancement EA*. The proposed project was analyzed in Alternative 2 for instream structure placement (EA, pp. 7-9). The EA analyzed for the action being proposed which includes the placement of log structures in stream to create habitat using the methods listed in the EA (p. 8).

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current Proposed Action?** Public involvement for the *Aquatic and Riparian Habitat Enhancement EA* began in January 2013. The EA was made available for a 30-day public comment period in March 2014. The public was notified via a newspaper notice and letters to individuals, Tribes, organizations, and government entities who expressed a wish to contribute to be informed about the project. The BLM received three comments (Decision Record, p. 7) generally in support of the project, but voicing some concerns. Responses to substantive comments are included in Appendix B of the Decision Record and can be found at the Medford District’s internet site at <http://www.blm.gov/or/plans/nepa-details.php?id=2710>.

**E. Persons/Agencies/BLM Staff Consulted**

The following Grants Pass Field Office resource specialists have reviewed this Proposed Action and have determined that it is covered in the 2013 *Aquatic and Riparian Habitat Enhancement EA* (DOI-BLM-OR-M000-2013-0004-EA).

<b>Name</b>	<b>Resource</b>
Jason Reilly	Wildlife
Aaron Ennis	Cultural
Rachel Showalter	Botany and Noxious Weeds
Mike Crawford	Fisheries
Paul Showalter	Hydrology/Soils
Mark Brown	NEPA Compliance

Note: Refer to the *Aquatic and Riparian Habitat Enhancement EA* ([http://www.blm.gov/or/districts/medford/plans/files/Aquatic\\_Restor\\_EA.pdf](http://www.blm.gov/or/districts/medford/plans/files/Aquatic_Restor_EA.pdf)) for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to applicable land use plans and that the NEPA documentation fully covers the Proposed Action and constitutes BLM compliance with the requirements of the NEPA.



5/21/15

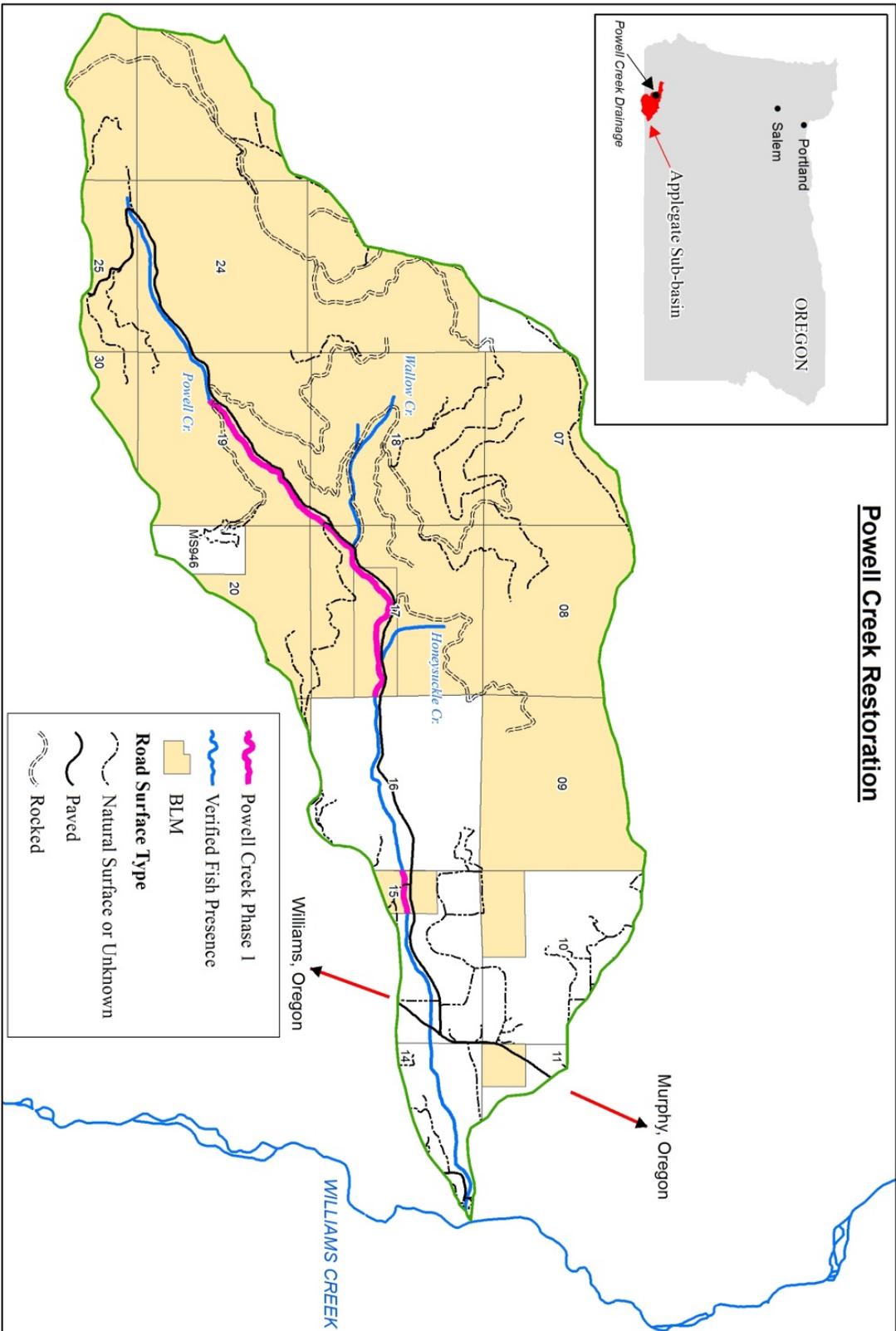
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Allen Bollschweiler  
Grants Pass Field Manager

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

# Powell Creek Restoration



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 J. Parker 1 August 2013



# Port Orford Cedar Risk Key Analysis for Powell Creek Restoration DNA 2015

(Risk Key is from Alternative 2 of the FSEIS for Management of Port Orford Cedar in

QUESTION		DOI-BLM-OR-M070-2015-0018-DNA					
1a.	Are there uninfected POC within, near <sup>1</sup> , or downstream of the activity area whose ecological, Tribal, or product use or function measurably contributes to meeting land and resource management plan objectives?	Y					
1b.	Are there uninfected POC within, near <sup>1</sup> , or downstream of the activity area that, were they to become infected, would likely spread infections to trees whose ecological, Tribal, or product use or function measurably contributes to meeting land and resource management plan objectives?	Y					
1c.	Is the activity area within an uninfested 7 <sup>th</sup> field watershed <sup>2</sup> as defined in Alternative 6	N					
		<i>If the answer to all three questions, 1a, 1b, and 1c, is no, then risk is low and no POC management practices would be required.</i>					
<i>If the answer to any of the three questions is yes, continue.</i>							
2.	Will the proposed project introduce appreciable additional risk <sup>3</sup> of infection to these uninfected POC?	Y					
		<i>If no, then risk is low and no POC management practices are required.</i>					
		<b>**Management Practices by Road/Road System</b>					
<i>If yes, apply management practices from the list below [within FSEIS] to reduce the risk to the point it is no longer appreciable, or meet the disease control objectives by other means, such as redesigning the project so that uninfected POC are no longer near or downstream of the activity area. If the risk cannot be reduced to the point it is no longer appreciable through practicable and cost-effective treatments or design changes, the project may proceed if the analysis supports a finding that the value or need for the proposed activity outweighs the additional risk to POC created by the project.</i>		T38S, R5W, Sec. 15, 17, 18, 19 Mitigation: 1, 2, 3, 11	Attached PDF Map shows the presence of Port-Orford-cedar in the stream. The green polygons indicate healthy POC and the red polygons indicate infested POC. If at all possible, please work in the green or not green portions of the stream before working in the red portion of the stream. After working in the red portion of the stream, make sure to wash (with uninfested water) the equipment and be free of any soil before working in another area.				

1 - In questions 1a and 1b, "near" generally means within 25 to 50 feet downslope or 25 feet upslope from management activity areas, access roads, or haul routs; farther for drainage features; 100 to 200 feet in streams.

2 - Uninfested 7th field watersheds are listed on Table A12-2 [of FSEIS] as those with at least 100 acres of POC stands, are at least 50% federal ownership, and are free of PL except within the lowermost 2 acres of the drainage.

3 - Appreciable additional risk does not mean "any risk." It means that a reasonable person would recognize risk, additional to existing uncontrollable risk, to believe mitigation is warranted and would make a cost-effective or important difference (see Risk Key Definitions and Examples for further discussion.)

\*Activities within these sections should incorporate management activities regardless of POC occurrence within the individual stand due to access routes containing POC

\*\*Management practices: 1) project scheduling, 2) utilize uninfested water, 3) unit scheduling, 4) access, 5) public information, 6) fuels management, 7) incorporate POC objectives inot prescribed fire plans, 8) routing recreation us, 9) road management measures, 10) resistant POC planting, 11) washing project equipment, 12) logging systems, 13) spacing objectives for POC thinning, 14) non-POC special forest products, 15) summer rain events, 16) roadside sanitation, and 17) site-specific POC management

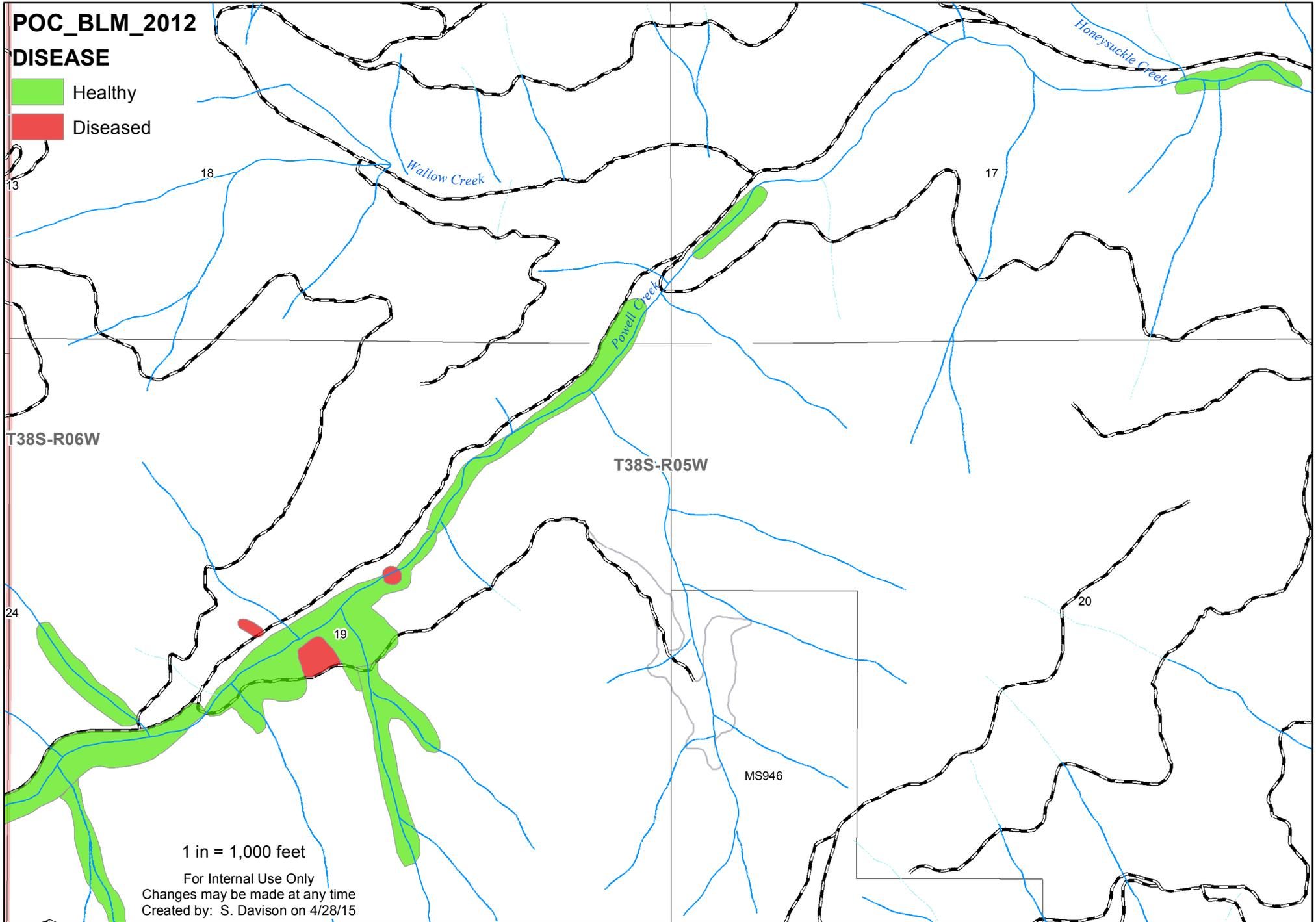
# Port-Orford-cedar Presence



POC\_BLM\_2012

DISEASE

- Healthy
- Diseased



1 in = 1,000 feet

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Created by: S. Davison on 4/28/15