

**Documentation of Land Use Plan Conformance  
and  
NEPA Adequacy (DNA)  
for  
Ashland Resource Area  
Yale Creek Fish Screen Project**

**DOI-BLM-OR-M060-2011-0024-DNA**

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**A. Describe the Proposed Action:**

The Medford District Bureau of Land Management (BLM) plans to implement the Yale Creek Fish Screen project. The fish screen is located in an irrigation ditch on BLM land but is owned and maintained by Oregon Department of Fish and Wildlife (ODFW). ODFW has requested access to their fish screen location to upgrade the existing structure. This project involves accessing the fish screen site from a dispersed recreation area along USFS Road 1099. Equipment will be driven down an existing foot path from the dispersed recreation site to the fish screen location. A new and improved water and fish return pipe will be installed from the fish screen to Yale Creek, providing a safe stream return for fish that enter the ditch. The proposed project is entirely on BLM lands.

The location of the project is within the Yale Creek 6<sup>th</sup> Field Sub-Watershed, Little Applegate River 5<sup>th</sup> Field Watershed, Middle Rogue River Basin of southwest Oregon, Jackson County. The Public Land Survey System description is: T40S R2W, NW of the SW quarter/quarter of Section 3. ODFW intends to complete the project during the fall of 2011.

Yale Creek supports populations of Klamath Mountain Province (KMP) steelhead, resident rainbow and cutthroat trout. The Little Applegate River approximately 7 miles downstream of the project area is designated Coho Critical and Essential Fish habitat for coho, which are listed as "threatened". This project is covered under the Aquatic Restoration Biological Opinion released by the National Marine Fisheries Service in 2008, and hence meets section 7 consultation requirements of the Endangered Species Act.

The proposed action will incorporate all appropriate project design features included in the Environmental Assessment for the *Aquatic and Riparian Habitat Enhancement* (April 2009) and the Aquatic Restoration Biological Opinion (2008). Additional project design features (PDFs) are described on page 4 of this document.

**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)
- 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. 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 District's 2008 ROD and RMP, we evaluated this project for consistency with both the 1995 RMP and the 2008 ROD and RMP.

**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 *Aquatic and Riparian Habitat Enhancement*, (April 2009).

The Decision Record, signed June 9, 2009 for the *Aquatic and Riparian Habitat Enhancement* (April 2009) Environmental Assessment.

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 (#13420-2007-F-0055) and Letter of Concurrence (#13420-2008-1-0136) for *Programmatic Aquatic Restoration Activities in Oregon and Washington that Affect ESA-listed Fish, Wildlife, and Plant Species and their Critical Habitats*.

The National Marine Fisheries Service' *Aquatic Restoration Biological Opinion* (2008).

**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?** The *Aquatic and Riparian Habitat Enhancement EA*, listed above, analyzed programmatically a suite of activities for maintaining and restoring watershed conditions across the Medford District BLM. This site-specific project is in accordance with the above referenced EA.
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 Environmental Assessments is appropriate with respect to the current proposed action.
3. **Is the existing analysis valid in light of any new information or circumstances?** This project is consistent with the suite of activities analyzed in the above referenced EA. The ID Team planning and overseeing the implementation of this site-specific project reviewed the anticipated effects of this project against those documented in the above referenced EA's and found the existing analysis to be valid for this proposed action. 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?** The ID Team planning and overseeing the implementation of this site-specific project reviewed the anticipated effects of this project against those documented in the above referenced EA's and the effects disclosed are the same as those identified and analyzed. No new information or circumstances would affect the predicted environmental impacts as stated in the above referenced EA's.

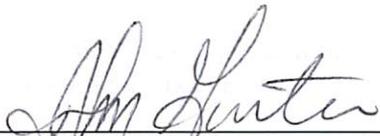
6. **Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action?** The restoration EA was made available for public review on BLM's Medford District Website in April of 2009.

**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:** Project Design Features (PDFs), discussed in Section A above, are included as part of the proposed action for the purpose of reducing or eliminating 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 constitutes BLM's compliance with the requirements of NEPA.



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

9/22/11

\_\_\_\_\_  
Date

## Project Design Features (PDFs)

If during project implementation the contractor encounters or becomes aware of any objects or sites of cultural value on federal lands, such as historical or pre-historical ruins, graves, grave markers, or artifacts, the contractor shall immediately suspend all operations in the vicinity of the cultural value and notify the BLM project lead. The project may be redesigned to protect the cultural resource values present, or evaluation and mitigation procedures would be implemented based on recommendations from the resource area archaeologist and concurrence by the Ashland Field Manager and State Historic Preservation Office.

Avoid disturbance on and around the CCC era cultural site located to the north of the dirt road being utilized for access to the fish screen site.

Weed-free hay and/or native seed may be sown at the site to facilitate native plant recovery and serve as erosion control. This will be determined by BLM personnel upon completion of the project.

Minimize disturbance. The fish screen site will be accessed via a native surface road in a dispersed recreation area adjacent to the ditch. Access from the road to the fish screen location will occur along an existing footpath.