

# Determination of NEPA Adequacy (DNA)

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

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**Office:** Grants Pass Resource Area

**Project Number:** DOI-BLM-OR-M070-2011-006-DNA

**Proposed Action Title:** Draper Creek and South Fork Deer Stream Restoration Project

**Location/Legal Description:** T37S-R7W-Secs. 31, 32; T38S-R03W-Sec.33 on BLM and private lands

**Applicant (if any):** N/A

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

The Bureau of Land Management is proposing three aquatic restoration activities. One of the activities is located on private lands and would benefit aquatic resources on federal lands as authorized under the Wyden Amendment. The other activities are on BLM administered lands.

The first activity would improve fish passage on Draper Creek by restoring the channel grade that has been eroded due to the higher than normal velocities from the outlet of a culvert pipe on private lands. The existing culvert in Draper Creek is undersized and does not accommodate the natural flows and bedload movement of the drainage. The culvert is 6.0 feet in diameter and 20 feet long. The situation creates a "hose effect," with high water velocity through the culvert. This is evident by the large pool located at the outlet of the culvert. There is a 2-3 foot horizontal concrete apron on the outlet of the culvert, which further restricts upstream fish passage as it creates a shallow water barrier. The existing culvert alters the stream sediment regime and bedload carrying capacity from a natural, no crossing situation. This is a result of slope and elevation of the culvert not matching natural stream grade as well as the size of the culvert being restrictive during high flows. Adult salmonids are able to negotiate the culvert during certain flows but passage is highly constrained. The culvert is a complete barrier to juvenile fish moving upstream.

Replacement of the culvert is not a viable option, due to restrictions on capital improvements on private lands. The proposal would include adding channel bed material, boulders to fines, to the channel to raise the bed elevation which would eliminate the jump and migration barrier. Boulders would be sized to maintain the matrix of smaller material and prevent the jump barrier from reforming.

The second activity is route decommissioning. There is a 0.75 mile non-system route upstream of the above activity described above that passes through private timberland and BLM property. The route is within the first site tree (190 feet) of Draper Creek's riparian area and is a source of sediment in several spots. The removal would include deconstruction of the travel way only on

BLM lands, a partial recontour where possible, and deposition of slash and trees to block illegal access. Trench barriers would be dug at either end of the route to prevent illegal use and access.

The third activity is on BLM administered lands on South Fork Deer Creek and would partially remove an old stop log weir that has collected gravels on the upstream side and created a juvenile fish passage barrier. The structure is composed of concrete walls that encroach on the bankfull width, and metal plates between the concrete. Removal would entail the removal of the metal but the concrete walls would remain intact. Placement of large wood will be to prevent the formation of a headcut. If necessary, existing large boulders approximately 150 feet upstream would prevent the continuation of the headcut.

Mitigation measures include all work to be accomplished during the In-Water Work period (June 15- September 15) and project design features, as appropriate. A variance may be requested from Oregon Department of Fish and Wildlife (ODFW) to extend the in-water work period to complete the project by October 30. Temporary erosion and sediment control measures will be implemented, such as use of filter fabric, control of excavation spoils, isolation of the work site through dewatering, and reseeding and mulching of exposed slopes.

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

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.

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

Revised Environmental Assessment for Aquatic and Riparian Habitat Enhancement EA# DOI-BLM-OR-M000-2009-0004-EA (June 2009); Finding of No Significant Impact and Decision Record for Revised Aquatic and Riparian Habitat Enhancement; Deer Creek Watershed Analysis (October 1997).

Pursuant with the Endangered Species Act, BLM consulted on all actions authorized by the decision with the US Fish and Wildlife Service and National Marine Fisheries Service. All proposed projects would be consistent with actions identified by the NMFS for

- Programmatic Consultation on Fish Habitat Restoration Activities in Oregon and Washington CY2007-CY2012 (June 2008) (Fisheries BO 2008/03506)
- USFWS Wildlife BO #13420-2007-F-0055, LOC #13420-2008-1-0045
- Botanical LOC #13420-2008-I-0136

## 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 occurs in the analysis area (Medford District, BLM) and is the type of activity included in the proposed action, Alternative 2. This type of action was anticipated and is fully analyzed under the Revised Aquatic and Riparian Habitat Enhancement EA.

- 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 Revised Aquatic and Riparian Habitat Enhancement EA is appropriate because Grants Pass Resource Area has neither received nor is aware of any new environmental concerns or interests since the Decision was signed in 2009.

- 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 analysis in the Revised Aquatic and Riparian Habitat Enhancement EA is appropriate because there have been no new listings of species under the ESA or changes in assessments which were not analyzed in the EA. Critical habitat (CH) for Cook's desert parsley (*Lomatium cookii*) and large flowered wooly meadowfoam (*Limnanthes floccosa* ssp. *grandiflora*) was proposed on July 28, 2009 (Federal register, Vol. 74, No. 143, pp. 37314-37392). These activities are outside CH for large flowered wooly meadowfoam and Cook's desert parsley; therefore, there are no effects to the proposed CH. The Grants Pass Resource Area is not aware of any new environmental concerns or interests since the Decision was signed in June 2009.

- 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 proposed project is very similar to the proposed action, Alternative 2, (Aquatic and Riparian habitat Enhancement EA, p.6), which lists stream enhancement activities such as instream structures (EA, p. 6), removing legacy structures to restore natural stream function (EA, p.8); and road decommissioning (EA, p. 9). The South Fork Deer Creek Fish Passage Improvements and Draper Creek Channel Enhancement and Route Decommissioning effects are fully analyzed under the Revised Aquatic and Riparian Habitat Enhancement EA.

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

Public involvement and interagency review for the EA were adequate for the current proposed action. The EA was mailed out and made available on the BLM website, and was available for public comment for 21 days beginning on April 15, 2009. The BLM contacted over a dozen area organizations which are concerned with federal land management and environmental effects of federal actions. The BLM received one comment.

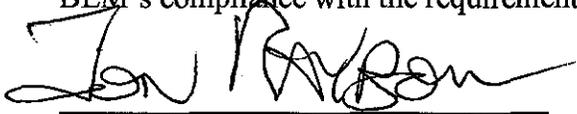
**E. Persons/Agencies /BLM Staff Consulted**

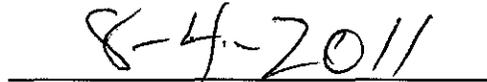
**Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation of this worksheet.

<u>Name</u>	<u>Resource</u>
Sarah Davison	POC
Mike De Blasi	Soils and Hydrology
Jon Raybourn	Fisheries
Susan Fritts	Botany
Robin Snider	Wildlife

**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.

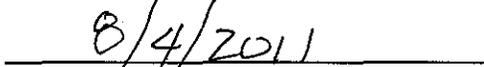




Project Lead

Date

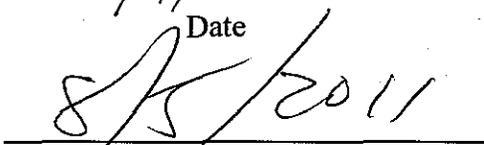




Environmental Planner

Date





Katrina Symons  
Glendale/Grants Pass Field Manager  
Medford BLM

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 based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.