

Prineville District  
**Land Use Plan Conformance and  
Determination of NEPA Adequacy (DNA)**  
Review and Approval

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**Name of Proposed Action:** Cottonwood Creek Riparian Exclosure Fences

**DNA Number:** OR-054-05-034

**Grazing Case File No.** 3602073

**Location of Proposed Action:** The proposed fence would be located on public lands in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 7, T13S, R26E and the W $\frac{1}{2}$ W $\frac{1}{2}$  Section 32, T12S, R26E, Willamette Meridian

**Purpose of the Proposed Action:** Improve riparian habitats on public land portions of Cottonwood Creek to benefit spawning and rearing conditions for summer steelhead.

**Need for the Proposed Action:** A cooperative Agreement has been implemented between Oregon Department of Fish and Wildlife (ODFW) and a private land owner to improve summer steelhead habitat on Cottonwood Creek by excluding livestock grazing use over a 15 year period. ODFW will provide labor and materials necessary to construct and maintain approximately 4 miles of a 4 strand steel wire riparian protection fence. The project area includes unfenced public lands along Cottonwood Creek. Public land riparian areas need to be included in the exclosure for riparian habitat improvement to be effective.

**Description of the Proposed Action:** BLM would provide materials to ODFW necessary to complete approximately 1 $\frac{1}{4}$  miles of riparian protection fence on public lands along Cottonwood Creek.

**Plan Conformance:**

The above project has been reviewed and found to be in conformance with one or more of the following BLM plans:

John Day Resource Management Plan Date Approved: August 29, 1985

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

Objective 1 states "In allotments where potential exists for resource improvement, implement management systems and/or range improvements. Coordinate livestock use in riparian zones in order to protect water quality and enhance anadromous and other sport fisheries".

Objective 2 states “Enhance water quality and manage aquatic habitat with particular attention to those watershed with major downstream uses including native anadromous species ...” (Goals and Objectives of the Proposed Plan, pg. 12).

**Applicable NEPA document and related documents:**

The following NEPA documents and related documents address the proposed action:

- Record of Decision for the John Day River Management Plan, Two Rivers RMP Amendment, John Day RMP Amendment, Baker RMP Amendment, March 2001
- Endangered Species Act – Section 7 Consultation Biological Opinion & Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation dated July 27, 2004 prepared a document on the effects of Bureau of Land Management Upper John Day River basin grazing program from 2004 to 2008, in the North Fork, Middle Fork, and Upper John Day River Subbasins, Oregon.
- National Marine Fisheries Service (NMFS) Biological Opinion April 2004.
- Results of Assessment/Establishment of Cause/Achieving Standards for Rangeland Health/Conforming with Guidelines for Livestock Grazing Management October 2004,
- Allotment Evaluation October 2001
- 1997 Omnibus Consolidated Appropriations Act

## NEPA Adequacy Criteria

**1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed?**

Yes

No

Documentation of answer and explanation: The JDRMP ROD lists the following planned management actions:

Forage Management Actions: Implement structural range improvements in I category allotments to benefit range and riparian habitat conditions...(pg. 15). While Cottonwood Creek Allotment is not an I category allotment due to the small percentage of public lands, it was categorized as a C1 allotment. The JDRMP EIS (Selective Management, pg. 108) recognized that some C category allotments had the potential for management if lessee cooperation was secured. These allotments were designated C1.

Wildlife and Fish Management: "Manage 28.5 miles of riparian zone to enhance natural values through Bureau/Lessee coordinated grazing treatments and **range improvements** (JDRMP, page 18).

Appendix C- Range Developments and Standard Operating Procedures- addresses the construction of fences and states "Fences will be constructed to ...protect streams... (pg. 32).

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances?**

Yes

No

Documentation of answer and explanation: The JDRMP analyzed a full range of alternatives concerning the management, production, and use of renewable resources (pgs. 7-8). The alternatives were: Preferred Alternative- emphasize management, production and use of renewable resources; Emphasize Production of Commodities; Emphasize Enhancement of Natural Resources; No Action. This range of alternatives remains viable.

**3. Is existing analysis adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?**

Yes       No

Documentation of answer and explanation: The JDRMP ROD addressed the need to manage and identified management actions required to manage anadromous fish habitat. The management actions found in the JDRMP address concerns identified in subsequent biological opinions, rangeland health determinations, etc.

**4. Do the methodology and analytical approach used in the existing NEPA documents(s) continue to be appropriate for the current proposed action?**

Yes       No

Documentation of answer and explanation: The JDRMP/EIS addressed impacts of the Preferred Alternative to fish populations and riparian habitats. When necessary, stream protection utilizing range improvements such as fences was identified as beneficial to fish populations. The approach is still considered viable.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Do the existing NEPA documents analyze impacts related to the current proposed action at a level of specificity appropriate to the proposal (plan level, programmatic level, project level)?**

Yes       No

Documentation of answer and explanation: Environmental Consequences of the Preferred Alternative were analyzed in the JDRMP ROD on pages 9-10. This included the anticipated impacts to fish populations, i.e. resident rainbow and steelhead trout.

**6. Are the reasonably foreseeable cumulative impacts that would result from implementation of the proposed action substantially unchanged from those identified in the existing NEPA document(s)?**

Yes       No

Documentation of answer and explanation: The JDRMP does not specifically address cumulative impacts but does address long term impacts of the preferred alternative to fish (impact analysis is on pages 68-70 of Draft RMP/EIS). The result of this analysis is that fish populations would increase under the Preferred Alternative to which the proposed action conforms.

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

Yes       No

Documentation of answer and explanation: Many of the individuals/organizations on our current "interested publics" list are the same as those on the mailing list for the RMP/EIS referenced above. A copy of this DNA worksheet will be mailed to a representative of the Oregon Department of Fish and Wildlife, and to other individuals and organizations that have expressed an interest in this or similar actions.

**E. Interdisciplinary Analysis:**

The following Prineville District BLM employees reviewed this analysis for accuracy in their area of expertise.

<u>Name</u>	<u>Resource Represented</u>	<u>Initials/Date</u>
Don Zalunardo	Wildlife, Special Status Animals	<u>DRZ 2/20/08</u>
Heidi Mottl	Recreation, Wilderness	<u>HMM 2/13/08</u>
Jim Eisner	Fisheries	<u>JE 2/11/08</u>
John Zancanella	Cultural Resources	<u>JZ 1/22/08</u>
Ron Halvorson	Botany, Special Status Plants	<u>RHA 1/22/08 *</u>
Mike Tietmeyer	Range, Livestock Grazing	<u>MT 12/06/07</u>
Dan Tippy	NEPA Coordinator	<u>DT 2/20/08</u>

**F. Mitigation Measures:** Public land portions of the fence will be constructed to BLM standards for fences requiring greater restriction of cattle movements (riparian fences) in combination with the needs of deer, elk, moose, or antelope movement (BLM Manual Handbook 1741-1, Illustration 1) which is a 4 wire fence bottom wire smooth, a minimum of one stay between line posts, and wire spacing from the ground up of 16", 6", 6", 12" resulting in a top wire height of 40".

\* Is covered under survey rept. 94032 and waivers 94017, 02012.

**CONCLUSIONS**

Based on the review documented above, I conclude that:

Plan Conformance:

- This proposal conforms to the applicable land use plan.
- This proposal does not conform to the applicable land use plan

Determination of NEPA Adequacy

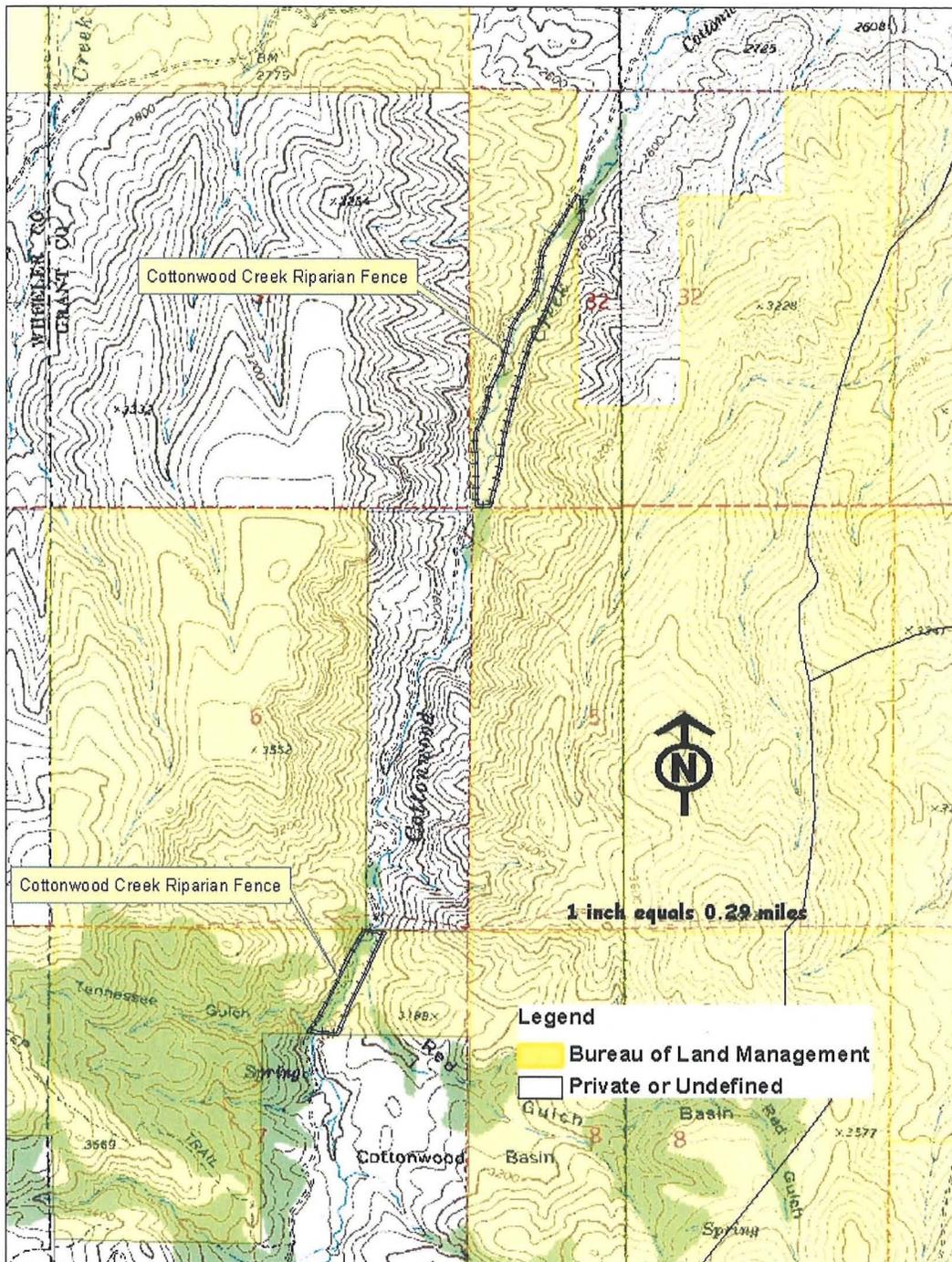
- The existing NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.
- The existing NEPA documentation does not fully cover the proposed action. Additional NEPA documentation is needed if the project is to be further considered.

Danny L. Dyer Acting  
Signature of the Authorized Officer

2/28/08  
Date

***Note: The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision.***

# COTTONWOOD CREEK RIPARIAN FENCES



Map 1- Project location