

Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)
Salem District, Oregon
Tillamook Field Office

Fan Creek Density Management Project
DOI-BLM-OR-S060-2010-0001-DNA

- A. **Location of Proposed Action:** T.3S, R.7W, sections 13, 14, 23, and 26, Willamette Meridian, Tillamook County.

Description of the Proposed Action:

The proposed action is to implement the Fan Creek Density Management Project by commercially thinning approximately 152 acres within the Nestucca River watershed. The thinning treatments will occur in the Late Successional Reserve, Adaptive Management Area and Riparian Reserve land use allocations. The proposed action, is described in the *Hoag Pass Projects Environmental Assessment* (EA# OR-086-06-05), and *Final Decision Record and Finding of No Significant Impact for The Hoag Pass Commercial Density Management Thinning, Fish and Wildlife Habitat Enhancement, And Roadside Hardwood Removal for Road Maintenance Projects* documents. The Fan Creek Density Management Project represents a portion of the larger Hoag Pass Commercial Density Management Thinning.

- B. **Conformance with the Land Use Plan (LUP) and Consistency with Related Subordinate Implementation Plans**

LUP Name: *Salem District Record of Decision and Resource Management Plan*, dated May, 1995 (ROD/RMP) and *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, dated September 1994 (FEIS).

This action is also in conformance with the following documents:

- The *Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late-Successional and Old-Growth Related Species Within the Range of the Northern Spotted Owl* (USDA, USDI 1994a) (Northwest Forest Plan);
- The *FSEIS for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (USDA, USDI 2001a);
- The *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (July 2007).

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

The Salem District ROD/RMP calls for providing a stable timber supply and social/economic benefits to local communities, as well as maintaining a functional late-successional forest ecosystem and accelerating the development of some late-successional forest habitat characteristics (ROD/RMP pp. 15 - 19) within the Late-Successional Reserve (LSR) Adaptive Management Area (AMA) land use allocations (LUAs). The ROD/RMP also calls for applying silvicultural practices in Riparian Reserves (RR) to control stocking, reestablish and manage stands, and acquire desired vegetation characteristics needed to attain Aquatic Conservation Strategy objectives (ROD/RMP p. 11). The proposed action is within the LSR, AMA and RR LUAs.

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

Applicable NEPA Documents:

Hoag Pass Projects Environmental Assessment (EA# OR-086-06-05), April 17, 2006, Salem District, Tillamook Resource Area, which shall be referred to as the EA.

Final Decision Record for The Hoag Pass Commercial Density Management Thinning, Fish and Wildlife Habitat Enhancement, And Roadside Hardwood Removal for Road Maintenance Projects (August 11, 2006) Salem District, Tillamook Resource Area.

Other Related Documents:

Biological Assessment of habitat-modification projects proposed during Fiscal Years 2009 and 2010 in the North Coast Planning Province, Oregon that are Likely to Adversely Affect (LAA) northern spotted owls or marbled murrelets, and their critical habitats, October 10, 2008, Prepared by the interagency Level 1 Team (terrestrial subgroup) for the North Coast Planning Province Siuslaw National Forest, Salem and Eugene Districts, and US Fish and Wildlife Service.

Biological Opinion Regarding the Effects of Habitat Modification Activities within the North Coast Province, FY 2009-2010, proposed by the Eugene District, Bureau of Land Management; Salem District, Bureau of Land Management; Siuslaw National Forest on the Northern Spotted Owl (Strix occidentalis caurina), Marbled Murrelet (Brachyramphus marmoratus), and their Critical Habitats, dated April 2, 2009 Prepared by the Oregon Fish and Wildlife Office, U.S. Fish and Wildlife Service Portland, Oregon (FWS Reference Number 13420-2009-F-0012).

D. NEPA Adequacy Criteria

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

Yes. The EA considered a project called the Hoag Pass Commercial Density Management Thinning which would include approximately 862 acres in T3S., R7W., sections 13, 14, 23, 24, 25, 26, 34, 35, and 36; and T3S., R6W., sections 19 and 30, Willamette Meridian. The Fan Creek timber sale is located in a portion of this project area.

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. The Environmental Assessment analyzed and disclosed the predicted environmental effects of four alternatives to the Hoag Pass Density Management Project: Alternative 1 (Proposed Action) and Alternative 2 (No Action), and Alternatives 3 and 4 (Action Alternatives). The differences between Alternative 1, the Proposed Action and Alternatives 3 and 4 revolved around the use and condition of BLM Road 3-7-36.6 post-harvest; this road is located in another part of the Hoag Pass Density Management project area as described in the EA and has no bearing on the Fan Creek Timber Sale project area. Therefore, relative to the Fan Creek Timber Sale, the EA analyzed two alternatives, which was an appropriate range given the purpose and need for the project.

Alternative 1 – The Proposed Action, was designed to (1) accelerate the development of some late-successional forest structural features; (2) increase variability in stand density within and between stands; (3) to increase stand species diversity; (4) increase stand resilience to the impacts of Swiss needle cast disease on Douglas-fir; (5) increase stand resilience to the impacts of *Phellinus weirii* root rot. The Hoag Pass EA describes the effects of the density management thinning on forest conditions (Hoag Pass EA, pp. 21-23). Alternative 2 was the ‘No Action Alternative. Both Alternatives are described in detail in EA sections 2.2.2 and 2.2.3. The selected alternative is Alternative 1. See *Final Decision Record for Hoag Pass Commercial Density Management Thinning, Fish and Wildlife Habitat Enhancement, and Roadside Hardwood Removal for Road Maintenance Projects*. No new environmental concerns, interests, resource values, or circumstances have been revealed since the EA was published in 2006 that would indicate a need for additional alternatives.

3. **Is the existing analysis adequate and are the conclusions 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 new information or circumstances have arisen since the EA was published in 2006 that could affect the adequacy of the analysis. The analysis and conclusions in the EA appear to be appropriate and adequate.

There have been changes in the Survey and Manage program and Aquatic Conservation Strategy implementation since the EA was released. These changes have not affected the adequacy of the analysis, and there has been no new information or circumstances that would require a new analysis. In addition, the final rule delisting the bald eagle from the Endangered Species Act was effective August 8, 2007; the bald eagle is now managed as “Bureau Sensitive” under the Bureau’s Special Status Species Policy.

The Fan Creek Density Management Project was included as a project described as “Heavy Thinning” within the *Biological Assessment of habitat-modification projects proposed during Fiscal Years 2009 and 2010 in the North Coast Planning Province, Oregon that are Likely to Adversely Affect (LAA) northern spotted owls or marbled murrelets, and their critical habitats, dated October 10, 2008* and the resulting US Fish and Wildlife Service Biological Opinion dated April 2, 2009. The project however is being implemented as a “Light to Moderate Thinning” project which will result in reduced impacts (*may affect, not likely to adversely affect*) to spotted owls, marbled murrelets and/or their designated critical habitat(s) relative to what was described within the Biological Assessment/Opinion.

The Fan Creek timber sale will have *no effect* to Oregon Coast coho salmon, listed as threatened under the Endangered Species Act. In addition, the BLM found *no adverse effect* to Essential Fish Habitat as defined by the Magnuson-Stevens Fisheries Conservation and Management Act for populations of coho and chinook in the Nestucca Watershed. With these effect calls there are no consultation documents that need to be presented to National Marine Fisheries Service.

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

Yes, the methodology and analytical approach used for the analysis contained in the EA continue to be appropriate in respect to the current proposed action. (1) There are no new standards or goals for managing resources; no new recovery plans for listed species have been developed. (2) There are no changes in resource conditions since the EA was published in 2006. (3) There are no changes in resource-related plans, policies or programs of other government agencies. (4) There are no new land designations in the Nestucca River watershed or the Hoag Pass project planning area. (5) There are no changes in statute, case law or regulation that would affect the implementation of the Fan Creek timber sale.

5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?

Yes. The EA adequately addresses the impacts (direct, indirect, and cumulative) of the proposed action on the relevant elements of the environment (EA, pp. 19-68). The EA describes impacts to forest vegetation; Endangered Species Act (ESA) listed wildlife species, habitat and/or designated critical habitat; Endangered Species Act (ESA) listed fish species or habitat; water quality; invasive and non-native plant species, soil resources, Bureau Sensitive and Special Attention plant and animal species and habitats; Fish species with Bureau Status and Essential Fish Habitat; recreation and visual resources. Impacts from implementing the Fan Creek timber sale would fall within those analyzed in the EA, and were anticipated in the EA.

Also see section D(3) of this DNA for further discussion.

6. Can you conclude without additional analysis or information that the cumulative

impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The cumulative effects considered in the EA included those from past, present and reasonably foreseeable future projects on public and private land. No unanticipated actions or events have occurred in the planning area that would have additional cumulative effects with the Fan Creek Timber Sale project.

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

Yes. There have been many opportunities for public involvement and interagency review associated with the Project EA. In compliance with NEPA, the Hoag Pass Projects were listed in the March 2004 through June 2006 editions of the *Salem District Project Update* which were mailed to over 1,000 addresses. On April 29 2005, a Scoping Letter along with a copy of the 16 page Hoag Pass Scoping Report and copies of 3 Project Maps were sent to 49 individuals, organizations and agencies. As a result of this scoping effort, three letters providing comments were received and there was one request for a site visit to the project area by a representative of the Oregon Parks and Recreation Department. The IDT reviewed, clarified, and assessed the public comments; as a result of the site visit request, Tony Stein, Coastal Land Use Coordinator with Oregon Parks and Recreation Department visited the project area with Tillamook RA staff on July 7, 2005. BLM responses to the public comments are documented in Hoag Pass EA Appendix 1- Public Comments to Scoping for the Hoag Pass Projects including BLM Responses.

On April 17, 2006, a copy of the EA and appendices and FONSI (Finding of No Significant Impact) were sent to 15 individuals, groups and agencies (Project Record Document 55) that had expressed an interest in the project. Also, a legal notice requesting public comment to the EA and FONSI appeared in the *Headlight Herald* Newspaper of Tillamook and the EA was made available on the Salem District website. The EA and FONSI were released for public comment from April 17, 2006 to May 8, 2006. As a result of this scoping, two letters were received. The BLM's response to these letters is contained in Addendum 1 of the Final Decision Record for the Hoag Pass Projects.

The public involvement process outlined above provided an appropriate coverage for the current proposed action.

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

<u>Name</u>	<u>Resource Represented</u>
Steve Bahe	Interdisciplinary Team Leader & Wildlife Resources
Matt Walker	Fisheries Resources
Bob McDonald	Environmental Coordinator

- F. **Mitigation Measures:** List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

This project incorporates mitigating measures set forth on pages 10-18 of the EA. These mitigating measures are consistent with the Best Management Practices described in Appendix C to the ROD/RMP on pages C1 – C11.

REVIEWED BY

/s/ Bob McDonald
Environmental Coordinator

10/14/2009
Date

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.

/s/ William B. Keller
Tillamook Resource Area Field Manager

10/14/2009
Date