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

U.S. Department of the Interior
Bureau of Land Management (BLM)
Salem District, Oregon
Marys Peak Resource Area

FY 2015-2016 Culvert Replacements
DOI-BLM-OR-S050-2015-0005-DNA

Salem District Aquatic and Riparian Habitat Restoration Environmental Assessment
DOI-BLM-OR-S000-2012-0001-EA

A. Background and Description of the Proposed Action

The BLM analyzed restoration projects in the Salem District Aquatic and Riparian Habitat Restoration Environmental Assessment (EA) (Aquatic Restoration EA) (EA# DOI-BLM-OR-S000-2012-0001) in 2012.

The purpose of the proposed action is to improve aquatic and riparian habitat on BLM-administered lands and non-BLM-administered lands. To meet these objectives, the BLM would use aquatic and riparian restoration activities identified in the National Marine Fisheries Service (NMFS) (2013) and the United States Fish and Wildlife Service (USFWS) (2013) Programmatic Biological Opinions (NMFS: NWP-2013-9664; USFWS: 01EOFW00-2013-F-0090) for Aquatic Restoration Activities in Oregon and Washington and portions of California, Idaho, and Nevada (ARBO II).

Activities considered in the EA include:

- Large Wood, Boulder, and Gravel Placement
- Reconnection of Existing Side Channels and Alcoves
- Streambank Restoration
- Fish Passage Culvert and Bridge Projects
- Head-cut Stabilization and Associated Fish Passage
- Riparian vegetation treatments
- Road Treatments
- Providing for erosion control and noxious weed abatement by sowing the project area with grass seed and weed free straw.

Specifically, the BLM is proposing to replace four large culverts in the Marys Peak Resource Area. Tobe Creek and Feagles Creek are scheduled for replacement in 2015 and Bear Creek and Mill Creek are schedule for replacement in 2016.

The existing culvert crossings are undersized for meeting 100 year flow events, increasingly at risk of failure due to age and deterioration, and are currently partially or fully blocking fish passage. The Marys Peak fish biologist and hydrologist determined the bank full width at each site and used a factor of 1.3 times bank full width to establish the new stream crossing widths for

Feagles, Mill, and Tobe Creek crossings, consistent with ARBO II culvert sizing guidance. Due to channel entrenchment, the Bear Creek crossing was designed to exceed bank full width consistent with ARBO II culvert sizing guidance.

The BLM considered replacing the existing culverts with a standard culvert (pipe arch), open bottom pipe arch culvert, or bridge.

The radius of curvature required over Tobe Creek Crossing to accommodate the large forest equipment made a bridge impracticable at the site. An open bottom arch culvert and increasing the longitudenal structure spanning over the stream was the preferred option to accommodate the larger equipment. Due to channel width of 19 feet the maximum sized standard culvert (14.25 feet) would not work at the site.

The road approach at Mill Creek crossing is located on moderately steep slope and the bridge abutments on this slope were determined to likely experience too high of stress loads. An open bottom arch was determined to be the best option to meet engineering, fish passage, and debris/bedload objectives. Due to channel width of 16 feet the maximum sized standard culvert (14.25 feet) would not work at the site.

At the Feagles Creek crossing an open bottom arch would achieve the fish passage and debris/bedload objectives at a much lower cost than a bridge. Due to channel width of 16 feet the maximum sized standard culvert (14.25 feet) would not work at the site.

At the Bear Creek crossing, the depth of fill over the culvert and confined channel approximately 13 feet in width indicated an standard culvert in a pipe arch configuration of 14.25 feet seeded to a minimum of 20 percent fill depth with bed-material would achieve fish passage and debris bedload objectives at a much lower cost over an open bottom arch or bridge.

Each crossing site will have stream simulated bedload installed through the length of the culvert to mimic natural stream character.

Construction Schedule:

- The 12-8-19 road (Feagles Creek) will be closed due to construction for approximately six weeks in the summer of 2015, between July 1 and August 31.
- Due to proximity of potentially suitable habitat for Marbled Murrelets to the 14-7-19 Road (Tobe Creek) the crossing site will be closed for construction work after August 6 of 2015 for approximately six weeks.
- The 14-8-3.1 road (Mill Creek) will be closed due to construction for approximately six weeks in the summer of 2016, between July 1 and August 31.
- Due to proximity of potentially suitable habitat for Marbled Murrelets to the 15-8-15 Lobster Cr Road (Bear Creek), the crossing site will be closed for construction work after August 6, 2016 for approximately six weeks.

The project areas are removed from major recreation areas and/or have alternate routes available for accessing public lands. As such, the projects are not expected to significantly disrupt public use of the area.

The culvert replacements are consistent with the activities analyzed to meet the Purpose and Need of the project.

Locations:

- Feagles Creek Culvert: Township 12 South, Range 8 West, Sections 19, 20 and 29, Willamette Meridian, within the Big Elk Creek fifth field watershed in Lincoln County, Oregon.
- Mill Creek Culvert: Township 13 South, Range 8 West, Section 27, Willamette Meridian, within the Lower Alsea River fifth field watershed in Benton County, Oregon.
- Tobe Creek Culvert: Township 14 South, Range 7 West, Section 19, Willamette Meridian, within the Upper Alsea River fifth field watershed in Benton County, Oregon.
- Bear Creek Culvert: Township 15 South, Range 8 West, Sections 15 and 16, Willamette Meridian, within the Lobster/Five Rivers fifth field watershed in Lane County, Oregon.

See location map at the end of this DNA.

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

The analysis documented in the EA is site-specific and supplements analyses found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS). The culvert replacements are authorized under the *Salem District Record of Decision and Resource Management Plan*, May 1995 (1995 RMP) and related documents which direct and provide the legal framework for management of BLM lands within the Salem District. All of these documents may be reviewed at the Salem District office.

The culvert replacements conform to the Salem District Resource Management Plan as amended by the 2001 *Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001 ROD).

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

- Design and implement fish habitat restoration and enhancement activities in a manner that contributes to attainment of Aquatic Conservation Strategy objectives. (RMP p. 27).
- Rehabilitate streams and other waters to enhance natural populations or anadromous and resident fish. Rehabilitation measures may include, but not be limited to fish passage improvements; instream structures using boulders and log placement to create spawning and rearing habitat; placement of fine and course materials for overwintering habitat; and establishment or release of riparian coniferous trees. (RMP pp. 27-28).
- Provide and maintain fish passage at all road crossings of existing and potential fish-bearing streams (RMP p. 63).

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

Applicable NEPA Documents:

- Salem District Aquatic and Riparian Habitat Restoration EA (DOI-BLM-OR-S000-2012-0001-EA) – March 22, 2012.
- Salem District Aquatic and Riparian Habitat Restoration Decision Record – March 22, 2012.

Other NEPA documents and other related documents relevant to the proposed action:

- Salem District RMP/EIS – November 1994 and Record of Decision – May 1995
- Salem District Aquatic and Riparian Habitat Restoration project file

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 action would be completed as described and analyzed in the Aquatic Restoration EA (pp. 13-17). Culvert replacement is analyzed in the Aquatic Restoration EA. The culvert replacements will not exceed the annual maximum identified in the Aquatic Restoration EA. Project design features described in the EA would be applied to these culvert replacements.

Road and Culvert Projects (Aquatic Restoration EA pp. 15–16, 21)

> *"Remove or replace existing road-stream crossing structures-culverts and bridges-that restrict fish passage with stream simulation structures to restore up- and downstream passage for all life stages of native fish."*

Fish Passage – Culvert and Bridge Replacements (Aquatic Restoration EA pp. 15–16, 21)

> *"Replacement of existing road-stream crossing structures on fish-bearing streams that do not restrict fish passage may occur. This category includes projects where minor realignment of the culvert and stream channel is needed to restore the stream course to its original location. Structure types include closed-bottomed culverts, open-bottomed arch culverts, and bridges. Grade control structures are permitted above or below the culvert or bridge."*

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?

The EAs analyzed the No Action and the Proposed Action alternatives. No other reasonable alternatives to achieving the purpose and need were identified by the Interdisciplinary Teams or the public. No new environmental concerns, interests, resource values, or circumstances have arisen since the EAs were published that would require the development of additional

alternatives. A full description of the alternatives can be found in Chapter 2 of the Aquatic Restoration EA (pp. 12-26).

3. **Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action?**

Yes. The existing analysis and conclusions are adequate. There is no new significant information or circumstances relative to the analysis in the EAs or the current action. The analysis and conclusions in the EAs are appropriate and adequate.

4. **Are the direct, indirect, and cumulative effects of the current proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document(s)?**

The EAs analyzed direct, indirect, and cumulative effects of the proposed action on affected resources (fisheries/aquatic habitat, water quality, botany, invasive plants, and wildlife). There are no substantial changes from those addressed in the analyses to the present.

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

Public involvement for the EAs has been adequate. For the Aquatic Restoration EA, the BLM sent scoping letters in 2011 to 41 potentially affected and or interested individuals, groups, and agencies. One comment in support of the EA was received. The EA and FONSI were made available for a 15 day public review on March 6, 2012. No comments were received on the EA.

Consultation

Wildlife: Consultation for aquatic restoration projects covered under this DNA has been completed under the U.S. Fish and Wildlife Service Programmatic Consultation for Aquatic Habitat Restoration Activities in Oregon and Washington (ARBO #13420-2007-F-0055) issued on June 14, 2007. On July 1, 2013 the US Fish and Wildlife Service completed a new consultation on Aquatic Habitat Restoration Activities in Oregon and Washington (ARBO II #01EOFW00-2013-F-0090). This projects are in compliance with ARBO II since it is consistent with the project design features and it would not exceed the incidental take allocation for any listed wildlife species.

Fish: Oregon Coast coho salmon are present through the project area. The proposed actions may affect listed fish species in the project area. The proposed actions have been formally consulted with National Marine Fisheries Service (NMFS) under the Re-initiation of the Endangered Species Act Section 7 Formal Programmatic Conference and Biologic Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for Aquatic Restoration Activities in the States of Oregon and Washington (ARBO II) (NWP-21013-96644). The proposed action will be consistent with ARBO II programmatic consultation and incorporated design features. No additional consultation is required.

Pursuant to the Magnuson-Stevens Fishery Conservation and Management Act adverse effects to Essential Fish Habitat (EFH) requires consultation with NMFS. EFH for coho salmon is through the project area and the proposed action may adversely affect EFH. EFH consultation was completed under the ARBO II consultation. No additional consultation is required.

E. Interdisciplinary Analysis

Name	**Specialty**
Ron Exeter	Botany
Douglass Fitting	Hydrology and Soils
Scott Hopkins	Wildlife
Stefanie Larew	NEPA compliance
Scott Snedaker	Fisheries

Prepared and Reviewed By

/s/ Stefanie Larew 6/24/15
Stefanie Larew
NEPA Coordinator 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/ Tessa Teems 6/24/15
Tessa Teems Date
Marys Peak Field Manager

Figure 1. Locations of culverts to be replaced