

U.S. Department of the Interior
Bureau of Land Management (BLM)
Determination of NEPA Adequacy (DNA)

Office: Cascades Field Office (FO)-Salem District Office

Tracking Number: DOI-BLM-ORWA-S040-2016-0015-DNA

Case file/Project Number: N/A

Proposed Action Title/Type: Sinker Flats Restoration Project

Location/Legal Description: T. 9 S., R. 3 E., Section 10, Willamette Meridian.

Applicant (if any): N/A

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

The Proposed Action is to implement the Sinker Flats Restoration (Project). The Project is located within the Little North Santiam River 5th Field Watershed, T. 9 S., R. 3 E., Section 10, Marion County. The Project is proposed within the Little North Santiam River where it meets the Little Sinker Creek. The Little North Santiam River is a tributary to the North Santiam River. The Project is proposed on Connectivity portions of the Matrix Land Use Allocation within the Cascades Field Office. Spawning material here is in good supply, and is regularly utilized by local fish species and listed salmon and steelhead. This channel lacks deep pools with wood cover, which is a significant limiting factor for juvenile fish survival and steelhead production in the river. The primary objective of the Project is to create additional deep pool habitat with protective cover for local fish species and listed salmon and steelhead on the Little North Santiam River channel. The Project location takes advantage of the high quality spawning gravels that deposit where the Sinker Creek tributary meets the main Little North Santiam River channel (see map in Appendix A). This Project will construct juvenile fish habitat by placing a large wood structure at a location where river processes would naturally create it if wood supply and transport processes were functioning normally. Trees for the large wood structure will be tipped and removed, with the root-wad attached, from the adjacent forest stand and transported to be placed at the desired location in the river.

As a result of the primary objective, stand conditions in the adjacent forest stand would improve because the Project will also create up to ten small gaps of less than one acre size in the forest canopy as a result of tipping and removing sub-dominant trees, thus allowing the crowns of the dominant Douglas fir to receive additional light. Small openings will stimulate development of older forest characteristics with benefits to terrestrial species. Primary issues include disturbance of the forest canopy and the soil surface due to tree tipping and removal; alteration of the Little North Fork channel geometry with potential local effects to bank stability, floodplain inundation, sediment transport and aquatic habitat; and potential for short term water quality degradation due to high turbidity levels during structure construction.

The Project would include the following activities:

1. Tip up to 60 Douglas-fir trees in the riparian zone of the forest in the 40 acre of NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 10, T. 9 S., R. 3 E. (see attached map in appendix A). BLM would identify and mark the trees proposed for tipping and removal.
2. Remove the tipped trees, with root-wad attached and transport for storage at the staging site adjacent to the large wood structure to be constructed in the Little North Fork channel.
3. Transport by truck up to 70 additional cut logs from off-site and deliver these for storage at the staging site adjacent to the structure.
4. Construct a large wood structure at the proposed location in the Little North Fork channel (see attached map and draft design Appendix B) utilizing the stored logs. Appendix B displays a draft design for the intended structure. Construction will begin by excavating bank materials at the project site to a maximum river scour depth of 10-12 feet below bank full elevation. To prevent fine sediment being washed into the river the construction site will be isolated from the main current utilizing sediment curtains and pumps to keep the excavation from backfilling with ground water. Logs will then be placed individually into the excavation by the excavator operator under the direction of BLM project leads. As logs are placed the structure will be stabilized by backfilling with the removed bank material and ballasted with additional logs and substrates to over a 100-year return interval flow stage. Small woody material will be placed to help create the appearance of a “natural log jam” and disturbed surfaces in the project area will be smoothed and replanted with native species adapted to local conditions.

To implement the Project BLM would flag both the log staging site and the structure location. BLM would hire a qualified technical consultant to provide a structure site field review and an appropriate design for the log structure.

The Project will adhere to the project design features outlined in Sections 2.3.2, 8.0, 9.0, and 10.0 of the Salem District Office Aquatic and Riparian Habitat Restoration Revised Environmental Assessment (EA) (DOI-BLM-ORWA-S000-2012-0001-EA) and Finding of No Significant Impact (FONSI). Sections 8.0, 9.0, and 10.0 of the EA outline the NMFS ARBO II, NMFS WOP, and USFWS ARBO II project design features and criteria, respectively, that each restoration project will be adhered during project activities.

B. Conformance with the Land Use Plan (LUP)

LUP Name: Salem District Record of Decision and Resource Management Plan (1995 RMP)

Date Approved: March 1995

As amended by the Record of Decision for Amendments to the Survey and Manage, Protection Buffer, and Other Mitigation Measures Standards and Guidelines, dated January 2001 (SM/ROD) with subsequent Annual Species Reviews. These actions comply with the SM/ROD as described above and utilize the December 2003 species list. This list incorporates species changes and removals made as a result of the 2001, 2002, and 2003 Annual Species Reviews (ASR) with the exception of the red tree vole. For the red tree vole, the Ninth Circuit Court of Appeals in *KSWC et al. v. Boody et al.*, 468 F.3d 549 (9th Cir. 2006) vacated the category change and removal of the red tree vole in the mesic zone, and returned the red tree vole to its status as existed in the 2001 ROD Standards and Guidelines, which makes the species Category C throughout its range.

LUP Conformance:

The Project 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:

- RMP Aquatic Conservation Strategy (RMP p. 5,7):
 - Maintain and restore the distribution, diversity, and complexity of watershed and landscape-scale features to ensure protection of the aquatic systems to which species, populations and communities are uniquely adapted.
 - Watershed restoration will be an integral part of a program to aid recovery of fish habitat, riparian habitat and water quality.
- RMP Fish Habitat Objectives (RMP p. 27):
 - Design and implement fish habitat restoration and enhancement activities in a manner that contributes to attainment of Aquatic Conservation Strategy objectives.

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

List by name and date applicable NEPA documents that cover the Project.

USDI Bureau of Land Management March 2016 Salem District Aquatic and Riparian Habitat Restoration Revised EA (DOI-BLM-ORWA-S000-2012-0001-EA), FONSI, and Decision Record (DR).

- The DR for the Aquatic and Riparian Habitat Restoration Revised EA includes a table of ARBO II Potential Restoration Projects on Salem District (Table 2) that are slated for Decisions in Fiscal Year 2016, which includes the Sinker Flats Restoration Project.

List by name and date other documentation relevant to the Project (e.g., source drinking water assessments, biological assessment, biological opinion, watershed assessment, allotment evaluation, rangeland health standard's assessment and determinations, and monitoring the report).

- USDI Fish and Wildlife Service. July 2013. *Programmatic Consultation for Aquatic Habitat Restoration Activities in Oregon and Washington BO# 01EOFW00-2013-F-0090*
- National Marine Fisheries Service. April 2013. *Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for Aquatic Restoration Activities in Oregon and Washington NMFS:2013/NWP-2013-9664*
- National Marine Fisheries Service. 2010. *Biological Opinion for Programmatic Activities of USDA Forest Service, USDI Bureau of Land Management, and Coquille Indian Tribe in Western Oregon NMFS No. 2010/02700*
- USDI Bureau of Land Management. 1997. *Little North Santiam Watershed Analysis, 1997 (LNSWA)*

D. NEPA Adequacy Criteria

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

Yes, the current Project is substantially the same action analyzed and selected in the Salem District Aquatic and Riparian Habitat Restoration EA (see DOI-BLM-ORWA-S000-2012-0001-EA) and Decision Record (DR). The Project is within the analysis area for the Aquatic and Riparian Habitat

Restoration Revised EA (EA). The EA analyzed the effects to resources in the BLM Salem District from a range of watershed restoration actions, including in-stream structure placement utilizing excavators, to an annual maximum of work completed of 10 stream miles for the District or 4 stream miles for the 5th field watershed (EA Section 2.3, pp. 12-13, Table 1, and Section 2.3.1.1, pp. 14). The Project falls into the in-stream structure portion of Restoration Category 1 - In-Stream Structure and Gravel Placement, as shown in the Aquatic Restoration EA Section 2.3.1.1 and DR, pp. 4 and 7. The Project also meets the site condition criteria outlined in the EA for selecting restoration projects because the location is lacking in deep pool habitat with wood cover significant to juvenile fish survival and steelhead production (EA Section 2.3.1.1, pp 14 and Section 3.1.2.2, pp. 32).

The selected action in the DR for the EA includes in-stream structure placement projects using large wood and defines the site conditions required to select projects, of which the Proposed Action qualifies (DR Section 2.0, pp. 4). The Project also fits the conditions for project selection (DR p. 4) – low levels of structure, lack of pool habitat, low levels of wood.

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

Yes, the range of alternatives analyzed in the EA is appropriate with respect to the current Project. During the internal and external scoping process for the EA, no additional alternatives were identified that would meet the purpose and need of the EA project and have meaningful differences in effects from the EA Proposed Action (EA Section 2.1, pp. 12). Since no additional alternatives were identified, the EA analyzes the effects of the Proposed Action and the No Action Alternative. The EA Proposed Action encompasses the Project described in this DNA (EA Section 2.3, pp. 12-16), making the range of alternatives considered appropriate. The environmental analysis was completed in March 2016 and is still appropriate given the current environmental concerns, interests, resource values, and circumstances, which are substantially the same as those analyzed in the EA. There would be no known other or additional concerns, interests, or resource values associated with the Project that were not previously addressed in the EA.

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 Project?

Yes, the EA revision was completed in March of 2016 and utilized the most current information and circumstances for the analysis area. The existing analysis and conclusions are adequate and there is no new information that is significant with regard to the analysis of the current Project. The most recent information was utilized in the EA in regards to Watershed Assessments categorizations, inventory and monitoring data, Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species, and BLM lists of sensitive species.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Project similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes, the direct, indirect, and cumulative impacts of the Project are similar to those identified and analyzed in the EA. The Project is substantially similar to the selected action in the DR and analyzed in the EA (EA Proposed Action). Although the Project location was not specifically defined in the EA, conditions similar to those found in the Little North Santiam channel were used to determine effects to resources.

Potential adverse direct and indirect effects to water quality due to increased sediment in rivers and streams because of the placement of structures with excavators are the most relevant to the Project. The effects to water quality will be short term increases in fine and coarse sediment due to placement operations, and an increase in turbidity occurring during the placement of structures, which would decrease to natural levels after the first winter after placement of the structures (EA Section 3.2.2.2, p. 39-40). Effects to water quality from the current Project would be substantially similar to the above analyzed impacts, which would be minimized with the seasonal restrictions, project design features, and best management practices that will be adhered to by all projects implemented under the EA.

Cumulative effects of the Project would be substantially similar to those effects disclosed in the EA. The EA describes the cumulative effects of in-stream structure placement as follows:

EA Section 3.2.2.3, p. 43-44

Since the past history and monitoring of these type of projects have shown a net improvement of the complexity and structure of the stream courses, and meet the designated DEQ Water Quality Management Plans, DEQ approved Water Quality Restoration Plans, and ARBO II requirements, there is no evidence that the type of projects included in the proposed action would result in an cumulative adverse effect to water quality

Cumulatively, these types of projects would add to the recovery of aquatic habitat, sediment transport regime and functional stream channels. These types projects are not likely to result in measurable direct or indirect effects to channel or wetland function, and all effects are within the range of those disclosed in the RMP, therefore the proposal would be unlikely to contribute to any potential cumulative effects in these watersheds.

No new or additional impacts are anticipated from the implementation of the Project other than those analyzed in the EA.

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

Yes, public involvement and interagency review associated with both the 2012 EA and the revised EA is adequate for the current Project. Both the 2012 and revised EAs analyzed substantially similar projects to the Project. Project scoping and EA public review/comment periods were completed on both EAs. A scoping letter describing the 2012 EA was sent to approximately 41 federal, state, and municipal government agencies, tribal authorities, and individuals on May 13, 2011. One scoping comment was received on the project (EA Section 1.4, p. 12 and DR Section 6.0, p.12). The 2012 EA and FONSI were made available for public review from March 6th to

March 20th, 2012 and no comments were received during the comment period (DR Section 6.0, p.12).

The revised EA was scoped to the public in the fall/winter and spring 2016 (September 2015 to April 2016) editions of the Salem District Project Update newsletter, which was sent by email or postal mail to 205 affected and/or interested agencies, tribes, individuals and groups. No comments were received during this scoping period. The Revised EA and FONSI were made available for public comment from March 24th to April 8th, 2016. Notifications were sent to 110 affected and/or interested agencies, tribes, individuals and groups by email or postal mail informing the public of posting of the EA to the ePlanning website as well as the review period timeframes (DR Section 6.0, p.12). One comment was received and is addressed in Section 10.0 of the DR for the EA.

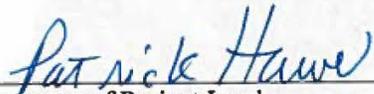
Along with project scoping and EA comment periods, the BLM will continue to provide information to the public on individual restoration projects' DR and implementation under the EA. The BLM will notify the public of individual restoration projects through the Salem District Quarterly Project Update newsletter and the ePlanning website where DNA's for the projects will be posted. BLM will also work with the US Forest Service to update the list of individual projects to be implemented on the joint Aquatic Restoration Regulatory Reporting System website (RD Section 6.0, p. 14). The Project will follow the public information sharing process described above. The Project ePlanning website can be found at the following link:
www.tinyurl.com/SinkerFlatsRestoration

E. Person/Agencies/BLM Staff Consulted

Name	Role or Resource Represented	Initials	Date
Whitney Wirthlin	NEPA Review	WW	6/15/16
Belle Smith	Supervisor	BS	6/24/2016
Corbin Murphy	Wildlife	CM	06/03/2016
Terry Fennell	Botany	TGF	6/6/16
Bruce Zoellick	Fisheries	BZ	6/2/2016
Patrick Hawe	Hydrology/Water Quality/Soils	WPH	6/1/2016
Kenneth Ruzicka	Silviculture - ADHOC: MACALASJ	KR	6/6/2016
Heather Ulrich	Cultural Resources	HU	06/07/2016

CONCLUSION

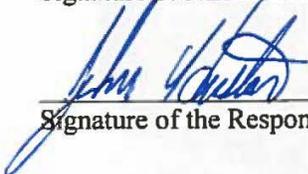
Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the existing NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.



 Signature of Project Lead



 Signature of NEPA Coordinator



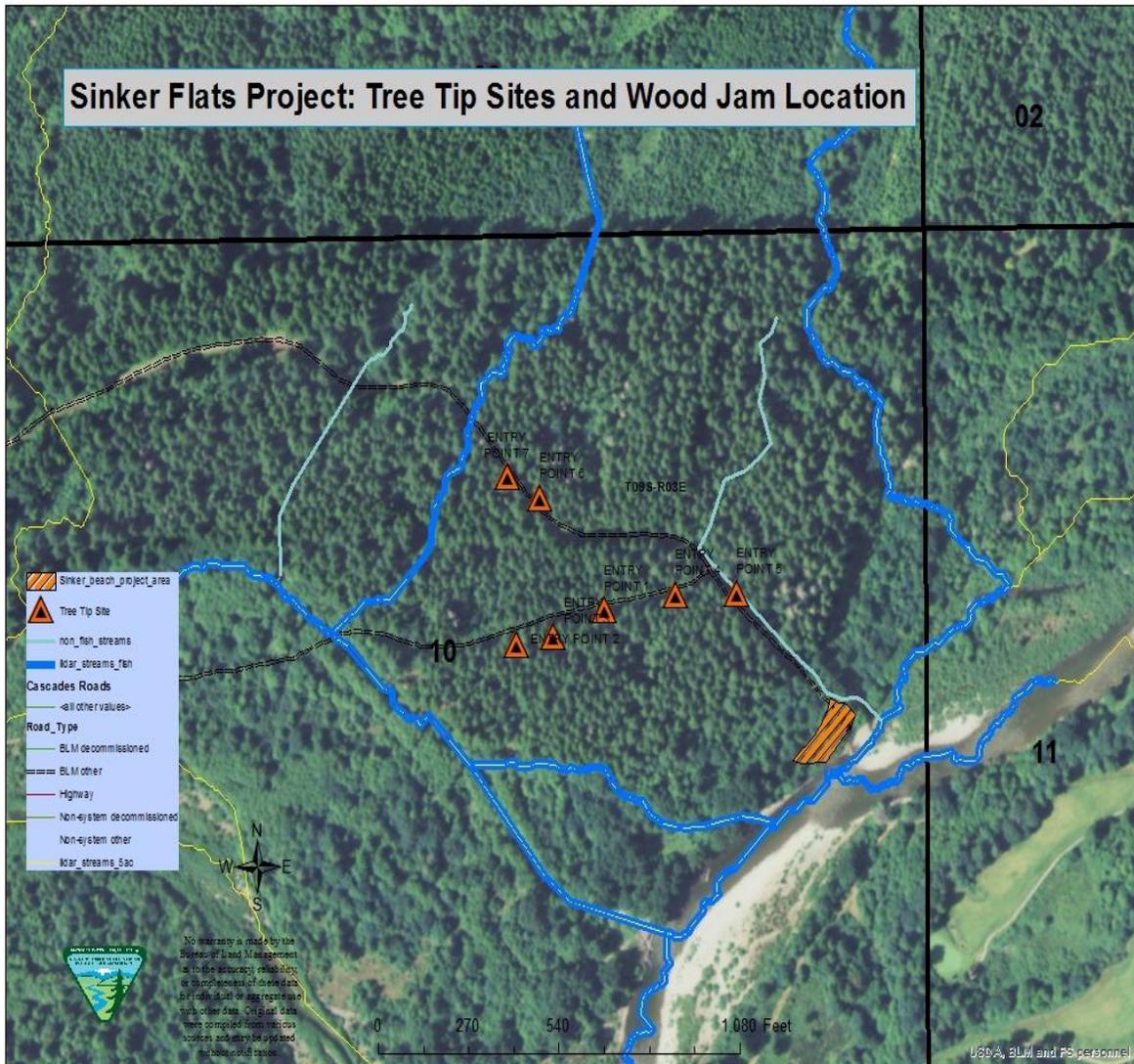
 Signature of the Responsible Official

6/24/16

 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.

Appendix 1-Map of Sinker Flats Project showing proposed area for tree tipping, log staging and structure location.



United States Department of The Interior
Bureau of Land Management
Salem District Office
Decision Record
DOI-BLM-ORWA-S040-2016-0015-DNA
Sinker Flats Restoration Project

Decision

It is my decision to implement this action as described in the attached Determination of NEPA Adequacy documentation DOI-BLM-ORWA-S040-2016-0015-DNA.

Decision Rationale

The Project has been reviewed by BLM staff. The Project is in conformance with the 1995 Salem District Record of Decision and Resource Management Plan (as amended). Based on the Determination of NEPA Adequacy, I have determined that the existing NEPA documentation fully covers the Project and constitutes BLM's compliance with the requirements of the NEPA.

Administrative Review or Appeal Opportunities

This decision may be appealed to the Interior Board of Land Appeals (Board or IBLA) according to 43 CFR Part 4 – Department of Interior Hearings and Appeals Procedures, found on the internet at:

<http://www.gpo.gov/fdsys/pkg/CFR-2002-title43-vol1/xml/CFR-2002-title43-vol1-part4.xml>

Contact Person

For additional information concerning this decision, contact Whitney Wirthlin, Planning and Environmental Specialist, Cascades Field Office at (503) 375-5612.

Implementation Date: This project will be implemented after July 27, 2016.

Authorized Officer



John Huston
Field Manager, Cascades Field Office

6/27/2016
Date