



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Coos Bay District Office

1300 Airport Lane, North Bend, OR 97459

Web Address: <http://www.blm.gov/or/districts/coosbay>

E-mail: BLM_OR_CB_Mail@blm.gov



1792/6763 (ORC040)
DOI-BLM-ORWA-C040-2016-0005-DNA
New River Instream Wood Project
EA OR125-05-06
Paradise Creek Watershed Restoration EA

July 21, 2016

Dear Citizen:

We have signed the Decision Rationale for the New River Instream Wood Project Determination of NEPA Adequacy (DOI-BLM-ORWA-C040-2016-0052-DNA). The proposed action is to restore fish habitat through increasing stream channel complexity. The BLM proposed to add large diameter logs to approximately 0.4 miles of private land along New River. The Decision Rationale has been posted on the District internet site: <http://bit.ly/29QJD5f>.

The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations under 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, Kathy Westenskow, within 15 days of the publication date of the notice of decision/timber sale advertisement in *The World* newspaper, Coos Bay, Oregon.

43 CFR 5003.3(b) states: "Protests shall be filed with the authorized officer and would contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Coos Bay district office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR 5003.3(c) states: "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information to her. The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the protesting party(ies). Upon denial of a protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations under 5003.3(f).

If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Coos Bay district office will issue a protest decision.

For further information contact Racheal Jones at 1300 Airport Lane, North Bend, OR 97459; by phone at (541) 756-0100; or by email at BLM_OR_CB_Mail@blm.gov, Attn: Racheal Jones.

Sincerely,

/s/ Teresa A. Stutesman
Acting for
Kathy Westenskow
Myrtlewood Field Manager



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Decision Rationale for DOI-BLM-ORWA-C040-2016-0005-DNA

Background

The Bureau of Land Management (BLM) previously prepared an Environmental Assessment (Paradise Creek Watershed Restoration Project: EA OR125-05-06) and a Finding of No Significant Impact (FONSI) which evaluated the effects of restoration of aquatic habitat in streams located in the Paradise Creek subwatershed, a large tributary to the Umpqua River. The action as described in DOI-BLM-ORWA-C040-2016-0005-DNA proposes placement of logs along private lands at New River, located within the Morton Creek-Frontal Pacific Ocean 6th field watershed. This proposed project is of like action and similar design to that analyzed in EA OR125-05-06.

Decision:

It is my decision to implement the New River Instream Wood Placement Project. The design features and actions of this project and the anticipated environmental consequences are essentially the same as those analyzed in the existing NEPA document.

Conformance and Compliance

This project is tiered to and in conformance with the 1995 Coos Bay District Resource Management Plan/Final Environmental Impact Statement and its Record of Decision (ROD/RMP), as supplemented and amended. The Coos Bay ROD/RMP is supported by and consistent with the Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl and its Record of Decision.

The proposed action is in conformance with the applicable LUP (or RMP) because it is specifically provided for in the following LUP decisions:

- Design and implement watershed restoration projects in a manner that promotes long-term ecological integrity of ecosystems, conserves the genetic integrity of native species and attains the Aquatic Conservation Strategy objectives (RMP p. 17).
- Design and implement fish habitat restoration and enhancement activities in a manner that contributes to attainment of Aquatic Conservation Strategy objectives (RMP p. 30).
- Promote the rehabilitation and protection of at-risk fish stocks and their habitat (RMP p. 30).

Instream restoration is covered for Endangered Species Act consultation for listed fish species by the Reinitiation of the Endangered Species Act Section 7 Formal Programmatic Conference and Biological 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-2013-9664, April 25, 2013).

Instream restoration is also covered for Endangered Species Act consultation for listed fish species by the Programmatic Biological Opinion for Aquatic Restoration Activities in the States of Oregon, Washington, and portions of California, Idaho, and Nevada (ARBO II – FWS reference: 01EOFW00-2013-F-0090, July 1, 2013).

This project also complies with the Oregon and California Lands Act (O&C Act), the Federal Land Policy and Management Act (FLPMA), the Endangered Species Act, the Clean Water Act, and the Magnuson-Stevens Fishery Conservation Act.

The Environmental Assessment for the Paradise Creek Watershed Restoration Project (OR 125-05-06) resulted in a Finding of No Significant Impact (FONSI), thus development of an Environmental Impact Statement (EIS) is not required.

Public Involvement

The public was informed of the EA and FONSI through a direct notification and via a published Legal Notice in The World newspaper. The EA had a 30 day comment period, providing opportunity for the public or other agencies to comment on the proposed actions, and there were no comments.

Decision Rationale:

The proposed action has been reviewed by BLM specialists and appropriate project Design Features will be incorporated into the proposal. Based on this review, I have determined that the proposed action is adequately analyzed in the existing NEPA document EA OR125-05-06 and is in conformance with the Coos Bay RMP and no further analysis is required.

Administrative Remedies:

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Decision Issued by:

/s/ Teresa A. Stutesman
Acting for

Kathy Westenskow
Myrtlewood Field Manager

July 20, 2016

Date