

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

I have reviewed this Documentation of Land Use Plan Conformance and NEPA Adequacy (DNA) (OR090-DNA-03-01) and have determined that the proposed action is in conformance with the approved land use plan and that no further environmental analysis is required.

On the basis of the information contained in the DNA Worksheet and the existing NEPA document it references, and all other information available to me, it is my determination that implementation of the proposed action will not have significant environmental impacts beyond those already addressed in the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl," (April 1994) and the "Eugene District Record of Decision and Resource Management Plan," (June 1995), and that an environmental impact statement or a supplement to the existing environmental impact statement is not necessary and will not be prepared.

It is my decision to implement the project, as described, with the mitigation measures identified in the DNA Worksheet.

Authorized Official: /s/ Steven Calish

Date: 6/3/03

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

U.S. Department of the Interior
Bureau of Land Management (BLM)

Note: This worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled “Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy” transmitting this worksheet and the “Guidelines for Using the DNA Worksheet” located at the end of the worksheet. (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.)

A. BLM Office: Siuslaw RA Lease/Serial/Case File No. OR090-DNA-03-01

Proposed Action Title/Type: Upland & Wetland Restoration

Location of Proposed Action: T18S, R4W, section 4

Description of the Proposed Action: Removal of approximately 18,500 cubic yards of fill on 6.5 acres of land owned by The Nature Conservancy in the Willow Creek Natural Area. Removal of nonnative vegetation by using chain saws, weed whackers, mowers, and solarization would occur on the same 6.5 acres. Some native seed collection may occur. Native seed or native vegetation would be planted.

Applicant (if any): _____

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

LUP Name* <u>West Eugene Wetlands Plan</u>	Date Approved <u>November, 2000</u>	LUP
Name* _____	Date Approved _____	
Other document** <u>Willow Corner MIP</u>	Date Approved <u>June, 2002</u>	
Other document** _____	Date Approved _____	
Other document** _____	Date Approved _____	

*List applicable LUPs (e.g., Resource Management Plans or applicable amendments).

**List applicable activity, project, management, water quality restoration, or program plans.

Attachment 1-2

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

- West Eugene Wetlands Plan, Resource Protection Goal 3.5 (pg. 11): Protect and expand current populations and habitats of rare plants...that currently exist in west Eugene.
- Willow Corner Mitigation Improvement Plan (pg 1): The Action Plan proposed in this MIP also includes restoration prescriptions for a portion of the adjacent WCNA.

___ 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:

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

List by name and date all applicable NEPA documents that cover the proposed action.

- Willow Creek Wildlife Mitigation Project, Final Environmental Assessment (BPA, April 1995)
- WEW Plan (November, 2000)
- Willow Corner Mitigation Improvement Plan (June, 2002)

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

D. NEPA Adequacy Criteria

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

Documentation of answer and explanation:

- Yes, the action was previously described in the WEW Plan and Willow Corner MIP. It was also essentially the same as Alternative 2 in the BPA EA.

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?

Documentation of answer and explanation:

- Yes. The action is consistent with the WEW Plan and it is unlikely that any other alternatives would be substantially different. The BPA EA included a range of five alternatives, including No Action, Maximize Wildlife and Biodiversity Values, Restoration of Presettlement Habitat Conditions, Maintain Existing Conditions, and No Active Management.

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?

Documentation of answer and explanation:

- The BPA EA provides adequate analysis. This EA includes analysis of impacts to fish and wildlife habitat, hydrologic resources, wetlands/floodplains, air quality, and cultural resources. No other natural resource is present that would require analysis.
- The proposed action was clearly contemplated in the WEW Plan and MIP. When considering the extent of impacts that could result from implementation of the WEW Plan and MIP, the impacts of the proposed action would clearly fall within that range.
- The site does not contain threatened or endangered species, based on the most recent Fish and Wildlife Service species lists, beyond those addressed in the BPA EA.

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

Documentation of answer and explanation:

- The methodology and analytical approach in the BPA EA is appropriate for the current proposed action. The level of analysis is adequate, and accurately describes impacts likely to occur from the current proposed action.

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?

Documentation of answer and explanation:

- The BPA EA site-specific analysis adequately describes expected impacts from the current proposed action.
- Impacts from the proposed action clearly fall within the scope of the WEW Plan and MIP because this type of action was expected throughout the WEW.

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)?

Documentation of answer and explanation:

- The BPA EA adequately addresses cumulative impacts that could result from the current proposed action. Most impacts addressed in the document focus on cumulative impacts.

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

Documentation of answer and explanation:

- There was extensive public involvement on the overall WEW Plan. The MIP was developed by the Lane Council of Governments in consultation with interagency WEW partners, including City of Eugene, BLM, and The Nature Conservancy. The BPA EA also went through

extensive consultation and coordination (see Ch 7).

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

<u>Name</u>	<u>Title</u>	<u>Resource Represented</u>
Rick Colvin	Landscape Planner	Planning/NEPA
Jean Battle	Natural Resource Resources	Wetlands/Botanical Specialist

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.

- None needed.
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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.

Note: If one or more of the criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made and this box cannot be checked

 /s/Steven Calish
Signature of the Responsible Official

 6/3/03
Date

Guidelines for Using the DNA Worksheet and Evaluating the NEPA Adequacy Criteria

These guidelines supplement the policies contained in the Instruction Memorandum entitled “Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy.” During preparation of the worksheet, if you determine that one or more of the criteria are not met, you do not need to complete the worksheet. If one or more of these criteria are not met, you may reject the proposal, modify the proposal, or complete appropriate NEPA compliance (EA, EIS, Supplemental EIS, or CX if applicable) and plan amendments before proceeding with the proposed action.

Criterion 1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Explain whether and how the existing documents analyzed the proposed action (include page numbers). If there are differences between the actions included in existing documents and the proposed action, explain why they are not considered to be substantial.

Criterion 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, and resource values? Explain whether the alternatives to the current proposed action that were analyzed in the existing NEPA documents and associated records constitute appropriate alternatives with respect to the current proposed action, and if so, how. Identify how current issues and concerns were addressed within the range of alternatives in existing NEPA documents. If new alternatives are being raised by the public to address current issues and concerns, and you conclude they do not need to be analyzed, explain why.

Criterion 3. Is the existing analysis valid in light of any new information or circumstances?

If new information or new circumstances, including the items listed below, are applicable, you need to demonstrate that they are irrelevant or insignificant as applied to the existing analysis of the proposed action. New information or circumstances could include the following:

- a. New standards or goals for managing resources. Standards and goals include, but are not limited to, BLM’s land health standards and guidelines, recovery plans for listed species prepared by the Fish and Wildlife Service or National Marine Fisheries Service, requirements contained in agency habitat conservation strategies, a biological opinion, or a conference report related to Section 7 of the Endangered Species Act; Environmental Protection Agency water quality regulations for Total Maximum Daily Loads (TMDLs) (40 CFR 130); and the requirement to address disproportionate impacts on minority populations and low income communities (E.O. 12898).
- b. Changes in resource conditions within the affected area where the existing NEPA analyses were conducted, for example, changes in habitat condition and trend; changes in the legal status of listed, proposed, candidate, and BLM-designated sensitive species; water quality, including any identified impaired water bodies under Section 303 of the Clean Water Act; air quality; vegetation condition and trend; soil stability; visual quality; cultural resource condition; wildlife population trend(s); etc.
- c. Changes of resource-related plans, policies, or programs of State and local governments, Indian tribes, or other Federal agencies, such as, State- or Environmental Protection Agency-approved water quality restoration plans.
- d. Designations established in the affected area since the existing NEPA analysis and documentation was prepared. Designations include, but are not limited to, designated wilderness, wilderness study areas, National Natural Landmarks, National Conservation

Areas, National Monuments, National Register properties, Areas of Critical Environmental Concern, Research Natural Areas, areas designated under the source Water Protection Program of the State or the Environmental Protection Agency, and listing of critical habitats by the Fish and Wildlife Service.

e. Other changed legal requirements, such as changes in statutes, case law, or regulations.

Criterion 4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the proposed action? Explain how the methodologies and analytical approach used in the existing NEPA document(s) are current and sufficient for supporting approval of the proposed action. If valid new technologies and methodologies exist (e.g., air quality modeling), explain why it continues to be reasonable to rely on the method previously used.

Criterion 5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)? Does the existing NEPA document(s) analyze site-specific impacts related to the current proposed action? Review the impact analysis in the existing NEPA document(s). Explain how the direct and indirect impacts of the proposed action are analyzed in the existing NEPA documents, and would, or would not, differ from those identified in the existing NEPA document. Consider the effect new information or circumstances may have on the environmental impacts predicted in the existing NEPA document. Consider whether the documents sufficiently analyze site-specific impacts related to the current proposed action.

Criterion 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)? Would the current proposed action, if implemented, change the cumulative impact analysis? Consider the impact analysis in existing NEPA document(s), the effects of relevant activities that have been implemented or projected since existing NEPA documents were completed, and the effects of the current proposed action.

Criterion 7. Is the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action? Explain how the nature of public involvement in previous NEPA documents remains in compliance with NEPA public involvement requirements in light of current conditions, information, issues, and controversies.