

Little Sandy River Habitat Restoration

Decision Record

Environmental Assessment Number OR080-07-09

September 2007

United States Department of the Interior
Bureau of Land Management
Oregon State Office, Salem District
Clackamas County, Oregon

T. 2S, R. 5E, Sections 3, 4, 10 & 11

Responsible Agency: USDI - Bureau of Land Management

Responsible Official: Cindy Enstrom, Field Manager
 Cascades Resource Area
 1717 Fabry Road SE
 Salem, OR 97306
 (503) 375-5969

For further information, contact: Dave Roberts, Project Leader
 Cascades Resource Area
 1717 Fabry Road SE
 Salem, OR 97306
 (503) 375-5672



As the Nation's principal conservation agency, the Department of Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering economic use of our land and water resources, protecting our fish and wildlife, preserving the environmental and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interest of all people. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. administration.

BLM/OR/WA/PT-07/069-1792

I. Introduction

The Bureau of Land Management (BLM) proposes to place large woody debris by heavy lift helicopter in the Little Sandy River from the mouth to approximate river mile (RM) 3 (East boundary of T 2S, R 5E, Section 11).

An environmental analysis was conducted and documented in the *Little Sandy River Habitat Restoration Environmental Assessment and Finding of No Significant Impact* (EA). A Finding of No Significant Impact (FONSI) was incorporated into this EA (EA # OR080-07-09) and was signed on July 25, 2007. The EA was then made available for public review.

A copy of this Decision Record (DR) and the Little Sandy River Habitat Restoration EA can be obtained from the Bureau of Land Management, Salem District Office, 1717 Fabry Road SE, Salem, Oregon 97306. Office hours are Monday through Friday, 7:45 A.M. to 4:30 P.M., closed on holidays.

II. Decision

Based on the analysis contained in the Little Sandy River Habitat Restoration EA, and management direction contained in the Salem District Resource Management Plan (RMP) and the Mt Hood Land and Resource Management Plan (LRMP), I have decided to implement the proposed action of the Little Sandy River Habitat Restoration EA, herein known as the “selected action”. The following is a summary of the selected action.

The BLM, in partnership with Sandy River Basin Watershed Council, the Mt. Hood National Forest and the Oregon Department of Fish and Wildlife, proposes to place up to 60 pieces of LWD by helicopter in the Little Sandy River. Placement will take place on BLM and USFS lands. Pieces would range from 18 to 30 inches in diameter at breast height (dbh) and from 40 to 150 feet in length, and would be placed at up to 25 sites from the mouth to approximate river mile (RM) 3. LWD would be placed in configurations of 1–5 pieces per site. As many as possible of the pieces would have intact rootwads, and lengths would be kept as long as possible. The LWD would create debris jams and woody complexes, and serve as traps for bedload materials, woody debris and nutrients. Placement sites would be selected that have existing structural and/or geomorphic features determined most likely to retain the placed wood. Pieces would not be artificially secured to the bed or banks of the stream, but would be allowed to interact naturally with the stream system.

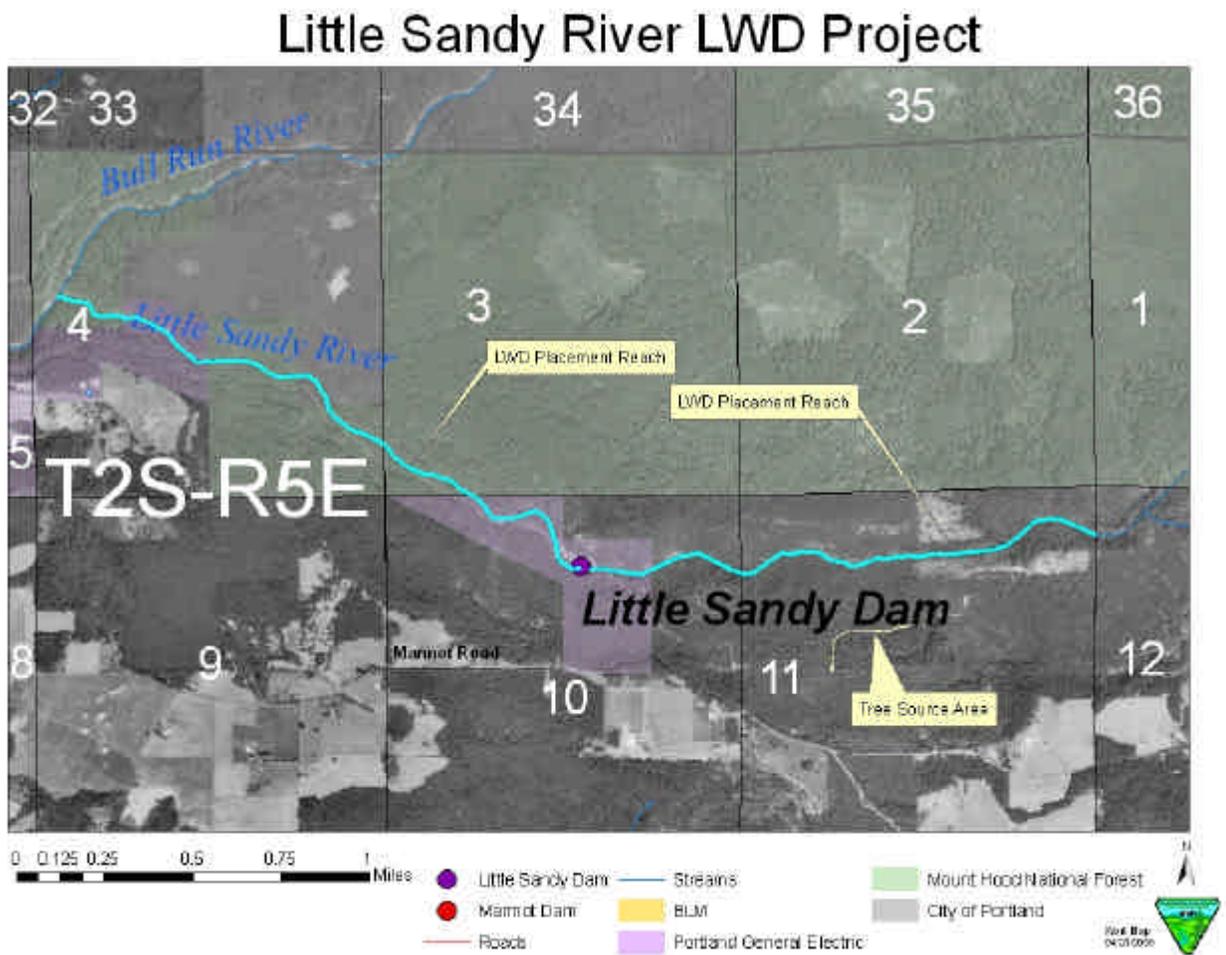
Wood used for the project would be obtained from BLM and USFS lands. Wood from USFS lands is salvaged wood currently stored in log decks at the Zigzag Ranger District, at the Resort at the Mountain and at Porters Rock Pit. Wood from BLM lands will come from a stand of timber near the project area in T. 2S, R. 5E, Sec. 11, SW¼, NE¼. Trees are taken from that stand would be limited to no more than 40 trees in a dbh range of 18-30 inches, taken from within 75 feet of the north and west margins of the stand (see Tree Source Area on Map 1: Proposed Action). Trees would be pushed or pulled down with an excavator in order to keep the rootwads attached, and then flown directly to the LWD placement sites.

Trees would be selected in a manner that would not create openings in the stand or downgrade the suitability of the stand as habitat for the Northern spotted owl. Any trees or logs trucked to the project area would be decked along BLM roads in Section 11, prior to transport by helicopter.

Project implementation would take place in October 2007, depending on the timing of availability of materials and of a heavy lift helicopter.

Ground disturbance in the tree source area would be limited to the north and west edges of the stand. Soil compaction would be limited by allowing no more than one pass with the excavator along any individual route. Helicopter activities would create considerable noise disturbance. Implementation of the project would occur outside of the Northern spotted owl nesting season.

Map 1: Proposed Action



Project Design Features

The following is a summary of the design features for this project (*EA section 2.2.1*).

- In the tree removal area, limit excavator travel on the soil surface to a single pass and keep treads on top of organic material and slash as much as practical to avoid disturbing the mineral soil.
- Do not operate the excavator on soils when they are saturated; limit turning and rocking of the excavator as much as practical to avoid displacing and gouging the mineral soil.
- Limit breakage of trees and branches in the riparian zone as much as practical.
- Locate Helicopter service landings at least 500 feet from any water body. Refuel all power equipment outside of riparian reserves.
- Locate LWD deck site on flat ground away from water.

III. Alternatives Considered

Proposed Action: The proposed action is described above in **section II. Decision**.

No Action: No LWD placement would occur in the Little Sandy River prior to the removal of the Little Sandy Diversion Dam. Retention in the river channel of the sediment stored behind the dam would be dependent on the existing structural elements in the channel. Existing LWD loading and the existing low habitat complexity in the Little Sandy River would remain at current levels.

IV. Decision Rationale

Considering public comment, the content of the Little Sandy River Habitat Restoration EA, the supporting project record, and the management direction contained in the Salem District RMP and the Mt Hood LRMP, I have decided to implement the selected action, as previously described for the following reasons (see *EA section 1.3*). The selected action would:

- Meet the purpose and need of the project (*EA section 1.2*);
- Comply with the Salem District Record of Decision and Resource Management Plan, May 1995 (RMP) and the Land and Resource Management Plan, Mt Hood National Forest, 1990; and related documents which direct and provide the legal framework for management of federal lands within the project area (*EA section 1.4*);
- Not have significant impacts on the affected elements of the environment beyond those already anticipated and addressed in the RMP/EIS and the LRMP/EIS;
- Add structure and roughness to the channel in the reach downstream of the dam (approximately 1.75 miles), with the intent of retaining as much as possible of the riverbed sediment stored behind the dam;
- Increase the habitat complexity in the reaches downstream and upstream of the dam, improving the habitat quality for fish species that are expected to recolonize the river after the removal of the Little Sandy Diversion Dam;
- Minimize erosion and impacts to soil productivity; and
- Not contribute to the expansion of invasive/nonnative weed populations.

The “No Action Alternative” was not selected for the following reasons. The “No Action Alternative” would:

- Not meet the purpose and need of the project (*EA section 1.2*).
- Not improve in instream habitat quality for anadromous salmonid fishes prior to the expected recolonization of the Little Sandy River by anadromous salmonids after the removal of the Little Sandy Diversion Dam.

V. Compliance with Direction

The analysis documented in the *Little Sandy River Habitat Restoration Environmental Assessment and Finding of No Significant Impact* (EA) supplements analysis found in the *Salem District Proposed Resource Management Plan/Final Environmental Impact Statement*, September 1994 (RMP/FEIS) and the *Final Environmental Impact Statement, Land and Resource Management Plan, Mt. Hood National Forest, 1990* (LRMP/EIS). This project has been designed to conform to the *Salem District Record of Decision and Resource Management Plan*, May 1995 (RMP), the *Land and Resource Management Plan, Mt Hood National Forest, 1990*, and related documents which direct and provide the legal framework for management of BLM lands within the Salem District (*EA section 1.4*). All of these documents may be reviewed at the Cascades Resource Area office.

VI. Public Involvement/ Consultation/Coordination

Scoping

A scoping letter was sent on May 7, 2007 to federal, state and municipal government agencies and interested parties on the Cascades Resource Area mailing list. The letter briefly described the project and included a map of the project area. No responses to the scoping letter were received.

Comment Period and Comments

A copy of the EA and FONSI was made available on the Internet at <http://www.blm.gov/or/districts/salem/plans/index.php> on July 25, 2007. A copy of the EA and FONSI was also made available for review at the Salem District Office, Cascades Resource Area Office, 1717 Fabry Road SE, Salem, Oregon. The notice for public comment was published in a legal notice by the *Sandy Post* newspapers on July 25, 2007. During the EA comment period, I received one comment supporting this project.

ESA Section 7 Consultation

US Fish and Wildlife Service: Consultation for the proposed project is included in the *Batched Biological Assessment for Projects with the Potential to Modify the Habitats of Northern spotted owls and/or Bald Eagles or Modify Critical Habitat of the Northern spotted owl for the Willamette Province - FY 2007-2008*. A Letter of Concurrence was issued on September 22, 2006 (FWS reference #1-7-06-I-0192). No suitable habitat would be removed or downgraded, and suitable habitat would be maintained after individual tree removal for the project. The vicinity has been surveyed to protocol and there were no spotted owl responses. The project would occur outside of the breeding season for spotted owls. The project area is not located in Critical Habitat and is not located within disruption distance of any known spotted owl sites.

NOAA Fisheries: Determinations have been made that the project may affect, but is not likely to adversely affect Lower Columbia River (LCR) steelhead trout, LCR chinook salmon or LCR coho salmon. This project is covered under the Aquatic Restoration Biological Opinion, dated April 28, 2007.

VII. Conclusion

Review of Finding of No Significant Impact

I have determined that change to the Findings of No Significant Impact (EA #OR080-07-09 FONSI – July 2007) covering the Little Sandy River Habitat Restoration project is not necessary because I've considered and concur with information in the EA and FONSI and this Decision Record. No new information was provided that lead me to believe the analysis, data or conclusions are in error or that the selected action needs to be altered. The selected action would not have effects beyond those already anticipated and addressed in the RMP EIS.

Supplemental or additional information to the analysis in the RMP/FEIS in the form of a new environmental impact statement is not needed for the reasons described in the Findings of No Significant Impact (Little Sandy River Habitat Restoration EA, pages iii-vi).

Administrative Review Opportunities

This decision may be appealed to the Interior Board of Land Appeals in accordance with the regulations contained in 43 Code of Federal Regulations (CFR), Part 4 and Form 1842-1.

If you appeal: A public notice for this decision is scheduled to appear in the *Sandy Post* on **September 26, 2007**. Within 30 days of this notification, a *Notice of Appeal* must be filed in writing to the office which issued this decision – Cindy Enstrom, Cascades Field Manager, Bureau of Land Management, 1717 Fabry Road SE, Salem, OR, 97306. A copy of the *Notice of Appeal* must also be sent to the BLM Regional Solicitor (see Form 1842-1). The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your *Notice of Appeal*. A petition for a stay is required to show sufficient justification based on the standards listed below.

Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Board and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay: Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Statement of Reasons: Within 30 days of the filing of the *Notice of Appeal*, a complete statement of reasons why you are appealing must be filed with the Interior Board of Land Appeals (see Form 1842-1).

Implementation Date

Implementation of this decision may begin 30 calendar days after the public notice of the Decision Record appears in the *Sandy Post* newspaper. The public notice is scheduled to appear in the *Sandy Post* on September 26, 2007.

Agency contact: For additional information concerning this decision or the appeal process, contact Dave Roberts (503) 375-5672 or Carolyn Sands at (503) 315-5973, Cascades Resource Area, Salem District Office, 1717 Fabry Road SE Salem, OR 97306.

Approved by: Cindy Enstrom
Cindy Enstrom, Field Manager
Cascades Resource Area

9/25/2007
Date