

Decision Record
Quines Creek and Bull Run Creek Fish Passage and Habitat Improvement Project
As Analyzed under the Aquatic and Riparian Habitat Enhancement Environmental Assessment
(DOI-BLM-OR-MOOO-2009-0004-EA)

United States Department of the Interior
Bureau of Land Management
Medford District, Glendale Resource Area

I. INTRODUCTION and BACKGROUND

The purpose of the Quines Creek and Bull Run Creek Fish Passage and Habitat Improvement Project is to focus on increasing instream habitat, complexity, and aquatic connectivity within Quines and Bull Run Creek. This project was analyzed within the activities proposed under the Aquatic Habitat Enhancement Programmatic EA. The purpose of that EA is to maintain or aid recovery of aquatic habitat, riparian habitat, and water quality where a tangible benefit would accrue to resources on public lands. Further, the EA seeks to establish a planning process that facilitates partnership development, leverages funding, and improves watershed condition through reducing duplication of NEPA documentation for similar projects with similar effects.

The Quines Creek and Bull Run Creek Project Area is located approximately 3 miles south of Azalea, Oregon. The legal description of the Project Area is Township (T) 32S, Range (R) 5W, Sections 25 and 35 WM.

Quines Creek and Bull Run Creek are tributaries to Cow Creek in the Umpqua Basin. These streams provide habitat for coho, steelhead, and cutthroat. A number of full spanning, log weirs were installed in the late 1980's in an attempt to improve instream habitat in Quines Creek and Bull Run Creek. A majority of these weirs are now improperly functioning. As a result, the logs are partially obstructing upstream passage of juvenile fish, and channel geomorphology is being negatively affected.

This project would improve fish passage within these two creeks by restoring a more natural channel gradient through manipulating 17 existing log weirs and adding three logs in Quines Creek and manipulating 8 existing log weirs in Bull Run Creek. Manipulating the weirs would have the immediate effect of restoring fish passage and restoring natural channel and substrate movement. Following manipulation of the weirs the stream channels would be assessed to determine where these channels lack woody structure or sinuosity. In locations where it is determined that these streams are lacking either large woody debris or sinuosity, non-shade bearing trees would be felled adjacent to the channel, and/or notch logs which are currently spanning the channel, into the stream. These additional pieces of woody debris would not be anchored down, allowing for natural movement of this large woody debris through the stream system.

Several fish passage and habitat improvement projects have already been implemented on Quines Creek and its tributaries. Quines Creek currently does not meet ODEQ temperature standards in the summer months, and was listed on the last 303(d) list for habitat modification. Since Bull Run Creek is a tributary of Quines Creek, improving habitat and structure within these streams would further improve the health of the Quines Creek HUC 7 drainage.

II. DECISION and RATIONALE

A. Alternative 1

I am rejecting Alternative 1 of the EA, the No Action Alternative, because it does not meet the stated purpose and need of the project, which is to expeditiously implement projects that maintain or restore aquatic ecosystems (EA, p. 2). While restoration actions are on-going, the Medford BLM has identified a need to increase the number and distribution of projects throughout the District and on adjacent private lands. The absence of a streamlined planning approach that satisfies NEPA requirements will substantially limit the agency's ability to leverage funding opportunities and develop timely partnerships. The increased costs of completing separate NEPA analyses for individual projects would further limit the Medford BLM's ability to respond to watershed and aquatic health needs.

B. Alternative 2

Based on my consideration of the purpose and need for this project and the decision factors identified in the EA (p. 2), it is my decision to select Alternative 2 as described in the EA (pp. 4-9). This decision includes actions categorized into instream habitat as outlined below. The decision also incorporates the project design features described in the EA (pp. 10, 11). The project design features will provide sufficient measures to avoid or mitigate potential short and long term environmental effects that might stem from project implementation.

Instream Habitat Enhancement (EA, p. 6-8) projects aim to improve aquatic habitat through increased instream complexity and accessibility.

- **Instream Structure** -Actions include manipulating existing log structures and boulders to create instream and off-channel habitat that would benefit fish and other aquatic fauna within Quines and Bull Run Creek. Logs and boulders or a combination will be modified instream through cable yarding systems, felling trees from adjacent riparian areas, and/or with heavy equipment. Consistent with USFWS guidelines, the action would remove single trees or groups (<5) adjacent to existing openings such as roads, young stands, and clear cuts. Trees would be felled directly into streams.

Rationale

Surveys found approximately 70% of stream channels throughout the Medford District and adjacent lands lack adequate structure and large wood, resulting in undesirable habitat conditions; restricted fish passage was found on approximately 60% of streams. Instream structure placement will improve aquatic habitat conditions through increased complexity leading to pool formation, spawning gravel retention and velocity refugia. Removing impediments to species migration will increase available habitat and species distribution.

III. Finding of No Significant Impact (FONSI)

A Finding of No Significant Impact document was issued on June 9, 2009 and concluded that on the basis of the information contained in the environmental assessment and after consideration of the comments received from the public, Alternative 2 in the EA will not result in significant impacts to the quality of the human environment. Thus, the Aquatic and Riparian Habitat Enhancement EA does not constitute a major federal action having a significant effect on the human environment and therefore an

environmental impact statement (EIS) is not necessary and will not be prepared. I have found that Quines Creek and Bull Run Creek Fish Passage and Habitat Improvement Project is within the effects identified in the June 9 FONSI.

IV. BLM Strategic Plan

This project will promote a number of goals in BLM's Strategic Plan for FY2007 to FY2012 *Resource Protection-Goals 1& 2: Improve Health of Watersheds and Landscapes; Sustain Biological Communities*. The project will enhance and protect aquatic habitat through restoration of riparian stands, increasing aquatic complexity and connectivity. These actions will benefit Threatened, Endangered, and Sensitive species.

V. CONSULTATION AND COORDINATION

Pursuant with the Endangered Species Act, BLM consulted on all actions authorized by this decision with the US Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). Namely, all proposed projects would be consistent with actions identified by NMFS (Fisheries BO 2008/03506) and the USFWS (Wildlife BO #13420-2007-F-0055, LOC #13420-2008-1-0045 and Plant LOC #13420-2008-1-0136) for Programmatic Consultation on Fish Habitat Restoration Activities in Oregon and Washington. The in-water work period from July 1-September 15 is expected to have no affect to northern spotted owl sites.

The District notified the Confederated Tribes of the Siletz and the Grand Ronde as well as the Cow Creek Band of the Umpqua of this project during scoping and the public comment period.

VI. PUBLIC INVOLVEMENT

The BLM extended an invitation to the local and regional communities, state and federal agencies, private organizations and individuals to develop issues and concerns. Public scoping for the Medford District Aquatic Enhancement Environmental Assessment was initiated in June 2008, when BLM mailed scoping letters to landowners and others who have asked to be kept informed about upcoming BLM projects.

BLM initiated a 21 day public comment period for review of the Aquatic and Riparian Habitat Enhancement EA on 4-15-09. BLM received one comment. The comment questioned why water quantity was not quantified and assessed for streams within the Medford BLM. The comment also questioned the usefulness of a programmatic approach.

The EA acknowledges that water quantity is a limiting factor affecting fish habitat. However, the EA did not propose any activities that would affect duration or magnitude of instream flow. Therefore data and studies related to water quantity and flow regime would not provide the decision maker with information helpful for making a reasoned choice among alternatives. Accordingly, such information was not included in the EAs environmental analysis.

A revised EA was completed on June 2 and added to the BLM website. The revision changed the no cut thinning buffers from a specific distance to a variable one that would be determined by site specific data. A second revision stated that Key watersheds will not be entered unless a watershed analysis has been completed.

BLM developed the programmatic EA to assess projects that have predictable, similar effects regardless of location on the landscape. By analyzing the effects in a single programmatic EA, planning efforts can be greatly reduced; multiple EAs analyzing similar actions and effects would not be necessary. As a result, the programmatic approach facilitates implementation of a greater number and distribution of activities across the landscape at a reduced cost to the tax payer. Similarly, the programmatic approach, through reducing planning timelines and delays, provides greater opportunities to leverage partnerships and funding.

VII. CONCLUSION

A. Plan Consistency

A Determination of National Environmental Policy Act Adequacy (DNA) analysis was documented for the Quines Creek and Bull Run Creek Fish Passage and Habitat Improvement Project. The DNA concluded that this project conforms to the applicable land use plan and that NEPA documentation fully covers the project. Based on the information in the Aquatic and Riparian Habitat Enhancement EA, in the record, and from the letters and comments received from the public about the project, I conclude that the decisions in this Decision Record are consistent with the following documents:

- *Revision of the Resource Management Plan for the Western Oregon Bureau of Land Management (FEIS 2008 and ROD 2008)*
- *Final Supplemental Environmental Impact Statement: Management of Port-Orford-Cedar in Southwest Oregon (FSEIS, 2004 and ROD, 2004);*
- *Medford District Integrated Weed Management Plan Environmental Assessment (1998) and tiered to the Northwest Area Noxious Weed Control Program (EIS, 1985)*

This decision is in conformance with the Medford District's 2008 Record of Decision and Resource Management Plan (2008 ROD/RMP). The analysis supporting this decision tiers to the 2008 Final Environmental Impact Statement for the Revision of the Resource Management Plan of the Western Oregon Bureau of Land Management (2008 Final EIS).

Revision of a resource management plan necessarily involves a transition from the application of the old resource management plan to the application of the new resource management plan. A transition from the old resource management plan to the new resource management plan avoids disruption of the management of BLM-administered lands and allows the BLM to utilize work already begun on the planning and analysis of projects.

The 2008 ROD allowed for such projects to be implemented consistent with the management direction of either the 1995 resource management plan, as amended (1995 RMP), or the 2008 RMP, at the discretion of the decisionmaker.

This project is in compliance with the 1995 RMP, and meets the requirements designated in the 2008 ROD for such transition projects:

1. A decision was not signed prior to the effective date of the 2008 ROD.
2. Preparation of National Environmental Policy Act documentation began prior to the effective date of the 2008 ROD (Public scoping was initiated in June of 2008).

3. A decision on the project will be signed within two years of the effective date of the 2008 ROD.
4. Regeneration harvest would not occur in a Late-Successional Management Area or in a Deferred Timber Management Area.
5. There would be no destruction or adverse modification of critical habitat designated for species listed as endangered or threatened under the Endangered Species Act.

This EA conforms to and is consistent with the Medford District's 2008 Western Oregon Plan Revision Record of Decision (2008 ROD) and Resource Management Plan (2008 RMP). Because the 2008 ROD allows for this project to be implemented under the 1995 RMP, the Aquatic Enhancement EA was reviewed for consistency with the management direction and objectives contained in the 1995 ROD/RMP.

Based upon the review and EA conclusions, I find the actions identified in this decision are consistent with the 1995 ROD/RMP. Watershed restoration is addressed in the Medford District *Record of Decision and Resource Management Plan* (USDI, BLM 1995 (ROD/RMP) as one of the four components of the Northwest Forest Plan's Aquatic Conservation Strategy (ACS). The primary objective of the ACS is to restore and maintain the ecological health of watersheds and aquatic ecosystems contained within them on public lands. Proposed actions in the EA are identified in the 1995 RMP as actions necessary to restore and maintain ecological health. Specifically the 1995 RMP/ROD directs: restoring the conditions of riparian stands (RMP/ROD 22, 27); enhance natural populations of fish (RMP/ROD 49-50); increase in-stream habitat, channel stability, complexity and passage (RODIRMP pp. 23,28); Minimize sediment delivery to streams through road drainage improvements, outsloping and closing/stabilizing roads (RMP/ROD pp. 28-29); and restore and maintain water quality to protect designated beneficial uses (ROD/RMP p. 41).

This decision is also consistent with the Endangered Species Act; the Native American Religious Freedom Act; other cultural resource management laws and regulations; Executive Order 12898 regarding Environmental Justice; and Executive Order 13212 regarding potential adverse impacts to energy development, production, supply and/or distribution.

VIII. ADMINISTRATIVE REMEDIES

This decision is a forest management decision. Administrative remedies are available to persons who believe they will be adversely affected by this decision. In accordance with the BLM Forest Management Regulations (43 CFR § 5003.2(1)), the decision for this project will not become effective, or be open to formal protest, until the first Decision Notice appears in a newspaper of general circulation in the area where the lands affected by the decision are located.

To protest a forest management decision, a person must submit a written and signed protest to the Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526 by the close of business (4:30 p.m.) not more than 15 days after publication of the Decision Notice. The protest must clearly and concisely state which portion or element of the decision is being protested and why it is believed to be in error, as well as cite applicable regulations. Faxed or emailed protests will not be considered.

IX. IMPLEMENTATION DATE

If no protest is received by the close of business (4:30 p.m.) within 15 days after publication of the

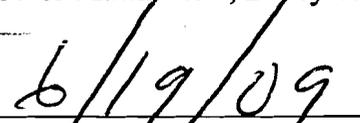
Notice of Decision on June 25, 2009, the decision will become final. If a timely protest is received, the decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and a final decision will be issued in accordance with 43 CFR § 5003.3.

X. CONTACT PERSON

For additional information contact either Katrina Symons, Glendale Field Manager, 2164 NE Spalding Avenue, Grants Pass, OR 97526; telephone 541-471-6653 or Martin Lew, Ecosystem Planner, 541-471-6504.



Katrina Symons
Field Manager, Glendale Resource Area
Medford District, Bureau of Land Management



Date



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Glendale Resource Area
2164 N.E. Spalding
Grants Pass, Oregon 97526

IN REPLY REFER TO:

1790 (ORM080)

EA# DOI-BLM-OR-M000-2009-0004-EA

JUN 25 2009

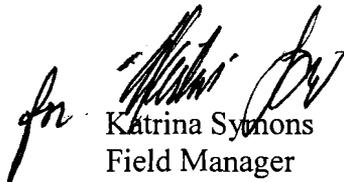
Dear Interested Citizen:

Enclosed is the documentation for my decision regarding improvement of fish passage analyzed under the Revised Aquatic and Riparian Habitat Enhancement Environmental Assessment (EA) Number DOI-BLM-OR-M000-2009-0004-EA. The selection of Alternative 2 would improve fish passage within Quines Creek and Bull Run Creek by restoring a more natural channel gradient. This would be accomplished by manipulating 17 existing log weirs and adding three logs in Quines Creek and manipulating 8 existing log weirs in Bull Run Creek. The Quines Creek and Bull Run Creek Fish Passage and Habitat Improvement Project is a transition project that is in compliance with the 1995 Resource Management Plan, as amended.

The Quines/Bull Run Planning Area is located near approximately three miles south of Azalea, Oregon. The description of the Planning Area is Township (T) 32S, Range (R) 5W, Sections 25 and 35, WM.

The Decision Record, Environmental Assessment, and Finding of No Significant Impact (FONSI) for the Quines Creek and Bull Run Creek Fish Passage and Habitat Improvement Project are available for review at the Grants Pass Interagency Office of the BLM, 2164 NE Spalding Avenue, Grants Pass, Oregon 97526. Office hours are Monday through Friday, 7:45 A.M. to 4:30 P.M., closed on holidays. These documents may also be obtained by contacting Martin Lew, Ecosystem Planner at (541) 471-6504.

Sincerely,



Katrina Synons
Field Manager
Glendale Resource Area

Enclosure

Decision Record three pages