

# Decision Record

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**NEPA Register Number:** DOI-BLM-OR-P060-1998-0079-EA

**Title of Action:** Stearns Dam Removal

**BLM Office:** Deschutes Resource Area, Prineville, Oregon

## Background

An Environmental Assessment (EA) and Finding of No Significant Impacts (FONSI) for the proposed Stearns Dam Removal Project (DOI-BLM-OR-P060-1998-0079-EA) were prepared by the Prineville District of the Bureau of Land Management (BLM). The actions included in this Decision Record were analyzed in the EA, and will occur on the Crooked River on BLM lands south of Prineville, Oregon, within the project area shown on the maps in the EA which is available at; <http://www.blm.gov/or/districts/prineville/plans/index.php>. The right of way (ROW) holder no longer uses the dam as the point of diversion for the water right and has requested to relinquish the ROW he holds for the diversion dam. The regulations (43 CFR § 2805.12 and 43 CFR § 2807.19) for ROWs require that the ROW holder remove the structure upon relinquishment of the ROW.

Starting in 1995 the BLM, Oregon Department of Fish and Wildlife and others began discussing the reintroduction of anadromous fish above Round Butte Dam into the Middle Crooked River, including the stretch of the river where Stearns Dam creates an upstream barrier to fish movement. The BLM began pursuing removal of Stearns Dam soon after that, when the ROW holder utilized another point of diversion downstream for irrigation and stopped using the Stearns diversion. Removing Stearns Dam will provide an additional 13 miles of available habitat for fish migrating upstream. One of the partners in fish reintroduction discussions has been the Crooked River Watershed Council (CRWC). The CRWC has secured funding for fish habitat improvement projects including the removal of migration barriers. This combination of factors has led to the ROW holder's request to relinquish the ROW for the diversion dam and the proposed action to remove the dam.

The removal will be accomplished using a variety of methods including mechanized equipment to remove the concrete shell and move or remove rock and sediment. The project will include constructing or reconstructing approximately one mile of fence on the east side of the Crooked River to facilitate livestock management within the riparian area and may include installation of a cattle guard at the adjacent BLM day use recreation area upstream of the dam.

## Public, tribal and other involvement

The BLM first requested input on this project in June 2012 by sending scoping letters to over 200 individuals, groups, local and state governments, and Indian tribes. Comments from this scoping period were considered in the design of alternatives. Most commenters were in support of the removal of the dam especially with respect to the result of improving fish habitat.

The BLM posted the completed EA on the Prineville web page, and mailed letters to individuals that provided comments during scoping, announcing the availability of the EA. During the public review period for the EA ending on June 3, 2013, the BLM received one comment letter. This letter was from the Confederated Tribe of the Warm Springs Reservation. A response to their comment has been mailed under separate letterhead.

## **Proposed or selected alternative**

Based on the analysis documented in the EA and the Finding of No Significant Impact (FONSI), it is my decision to implement Alternative 2, complete removal of the dam and no active removal of the sediment above the dam, because it best meets the purpose and need of the project. This alternative is described on pages 4-5 of the EA, and below:

The engineering design documents titled "Stearns Dam, Deconstruction, Fish passage, and Restoration Plans" describe the specifics for all steps of the project. This complete document is available at the Prineville District Office. These specifications for materials, equipment, mobilization and construction within the design documents are all incorporated as project design features of the proposed actions.

Site preparation begins with implementing the traffic control plan and having erosion control measures in place prior to commencing construction. Implementation actions include:

- Construct approximately ¼ mile of access road from the highway to the northeast edge of the dam; construct a 25X50 foot staging area at the northeast edges of dam;
- Remove the dam (both concrete cap and underlying rock, but river right wing walls and river left downstream rock bank to remain for bank stability);
- Salvage fish from pools remaining after dewatering;
- Use approximately 375 cubic yards of the removed material to fill a portion (160 feet) of the existing diversion channel adjacent to Highway 27 downstream of dam structure (the remainder of removed material, approximately 1350 cubic yards, will be hauled offsite to approved location);
- Remove approximately 55 cubic yards of concrete, and 85 cubic yards of angular rock;
- Augment existing riprap along the roadway and the existing stream channel interface upstream of the dam with up to 400 cubic yards of class 200 riprap.

Site restoration actions include seeding all disturbed areas that were vegetated prior to the project implementation. Disturbed areas will be broadcast seeded with species native to the area and covered with sterile straw and planted with native shrubs and trees. The site will be monitored for five years and supplemented with plantings and seeding as needed to ensure positive vegetation recovery. The Crooked River Watershed Council (CRWC) will be the lead for this work.

Site monitoring activities will include fish use and passage. Photo point monitoring will be conducted for six years and physical channel parameters measured every other year for six years. This monitoring will be completed by the CRWC. Downstream sediment depositions at the Quail Valley Ranch (QVR) and

Ochoco Irrigation District (OID) irrigation points of diversion will be monitored annually for three years to determine whether sediment has accumulated that would block irrigation intakes. The time period of three years is adequate for distribution of the bulk of mobile sediment from the reservoir area. In order to monitor the potential changes in sediment accumulation at the diversion locations, river cross-sections have been established with survey control points at each diversion site that can be repeated each year to determine changes. If monitoring indicates that sediment is passing beyond the OID point of diversion additional monitoring points will be established further downstream.

Project design features are included with respect to the QVR and OID diversions which consist of two parts: prevention and mitigation. First, measures will be taken prior to mobilization of sediment that will help reduce potential sediment deposition. These measures will consist of installing concrete blocks that can easily be placed in the river and removed at a later date. Second, deposition of sediment that interfere with diversion operations will be removed. The sediment will be hauled offsite to an approved location within 5 miles of the project site on private property owned by OID. The BLM anticipates the sediment amounts will be less than 100 cubic yards at each of the two diversion points (West 2008). The CRWC has been in contact with various contractors that can be readily available to provide long-arm track hoes and other necessary machinery to clean out sediment accumulations.

Implementation of Alternative 2 will include construction or reconstruction of a one mile long livestock management fence on the west edge of the road right of way (Map 1). A cattle guard will be installed as part of the fence at the recreation access point approximately 0.2 miles south of the Stearns Dam site.

No heavy construction activity will occur between March 15 and August 15 to protect a nearby prairie falcon nest. All equipment and materials used on the site will be inspected for, and cleaned of, noxious weeds prior to entering the site.

A temporary vehicle traffic control plan will be implemented during the project activities. The plan will be consistent with current Oregon Department of Transportation (ODOT) guidelines outlined in the Oregon Temporary Traffic Control Handbook. The plan will include the installation of traffic control signs on Highway 27 in both north and south directions of the project area. Traffic on Highway 27 will be delayed for up to 30 minutes during portions of the proposed actions. During the delays flaggers will be onsite to control vehicle traffic. The public will be notified in advance by newspaper and radio announcements of any expected delays. Traffic reader boards will be placed at Prineville and Bowman dam. Traffic delays and construction notices will be updated on ODOT's Tripcheck website.

Barriers and signs will be placed at the demolition site and staging areas excluding pedestrian activities during the implementation period.

Additional project design features are incorporated from the engineering design documents referenced above.

## **Rationale for the Decision**

Chapter 2 of the EA described three alternatives: Alternative 1 the "No Action" alternative; Alternative 2 the "Proposed Action" alternative; and Alternative 3. The purpose of the project (page 3 in EA) is to comply with the ROW regulations concerning removal of the structure upon relinquishment of the ROW.

The No Action alternative was not selected because it will not meet the purpose of the project.

Both Alternative 2 and 3 will meet the purpose and need of the project. They will provide the same increased amount of fish spawning and rearing habitat.

Alternative 2 will be accomplished for the least cost compared to Alternative 3.

Project Design Features described in the EA (pages 4-5) and the previously mentioned engineering design documents titled "Stearns Dam, Deconstruction, Fish passage, and Restoration Plans" will reduce impacts to other resources.

Based on the analysis of potential impacts contained in the EA, I have determined in the FONSI that the Stearns Dam Removal Project will not have a significant impact on the human environment within the meaning of Section 102(2) (c) of the National Environmental Policy Act of 1969 (FONSI pages 1-4). Thus an EA is the appropriate level of analysis, and an Environmental Impact Statement will not be prepared.

## **Compliance**

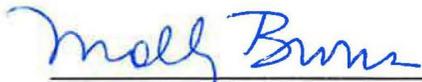
The proposed action is consistent with the 2005 Upper Deschutes Record of Decision and Resource Management Plan (UDRMP):

- Objective TU -1; Provide new or modified rights-of-way for transportation/utility corridors and communication/energy sites to meet expected demands and minimize environmental impacts. UDRMP, page 135.
- Objective VR - 1: Manage all BLM administered lands in the planning area to meet the following Visual Resource Management (VRM) Classes: VRM Class 2 areas – Retain the existing character of landscapes. Manage landscapes seen from high use travel routes, recreation destinations, special management areas, or that provide a visual backdrop to communities for low levels of change to the characteristic landscape. In these areas, management activities may be seen but should not attract the attention of the casual observer. Changes should repeat the basic elements of form, line, color, texture, and scale found in the predominant natural features of the landscape. Guidelines: Identify and rehabilitate negative visual elements on public lands within the immediate foreground (0 to 1/4 mile) corridor of travel routes through special areas (ACECs, RNAs, Wild and Scenic River Corridors, WSAs) and along designated scenic or backcountry byways, trails, and major travel routes through the planning area. UDRMP page 101.

The proposed actions are also consistent with 43 CFR § 2805.12 and 2807.19 which are regulations that pertain to the termination of a ROW. Those regulations state that upon termination of a ROW the associated facilities must be removed.

### **Protest and Appeal Opportunities**

This decision constitutes my final decision and may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (3050 N.E. Third Street, Prineville, OR 97754) within 30 days from receipt of this decision. Notice of appeal must be sent certified mail. The appellant has the burden of showing that the decision appealed from is in error. Any request for stay of this decision in accordance with 43 CFR 4.21 must be filed with your appeal. A notice of appeal and/or request for stay electronically transmitted (e.g., email, facsimile, or social media) will not be accepted. A notice of appeal and/or request for stay must be on paper.



Molly Brown  
Molly Brown  
Field Manager, Deschutes Resource Area



6/24/13  
Date