



DECISION MEMO

Middle Fork Irrigation District

2008 Projects

July 2008

USDA Forest Service, Mt. Hood National Forest
Hood River Ranger District
Hood River County, Oregon

Middle Fork Irrigation District (MFID) is a permit holder on the forest that operates water diversions, pipelines, ditches and Clear Branch dam at Laurance Lake. In addition to some desired upgrades, the District suffered a lot of damage to infrastructure in the 2006 floods and debris flows that burst out of Eliot Branch.

Proposed Action

MFID proposes the following repairs and improvements:

1. Clear Branch Dam Main Valve Vault Stabilization and Drain Repair. This project includes excavating 5 feet deep and 50 feet long on the south side of the 36-inch penstock. A perforated pipe and drain rock will be added, then the excavation backfilled.
2. Clear Branch Substrate Supplementation. MFID will deliver up to 170 cubic yards of 0.5-inch to 6-inch diameter gravel and cobble as substrate to base of Clear Branch dam annually until 2010. The cobble will be placed in the stream to help augment spawning gravels in the stream.
3. Coe Branch Flow Meter Vault Replacement. This project will excavate about 25 cubic yards of material to expose and remove the existing Coe Branch meter vault and replace it with a similar size vault that is 36-inch deeper to provide access all around the pipe. The new vault will be closed on top with a steel and concrete lid. All work will occur in a previously disturbed utility corridor that has a gravel surface and no vegetation.
4. Coe Creek Fish Screen and Dam Removal Project Test Pit. This project will excavate a 10-foot deep test pit within the normal high water area on the western side of the stream, and upstream of the parking lot for the diversion. The work will be done during the instream work window (July 15 thru August 31). Once tests, measurements and photos are taken, the pit will be backfilled to its previous condition.
5. Eliot Branch Pipeline Repair. This project will replace 1600 feet of existing 36-inch pipe that was damaged in the 2006 storms. The new pipe will be in the existing alignment, but next to the old pipe that will be left intact to minimize total disruption of the area. A 150-foot section of the pipe will be encased in concrete for mechanical protection and the

stream will be diverted away during the concrete pour. Once the concrete is set, the pipe is backfilled with 3 feet of local stream gravel. Pipeline construction outside of the stream crossing area will be in a trench dug through the rock debris field. A drain and drain pipe will be attached to the larger pipeline near the stream crossing. Approximately 40 small trees and saplings will be removed for the next pipe right-of-way.

Project Timing and Duration:

The estimated timing associated for each of the five major projects are as follows:

- Project 1 – Clear Branch Dam Mainline Value Vault Stabilization: 1 week
- Project 2 – Clear Branch Substrate Supplementation: 1 to 7-days annually during the coming three years (2008-2010) work period
- Project 3 – Coe Branch Flow Meter Valve Replacement: 2 days
- Project 4 – Coe Creek Fish Screens and Dam Removal Project Test pit: 1-day
- Project 5 - Eliot Branch Pipeline Repair: 3 weeks

More details for each project are available on the project description forms found in the project record, located at the Hood River Ranger District in Mt. Hood, Oregon.

Project Design Features / Mitigation Measures

Design Features and Mitigation Measures are used to minimize the environmental impacts of the proposed actions. The following are a required component of the proposed action to address resource management concerns.

- Clean and inspect machinery and equipment before entering the Mt. Hood National Forest. In accordance with FSM #2080.44-10, include Engineering Special Project Specification R6/SPS 601.011.
- Spill clean-up kits approved by the Forest Service will be present at all work areas during all phases of construction.
- Forest Service approved native seed and weed-free straw mulch will be used as needed.

Scoping and Public Involvement

The Forest Service conducted public scoping to identify any concerns with the proposed activity. These projects were announced in the Mt. Hood National Forest quarterly planning newsletter (Schedule of Proposed Actions [SOPA]) in March 2008. No comments were received through that effort. Forest Service also sent a public scoping letter on June 3, 2008 to identify any concerns with the proposed activity. The Ranger District has a mailing list of about 15 people or organizations with known interest in water related projects, including federal and state agencies and the Confederated Tribes of Warm Springs. No comments were received from the public.

Decision

I have decided to implement these projects as proposed. It is my decision to authorize Middle Fork Irrigation District to conduct the projects as proposed.

Reasons for Categorical Exclusion

I find the proposed action can be categorically excluded from documentation in an Environmental Assessment or Environmental Impact State because the action fits into Category 31.2-3, described in Forest Service Handbook 1909.15-2007-1, February 15, 2007. This category states: "Approval, modification, or continuation of minor special uses of National Forest System lands that require less than 5 contiguous acres of land".

I find the proposed action can be categorically excluded because there are no extraordinary circumstances identified by the interdisciplinary team of resource specialists that analyzed this proposal. Resource conditions that were considered in determining whether extraordinary circumstances related to the proposed action warrant further analysis and documentation are listed below (A-F). As stated in Section 30.3 of the handbook, "the mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist" (FSH 1909.15).

A. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species. The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species designated critical habitat. Biological Evaluations were prepared for sensitive, threatened or endangered wildlife, fish and botanical species. These are available in the project record, located at the Hood River Ranger District in Mt. Hood, Oregon.

The effects determination for the Northern spotted owl is **no effect**. The proposed projects will have **no effect** on Canada lynx because the proposed project does not alter habitat conditions for travel, foraging or denning. The proposed action will have **no impacts** to sensitive wildlife species. No consultation is required for wildlife species.

The proposed actions for the Clear Branch Dam mainline valve vault stabilization and drain repair (Project 1), Coe Branch flow meter vault replacement (Project 3), and Coe Creek fish screen and dam removal project test pit (Project 5) will have **no effect** on threatened or endangered anadromous fish and **no impact** on sensitive aquatic species. Essential fish habitat will not be adversely affected by these projects.

The Clear Branch substrate supplementation project (Project 2) **may affect, likely to adversely affect (LAA)** bull trout and steelhead, but with a long term beneficial effect. Due to the improved spawning habitat, the effects on steelhead and Chinook salmon critical habitat are **may affect, likely only beneficial affect**. The gravel addition may impact Barren Juga, Purple-lipped Juga, and Scott's Apatanian Caddisfly (sensitive aquatic species) individuals or habitat, but will not likely contribute to a trend towards Federal listing or loss

of viability to the population or species. The Columbia dusksnail and its habitat will not be impacted as Clear Branch is not suitable habitat. Essential fish habitat will not be adversely affected. This project fits under the Bureau of Land Management/Forest Service Fish Habitat Restoration Activities in Oregon and Washington CY2007-2012 Biological Assessment and associated Biological Opinions: NMFS BO (P/NWR/2006/06532 [BLM]), FWS BO (13420-2007-F-0055). A letter from the Regional Forester (5/24/07) allows LAA projects to be analyzed under a CE authority, if the following conditions are met: 1) the proposed action is regionally recognized as an activity meeting long-term recovery objectives for listed species; 2) effects on other listed species (i.e., other than listed species or group of listed species for which the project has been designed) are either “not likely to adversely affect” or have “no effect”; 3) the proposed action is consistent with the programmatic consultation and biological opinion; and 4) the degree of the potential effect of the proposed action on resources (other than listed species in 1909.15 (30.3)) does not preclude the use of the CE. All of these conditions are met by this project; consultation was completed under the programmatic documents reference above.

The Eliot Branch pipeline replacement (Project 5) **may affect, not likely adversely affect** bull trout and steelhead. There will be no effect on critical steelhead habitat or essential fish habitat. There will be no impact to any sensitive aquatic species. This project fits under the Northwest Oregon Programmatic Biological Assessment submitted for consultation to National Marine Fisheries on May 2, 2008. All activities follow design criteria for the categories “...miscellaneous special use permits and leases.” The determination of may affect, not likely to adversely affect is consistent with the findings of the Biological Assessment, and no additional consultation is required.

Also, there are no known sites for botanical species that are currently listed Region 6 Sensitive. No consultation is required for botanical species.

- B. **Floodplains, wetlands, or municipal watersheds.** Analysis for the effects of the project on floodplains, wetlands and municipal watersheds is included in the Fisheries Biological Evaluation contained in the project record. These projects will maintain the function of both wetlands and floodplains. These projects do not include any municipal watersheds.
- C. **Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.** The project is not located in congressionally designated areas.
- D. **Inventoried roadless areas.** The project is not located in inventoried roadless areas.
- E. **Research natural areas.** The project is not located in research natural areas.
- F. **American Indians and Alaska Native religious or cultural sites / Archaeological sites, or historic properties or areas.** A complete heritage resource inventory survey was performed for the proposed project areas. The heritage resource survey followed protocol established in the 2004 Programmatic Memorandum of Agreement between the Region 6 USDA Forest Service, the Oregon State Historic Preservation Office, and the Advisory Council on Historic Preservation. The inventory survey was negative for the presence of heritage resources. No heritage resources will be affected by the project.

Findings Required by Other Laws

National Forest Management Act: The interdisciplinary team reviewed the applicable Standards and Guidelines of this proposal. The analysis demonstrated that this decision is consistent with the Mt. Hood Land and Resource Management Plan (Forest Plan), as amended by the Northwest Forest Plan, as required by the National Forest Management Act.

Aquatic Conservation Strategy: I find that these projects are consistent with the Aquatic Conservation Strategy (ACS) objectives. I have considered the existing condition of riparian reserves, including the important physical and biological components of the fifth-field watersheds and the effects to riparian resources. I find that the proposed actions are consistent with riparian reserve standards and guidelines and will contribute to maintaining or restoring the fifth-field watersheds over the long term.

Clean Water Act and State Water Quality Laws: The Fisheries Biological Evaluation has determined that these projects will not have direct or indirect effects to any waterways or riparian areas in or downstream of the action area. In addition, none of the alternatives will affect water temperature in any way. Therefore, this project complies with the Clean Water Act and state water quality laws. With design features, mitigation measures, and Best Management Practices, water quality will be maintained through implementation of these proposed actions.

Invasive Plants: By considering the prevention of invasive plant introduction, establishment and spread of invasive plants, the planning process is consistent with the Pacific Northwest Invasive Plant Program Preventing and Managing Invasive Plants Record of Decision issued in 2005. These proposed projects are consistent with the 2008 Record of Decision – Site Specific Invasive Plant Treatments for the Mt. Hood National Forest and Columbia River Gorge National Scenic Area in Oregon.

Other Laws or Requirements: Findings associated with the Endangered Species Act, Magnuson-Stevens Fishery Conservation and Management Act and National Historic Preservation Act are discussed under the Reasons for Categorical Exclusion section of this document. The proposed action is consistent with all other Federal, State, or local laws or requirements for the protection of the environment and cultural resources.

Implementation

Implementation of this decision may occur immediately. While this decision is not subject to appeal pursuant to Forest Service regulations at 36 CFR 215.8(a)(4), I encourage you to discuss these projects with me if you have any concerns about implementation.

Contact Person

The project file is available for public review at the Hood River Ranger District located in Mt. Hood, Oregon. For further information about this decision, please contact Doug Jones at the Hood River Ranger Station, 6780 Highway 35 Parkdale, Oregon 97041; Phone: 541-352-6002 x634; Fax: 541-352-7365; or Email: dgjones@fs.fed.us

SIGNATURE OF DECIDING OFFICER

/s/ Daina L. Bambe

Daina L. Bambe
District Ranger, Hood River Ranger District

July 8, 2008

Date

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.