

Yachats Aquatic Restoration Project

Decision Notice and Finding of No Significant Impact

Siuslaw National Forest
South Zone District
Lincoln and Lane Counties, Oregon

July 2004

Lead Agency:	USDA Forest Service
Responsible Official:	William Helphinstine, District Ranger South Zone District Siuslaw National Forest 4480 Hwy 101, Bldg. G Florence, OR 97439
For Information Contact:	Paul Thomas, South Zone Planning Mgr. South Zone District 4480 Hwy. 101, Building G Florence, OR 97439 (541) 902-6985 or (541) 563-8426 E-mail address: pgthomas@fs.fed.us

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Project Background, Area, and Need

The Yachats Aquatic Restoration Project (the Project) includes actions designed to enhance water quality and stream function on National Forest System (NFS) lands in the Yachats watershed.

The Project area includes about 28,000 acres of the Yachats 5th-field watershed near Yachats, Oregon and is about 42 air miles southwest of Corvallis, Oregon. The Project area is located in portions of Township 14 South, Range 10 and 11 West; and Township 15 South, Range 10 and 11 West; Lincoln and Lane Counties, Oregon. All proposed actions are in the riparian and late-successional reserve land allocations as prescribed in the Northwest Forest Plan.

The need to improve watershed function in the Project area was identified in chapter 1 of the Project environmental assessment (EA).

The decision to be made is whether to implement actions designed to meet the Project need by selecting one of the action alternatives (Alternative 2 or 3), or to not conduct these actions by selecting Alternative 1 (no action).

My Decision

I have decided to implement all the actions described under Alternative 3 (place large wood in four streams) of the Project EA to improve watershed function. Based on public comment, this alternative includes marking all large wood that will be placed in the four streams and monitoring their place in the streams. In making this decision, I have reviewed the Project EA, its appendices, and other project-file documents, including the associated biological opinions and the comments received during the 30-day public comment period. The following activities would be implemented under Alternative 3:

Large wood—To enhance the large-wood component of fish habitat, about 403 trees and root wads would be placed along about 7.1 miles of streams to enhance fish habitat. The streams proposed for treatment have stream gradients less than or equal to 4 percent, less than 40 pieces of large wood per mile, and a contributing watershed area of less than 5,000 acres in size. Table 1 shows the prescriptions for each stream by sub-watershed.

Table 1. Large wood prescription for streams—Alternative 3

Sub-watershed	Stream	Maximum contributing acres*	Stream miles proposed for treated	Trees per mile to be added	Total number of trees to be added
North Yachats	North Fork Yachats	5,000	2.6	61	158
	Williamson	1,300	1.4	54	76
Upper Yachats	Grass	1,400	1.4	53	74
	South Fork Yachats	2,200	1.7	56	95
Total			7.1		403

*The watershed area above the lowest treatment site.

Abandoned (unclassified) roads—Remove about seven culverts and fill from two abandoned roads in the Upper Yachats sub-watershed. One road is adjacent to the South Fork Yachats River and the other is adjacent to Grass Creek. One culvert is a barrier to upstream fish migration and others are partial barriers or are in non-fish bearing streams.

Beamer restoration area—Remove about 150 cubic yards of landing fill (section 32) from a nearby stream and pond and place in stable waste area, non-commercially thin two acres of a conifer plantation, and release about five acres of existing conifer.

Adding large wood to streams may begin as soon as October 1, 2004. Trees for large wood may be felled, after August 5, 2004. Depending on the availability of funding, the other activities may begin in 1 to 2 years.

Project design criteria, including mitigation and monitoring requirements (EA, appendix A), are included in the project to ensure protection of natural resources.

Reasons for the Decision

Alternative 3 was selected because it meets the objective for restoring watershed health that is described in chapter 1 of the Project EA. Alternative 3 was developed primarily in response to additional information collected from streams and conflicting public comments about movement of wood placed in streams.

The Project planning area has several miles of perennial and intermittent streams—some provide important fish habitat, some supply water to a municipal watershed, and some streams do both. Water quality and quantity are directly tied to watershed health. All of the actions in Alternative 3 are designed to restore natural stream processes and improve watershed function.

Project actions under Alternative 3 are designed to protect aquatic resources in the short term and maintain or enhance the quality and productivity of these resources in the long term. No unacceptable cumulative effects are expected. Many beneficial effects will accrue from implementing the Project, and the risk associated with any potential negative effects, discussed in chapter 3 of the Project EA, is low.

In my review of the Project EA, its appendices, and other project-file documents, I believe the information provided to me is adequate for a reasoned choice of action. I am fully aware that the selected alternative will have some unavoidable adverse environmental effects such as disturbance to wildlife (EA, pages 33 and 34), irreversible resource commitments such as continued use of existing roads (EA, page 45), and irretrievable commitment of resources such as removal of trees for placement in streams (EA, page 45). I have determined, however, that the benefits to aquatic resources justify the commitment of wood resources and the short-term disturbance of wildlife.

In making this selection, I have also reviewed information in the administrative record, including but not limited to the Siuslaw Forest Plan (1990), as amended by the Northwest Forest Plan (1994); the Yachats-Blodgett Watershed Analysis (1998); the Late-Successional Reserve Assessment, Oregon Coast Province Southern Portion (1997); consultation files and records

involving the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration's NOAA Fisheries; public and other agency comments; and applicable laws and regulations.

Reasons for Not Selecting the Other Alternatives

Alternative 1, the no-action alternative, does not create obvious negative effects, but it also does not meet the Project need. And, without some restorative actions, some watershed conditions—including water quality and fish habitat—would continue to degrade.

Alternative 2 (place large wood in 13 streams) would place large wood in more streams. Based on additional information collected in the field and several comments concerned about the movement of placed wood, I decided not to select Alternative 2. This alternative would have provided greater benefits to aquatic resources and better meets the objectives for restoring watershed health in the Yachats drainage. Considering public comments expressed during the comment period, I believe that selecting the more conservative Alternative 3—placing large wood higher in the watershed where streams have less power to move the wood—is the best decision at this time.

Alternatives Considered

Before selecting Alternative 3, I considered Alternative 1 (no action), Alternative 2, and other alternatives that were eliminated from detailed study in the Project EA, including the initial proposed action.

Alternative 1, no action—Alternative 1 is fully described in chapter 2 of the Project EA, pages 8 and 9. The analysis of the effects of Alternative 1 is disclosed in chapter 3 of the Project EA. The no-action alternative forms the basis for a comparison between meeting the project needs and *not* meeting the project needs. This alternative provides baseline information for understanding changes associated with Alternatives 2 and 3 and expected environmental responses as a result of past management actions.

Alternative 2, place large wood in 13 streams—Alternative 2 is fully described in chapter 2 of the Project EA, pages 9 and 10. The analysis of the effects of Alternative 2 is disclosed in chapter 3 of the Project EA. Alternative 2 is similar to the proposed action that was presented to the public during scoping, except that it would not place any large wood in the Yachats River mainstem downstream from its junction with the North Fork Yachats River.

Alternative 3, place large wood in four streams—Alternative 3 is fully described in chapter 2 of the Project EA, pages 10 and 11. The analysis of the effects of Alternative 3 is disclosed in chapter 3 of the Project EA. Alternative 3 was developed partially in response to public comments on the Project.

Alternatives considered but eliminated from detailed study

Several alternatives were considered by the District Ranger, based largely on public comments. The following alternatives represent those that were considered, but for various reasons, were eliminated from detailed study.

The proposed project—The proposed project, as described in the October 2, 2002 scoping letter, was not fully developed because permission to place large woody debris (LWD) in the Yachats River mainstem adjacent to private land was not obtained for all proposed large-wood-placement sites. In addition, considering the conflicting viewpoints from the different landowners, the proposed project was not ripe for analysis. Thus, about two miles of large wood placement in the mainstem Yachats River was dropped from the proposed project.

In addition, the proposed project included riparian planting and release and noncommercial thinning of riparian areas. The riparian planting and release activities should not have been included as part of this project because a Decision Memo for “Miscellaneous Small Projects” (USDA 2002b) authorized riparian planting and release activities for the Yachats watershed. The Yachats Terrestrial Restoration Project EA (to be available for public comment in the near future) will address the noncommercial thinning that was proposed by this project. Thus, none of the alternatives associated with the Yachats Aquatic Restoration Project—outside the activities associated with the Beamer restoration area—include riparian planting and release or noncommercial thinning. Because the proposed project as described in the scoping letter no longer exists, the District Ranger has now designated Alternative 2 as the proposed project.

Place large wood in streams with ground-based equipment—To reduce costs, ground-based equipment was considered for placing large wood in the streams instead of a helicopter. However, large-wood pieces will be too long to be transported by trucks and many placement sites are not accessible to ground-based equipment because of steep slopes. Thus, this alternative was not fully developed.

Construct a trail in the proposed Beamer restoration area—A local resident suggested that a trail be constructed in the Beamer restoration area after project activities in the area are completed. The proposed project does not generate a funding source such as Knutson-Vandenberg (KV) like timber-sale projects, and there is no identified source of funds for building and maintaining a new trail. While building a trail would provide opportunities for environmental education, a trail would not directly contribute to correcting the identified problem. The proposed project does not preclude development of future trail proposals. Developing an alternative that includes a trail does not have any connection with the project, and thus is outside the scope of the project.

Help from the Public and Other Agencies

After considering the identified problem to be addressed with this project and developing a proposal to correct the problem, letters describing the actions considered in the proposed Yachats Aquatic Restoration Project were mailed to about 200 individuals, agencies, and organizations identified as potentially interested in the proposed project and analysis. Public comment on the proposed project was also solicited through the Siuslaw National Forest's quarterly "Project

Update" publications, the Corvallis Gazette-Times in Corvallis, Oregon, and the Newport News-Times in Newport, Oregon. Scoping letters were mailed on October 2, 2002. A news release was published in the Gazette-Times on October 4, 2002 and in the News-Times on October 9, 2002. Comments were requested by October 31, 2002.

Field reviews, including the Oregon Department of Fish and Wildlife, local landowners, and other concerned citizens, were conducted in the project area during the planning process. Several meetings were held with interested persons and groups to discuss the proposed project, beginning in April 2002.

Twenty-two (22) letters were received in response to these scoping efforts. Public comments contained a wide variety of suggestions to consider. Comments not outside the scope of the project and not covered by previous environmental review or existing regulations were reviewed for substantive content related to the project. The comments reflect conflicting viewpoints over the movement of wood placed in streams. Thus, the issue of wood movement was added to the need and associated problem identified on page 2. Based largely on public comment, some alternatives were considered, but eliminated from detailed study, while others were considered in detail. The alternatives are discussed in chapter 2. Comments, relevant to clarifying how the project will be implemented or disclosing the effects of implementing the project, are addressed in chapters 2, 3, or 4; the project design criteria (appendix A); or the project file.

The notice of availability for Yachats Aquatic Restoration Project Preliminary Analysis was published in the Eugene Register-Guard on June 12, 2004, informing the public that the preliminary analysis is available for a 30-day review and comment period. Copies of the preliminary analysis were made available at the Siuslaw National Forest Headquarters in Corvallis, and the District offices in Waldport and Florence. The comment period ended at the close-of-business on July 12, 2004. Copies of the preliminary analysis were mailed to those who commented on the proposed project or who requested a copy of the document. Letters, announcing that the preliminary analysis is available for a 30-day public comment period, were also sent to additional landowners in the Yachats watershed who own land in the North Fork, South Fork, and Yachats River floodplains. Fourteen (14) persons responded to this request. The legal notice and letters indicated the beginning and end of the comment period. The comment process was described and a Forest Service contact person was identified. Comments are summarized with Forest Service responses in appendix C of the Project EA.

The Yachats large-wood placement project was designed to meet the design standards in the Programmatic Biological Opinion for aquatic habitat projects issued by NOAA-Fisheries on February 25, 2003 (Reference number 202/01254). The Oregon Coast coho salmon are currently not listed under the Endangered Species Act. NOAA-Fisheries recently completed a review of the biological status of the Oregon Coast coho salmon and on June 14, 2004 proposed to list the Oregon Coast coho salmon as a threatened species under the Endangered Species Act. As a species proposed for listing as threatened, the USDA Forest Service is required to confer with NOAA-Fisheries on any action that is likely to jeopardize the continued existence of the species. The biological evaluation for this project concluded that the project may impact individual coho or coho habitat but will not jeopardize the continued existence of the species.

Based on the Programmatic Biological Opinion for aquatic habitat projects issued by NOAA Fisheries on February 25, 2003, the project will not adversely affect Oregon coast coho and Chinook salmon essential fish habitat as described by the Magnuson-Stevens Act.

In their biological opinions of the Siuslaw National Forest programmatic biological assessments, the U.S. Fish and Wildlife Service (FWS) has concurred with our findings that the project will not jeopardize the existence of bald eagles, northern spotted owls, and marbled murrelets. The FWS terms and conditions will be applied to the project design criteria. The following biological assessments apply to this project:

- Programmatic Biological Assessment of Fiscal Year 2003-2004 Projects in the North Coast Province Which Would Modify the Habitats of Bald Eagles, Northern Spotted Owls, or Marbled Murrelets. FWS biological opinion reference #: 1-7-02-F-958.
- Programmatic Biological Assessment of Fiscal Year 2004-2005 Projects in the North Coast Province Which Might Disturb Bald Eagles, Northern Spotted Owls, or Marbled Murrelets (FWS reference: 1-7-04-F-1113).

Finding of No Significant Impact (FONSI)

Based on the site-specific environmental analysis documented in the Yachats Aquatic Restoration Project Environmental Assessment, I have determined that the activities described do not constitute a major Federal action and would not significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination was made in light of the following factors:

Context

1. This action is very small in terms of society as a whole. Project activities have been viewed and approved in a Regional context through the Siuslaw National Forest Land and Resource Management Plan (USDA 1990), as amended by the Final Supplemental Environmental Impact Statement on Management of Habitat for Late-Successional and Old-Growth Forest Related Species within the Range of the Northern Spotted Owl (USDA, USDI 1994). This action only affects a small portion of the Forest, which in turn, is a very small portion of the Region.
2. The site-specific activities that are authorized and guided by this decision are limited in scope and duration. Some minor adverse effects are expected. However, given the renewable nature of the resources and the high growth rates of coastal vegetation, these effects are expected to be short-term. No long-term adverse effects are expected.

Intensity

1. Project actions will have both beneficial and adverse effects. Adding large wood to streams or removing culverts and fill material from roads may be considered adverse effects. However, I have considered the benefits that the ecosystem will receive from implementing the Project actions and find that the overall beneficial effects to the

ecosystem outweigh any short-term adverse effects. Further, I find that when considered alone, the adverse effects of this project are not significant (EA, chapter 3).

2. No significant adverse effects to public health or safety have been identified (EA, page 46).
3. The characteristics of the geographic area do not make it uniquely sensitive to the effects of project actions. Past actions of similar intensity in similar areas have not indicated any significant adverse effects (EA, chapter 3).
4. The Yachats Aquatic Restoration Project Environmental Assessment has disclosed direct, indirect, and cumulative effects to soil, water, aquatic and terrestrial species, and other components of the human environment. There are no significant direct, indirect, or cumulative effects anticipated from implementing project actions. Project actions will improve watershed function. The analysis of cumulative effects considered past, present, and reasonably foreseeable future actions on National Forest lands as well as for other ownerships in the affected watershed (EA, chapter 3).
5. Based on the pre-project survey and record search of the Project area, actions associated with the Project will have “no effect” (as defined in 36 CFR 800.5 [b]) on any listed or eligible heritage (cultural) resources. If a heritage site is discovered during project implementation, work will be stopped until the site is evaluated or the project has been altered to avoid the site (EA, page 39; appendix A, page 4).
6. Based on the fisheries effects and wildlife biological evaluation prepared for the Project, the effects on Federally listed terrestrial and aquatic species are not found to be significant (EA, chapter 3, Wildlife Specialist Report for the Yachats Aquatic Restoration Project, May 14, 2004; appendix A).
7. The Project is in compliance with relevant Federal, State and local laws, regulations and requirements designed for the protection of the environment. The Project will meet or exceed State water and air quality standards and is consistent with the Oregon Coastal Management Program as required by the Coastal Zone Management Act (EA, page 46, appendix A, pages 3, 4, 7 and 8).
8. The effects from the Project on the quality of the human environment are not found to be highly controversial in the realm of science (EA, pages 2 and 3).
9. The Project’s environmental effects are not uncertain or unknown. Planned actions are similar to those already accomplished on similar lands on the Forest and several scientific studies have been conducted that support the Project’s treatment strategies (EA, chapter 3).
10. Actions that will be implemented by the Project do not set a precedent for future actions, because similar actions have been implemented in the past (EA, page 7; chapter 3, including pages 25, 26, 30, 31, and 32).

Other Disclosures

All measures contained in the Project EA and appendix A will be incorporated to comply with the Record of Decision for the Final Environmental Impact Statement for Managing Competing and Unwanted Vegetation published December 1988 and the subsequent Mediated Agreement of May 1989.

The Project will have no significant adverse effects on wetlands, floodplains, farmland, rangeland, parkland, wilderness, wild and scenic rivers, or inventoried roadless areas; minority groups, civil rights, women, or consumers; Indian social, economic, subsistence rights, or sacred sites; and heritage resources (EA, pages 45 and 46).

Actions will be consistent with the scenic quality objectives for the planning area (EA, page 39). Actions will be designed to prevent the spread of invasive plants, including noxious and undesirable weeds (EA, pages 37 and 38). Cleaning of off-road equipment pursuant to Executive Order 13112, dated February 3, 1999, will be required. (EA, appendix A, pages 4 and 5).

Findings Required By Other Laws

Based on the analysis in the Yachats Aquatic Restoration Project Environmental Assessment, I find the selected alternative to be consistent with the Siuslaw National Forest Land and Resource Management Plan (USDA 1990), as amended by the Northwest Forest Plan (USDA, USDI 1994) and is designed to meet or exceed the objectives of the Aquatic Conservation Strategy as set forth in the Northwest Forest Plan (EA, pages 38 and 39).

The selected alternative is consistent with the National Forest Management Act implementing regulations, including the seven management requirements listed in 36 CFR 219.27, a through g:

- a. *Resource protection*—The Project EA includes criteria designed to protect resources and will apply practices as described in General Water Quality Best Management Practices (BMPs), Pacific Northwest Region, November 1988 (EA, appendix A, pages 1 through 10);
- b. *Vegetation manipulation of tree cover*—Conifers will be thinned and released to speed their growth and development in riparian reserve. Mature trees will be removed from designated areas, based on the design criteria (appendix A) that were jointly established by the US Fish and Wildlife Service and the US Forest Service. These trees will be placed in streams to enhance watershed function and improve fish habitat (EA, pages 1 through 3, 9 through 11, 17, and 20 through 35);
- c. *Silvicultural practices that apply to timber harvest and cultural treatments*—One small plantation will be non-commercially thinned. Mature conifer will be selectively removed from nearby stands and placed in streams to improve stream function and fish habitat (EA, pages 1 through 3, 9 through 11, 17, and 20 through 35);
- d. *Even-aged management in the forest*—No even-aged management is proposed. (EA, pages 1 through 3, and 20 through 35);
- e. *Riparian area protection*—Existing shade will be maintained in riparian areas. Road and landing fill material will be removed from riparian areas to reduce sedimentation of streams. These actions are expected to enhance water quality and improve fish habitat in

the long term. (EA, pages 1 through 3, 9 through 11, and 20 through 38; EA, appendix A);

- f. *Conservation of soil and water resources*—The Project is consistent with the Aquatic Conservation Strategy objectives and includes best management practices (BMPs) and other measures designed to protect, enhance, or minimize effects to soil and water resources. Actions are expected to enhance water quality in the long term. (EA, pages 1 through 3, 9 through 11, 20 through 38, and 44; EA, appendix A); and
- g. *Preserve and enhance the diversity of plant and animal communities*—By adding large wood to streams, removing road and landing fill material, and thinning and releasing conifer, the project is expected to improve habitat conditions for several plant and animal species. (EA, pages 1 through 3, 9 through 11, 20 through 38 and 44; EA, appendix A).

Implementation Date

Implementation of this project may not proceed until five (5) working days after the close of the 45-day appeal filing period. Activities, including service contract preparation and solicitation of bids, may proceed immediately.

Administrative Review and Appeal

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215.7. Written appeals must be sent to: Linda Goodman, Regional Forester, ATTN.: 1570 APPEALS, PO Box 3623, Portland, OR, 97208-3623 or e-mail at appeals-pacificnorthwest-siuslaw@fs.fed.us. Any written appeal must be postmarked or received by the Regional Forester within 45 days of the date of publication of the notice for this decision in the Eugene Register-Guard. Any e-mail appeal must be received within 45 days of the publication date. Appeals must meet the content requirements of 36 CFR 215.14.

Contact Person

For further information regarding this project, contact Paul Thomas or Karla Reeves, South Zone Ranger District, Waldport Office, 1049 SW Pacific Coast Hwy, Waldport, OR 97394, or phone at (541) 563-3211.

Responsible Official:

W. M. HELPHINSTINE
District Ranger
South Zone Ranger District
4480 Hwy. 101, Bldg. G
Florence, OR 97439

Date