

Deschutes & Ochoco National Forests Crooked River National Grassland

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Projects & Plans

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DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT FOR DEER CREEK SMALL DAM REMOVAL PROJECT

**USDA - FOREST SERVICE
DESCHUTES NATIONAL FOREST
BEND/FT. ROCK RANGER DISTRICT
DESCUTES COUNTY, OREGON**

Location

An Environmental Assessment (EA) that describes two alternatives for removal of a small concrete dam on the Deer Creek is available for public review. The EA is titled **Deer Creek Small Dam Removal Project**, and may be reviewed at the Bend/Ft. Rock Ranger District of the Deschutes National Forest. The address is 1230 NE 3rd St., Suite A-262, Bend, Oregon. The dam is located at approximately river mile 2.0, and is 0.2 miles downstream of the outlet of Little Cultus Lake. The Deschutes National Forest Management Area allocation is Scenic Views. The project area is within lands managed

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PLANS, ANALYSES, ASSESSMENTS

▶ **Links**

▶ **Evaluate Our Service**

We welcome your comments on our service and your suggestions for improvement.

Forest

Deschutes National Forest

1001 SW Emkay Drive
Bend, OR 97702

(541) 383-5300

Ochoco National Forest

3160 N.E. 3rd Street
Prineville, OR 97754

(541) 416-6500

**Crooked River National
Grassland**

813 S.W. Hwy. 97
Madras, OR 97741

(541) 475-9272



under the Northwest Forest Plan (NWFP). The land management allocation under the NWFP is Riparian Reserve.

Decision

Following review of the alternatives and effects disclosed in the Environmental Assessment (EA), I have decided that of the two alternatives, Alternative 2 best meets the purpose and need for action. Actions under Alternative 2 would remove the dam and dispose of the materials at a landfill. Rearing habitat for juvenile redband trout, a Forest Service Region 6 Sensitive species, would be improved by providing upstream passage. An excavator or similar equipment would be used to accomplish the removal. The equipment would work within the channel during late summer when the channel is dry. The equipment would enter and exit the channel at one access point. Any damage incurred to the streambank at the access point would be rehabilitated at the conclusion of the project. The instream work is anticipated to take 1 to 2 days.

One other alternative was considered, the "No Action" alternative. This alternative was not selected because there would continue to be no upstream passage for juvenile redband trout. Habitats in Little Cultus Lake and Deer Creek above the dam would not be accessible to fish residing below the dam.

Public Participation

Contact was made with individuals and organizations to solicit input into project design and analysis. A scoping letter was mailed to 241 interested parties March, 2002. There were three responses by letter. Two parties supported the project. The third party wanted to know if the area had been surveyed for archaeological and plant resources. The project was featured in the Winter 2002-2003 and Spring 2003

issues of the Central Oregon Interagency Schedule of Projects. A 30 day Notice of Public Comment Period letter was mailed on January 24, 2003, and an article concerning the proposed action was published by *The Bulletin* on February 5, 2003. A legal notice was published in *The Bulletin* on January 29, 2003. Public input was received in the form of letters and phone calls during the Notice of Comment Period. There were four responses by letter, and one by phone. The 30 day comment period on the EA ended February 28, 2003. The response to comments on the EA is found in Appendix F of the EA.

Finding of No Significant Impact

Based on the site-specific analysis documented in the EA, I have determined that this decision does not constitute a major federal action, individually or cumulatively, that would significantly affect the quality of the human environment; therefore, an environmental impact statement will not be necessary. Sufficient information has been disclosed in the analysis to make a reasoned choice among alternatives and no significant impacts on the human environment have been identified.

Based on the analysis, I expect only minimal short duration impacts from implementation of this alternative. All impacts are limited in scope and can be considered minor. This determination is based on the mitigation measures designed into the selected alternative and the following factors:

(1) Beneficial and adverse direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed within the appropriate context and intensity. No significant effects to the human environment have been identified. There will be no significant adverse direct, indirect, or cumulative effects to soil, water, fisheries, wildlife, roadless areas, old growth stands, or other components of the environment. There will be beneficial direct effects to fisheries. There will be beneficial

indirect effects to wildlife that prey on fish, with the expected increase in the fish population. Based on the analysis, I expect only slightly adverse, short duration impacts from implementation of this alternative. For example, grasses and forbs may be damaged during the removal, but would be restored within 1 year. This and other impacts are limited in scope and intensity and can be considered negligible (EA, section III, pages 5-9).

(2) No significant adverse effects to public health or safety have been identified.

(3) There will be no significant adverse impacts to wetlands, wild and scenic rivers, floodplains, prime farmlands, old growth forests, range and forest land, or Pacific Yew. No significant effects are anticipated to any other ecologically sensitive or critical areas (EA, section III, page 10).

(4) Therefore, I find the level of controversy over the effects of the project to be not significant.

(5) The probable effects of this decision on the human environment, as described in the EA, are known and do not involve unique or unknown risks (EA, section III, page 10).

(6) This action does not establish a precedent for future actions with significant effects, nor does it represent a decision in principle about a future consideration.

(7) This decision is made with consideration of past, present, and reasonably foreseeable future actions on National Forest land and other ownerships within potentially affected areas, which could have a cumulatively significant effect on the quality of the human environment. I find there to be no such cumulative significance.

(8) Based on the pre-disturbance survey and record search of the project area, the project proposal will have "no adverse effect" (as defined in 36 CFR 800.4 (b)(1)) on any listed or eligible cultural resources (EA, section III, page 9).

(9) The Biological Evaluation for the

area indicates that the proposed project will have no significant adverse impacts on any Proposed, Endangered, Sensitive or Threatened plant or animal species (EA, section III.F, pages 7-9. Also see Appendix A).

(10) This decision is in compliance with relevant federal, state, and local laws, regulations, and requirements designed for the protection of the environment. Effects from this action will meet or exceed state water quality standards (EA, section III., pages 5,6).

Other Findings

This decision is consistent with the goals, objectives, and direction contained in the Deschutes National Forest Land and Resource Management Plan (Forest Plan) and accompanying final environmental impact statement dated August 27, 1990 as amended by the Northwest Forest Plan, dated April 13, 1994.

This decision is subject to appeal pursuant to 36 CFR 215.7. Any written appeal must be fully consistent with 36 CFR 215.14 (Content of an Appeal). Two copies of a written notice of appeal must be postmarked and submitted to the Regional Forester, Pacific Northwest Region, P.O. Box 3623, Portland, Oregon, 97208-3623 within 45 days of the date the legal notice of this decision appears in The Bulletin. For additional information, contact Tom Walker, Bend-Fort Rock Ranger District, 1230 NE Third, Suite A-262, Bend Oregon, 97701, (phone 541-383-4787, fax 541-383-4700, or email tawalker@fs.fed.us).

WALTER C. SCHLOER, JR.
District Ranger

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