

# **Yoncalla Creek Habitat Improvement Decision Document**

## **Roseburg District Aquatic Restoration Environmental Assessment (EA # OR 103-08-09)**

**Swiftwater Field Office, Roseburg District**

### **Decision:**

It is my decision to authorize the commitment of Federal dollars for the Yoncalla Creek Habitat Improvement project. The project was recommended for partial funding under Title II of the Secure Rule Schools and Community Self-Determination Act by the Roseburg District Resource Advisory Committee. This project will improve aquatic habitat in the Elk Creek watershed in which the Oregon Coast steelhead trout and the Federally-threatened Oregon Coast coho salmon are present. Yoncalla Creek provides important spawning and rearing habitat for both species. Project design and implementation will be undertaken by the Elk Creek Watershed Council in cooperation with the Oregon Department of Fish and Wildlife.

The proponent proposes to place approximately forty (40) full-spanning boulder weirs and logs along approximately one and one-half miles of Yoncalla Creek on privately-owned lands in Sections 18 and 21, T. 22 S., R.5 W., Willamette Meridian. Yoncalla Creek is located in the Elk Creek watershed, designated as a Tier 1 Key Watershed by the Roseburg District BLM under the 1995 Roseburg District Resource Management Plan, which is tiered to the Northwest Forest Plan.

An excavator will be used to construct the weirs and place large wood. Access through riparian areas will be limited to specified locations and in-channel operations will only occur when absolutely necessary or on bedrock channels to minimize damage.

The following project design features will be implemented:

- All equipment will be pressure washed or steam cleaned prior to mobilization in and out of the project area to minimize the risk of introducing soil from outside the project area that may be contaminated with noxious weed seed or other propagative materials. Any equipment removed during the life of the contract will be re-cleaned before being returned to the project area.
- The contractor will have a spill containment kit available in the event of any inadvertent spillage of petroleum products.
- Upon completion of the project excavator trails will be scarified, seeded and mulched.

The proposed action complies with the 1995 ROD/RMP because it is specifically provided for in the following decision:

- “Coordinate with other agencies and groups in the management of species across the landscape. Coordination will be accomplished through conservation plans or similar agreements which identify actions to conserve single or multiple species and/or habitats.” (p. 42)

### **Rationale for the Decision:**

Projects of this nature were described under Alternative Two, the Proposed Action, in the Roseburg District Aquatic Restoration EA (p. 10). Effects would be consistent with those described in the EA (pp. 27-28). Implementation will aid in meeting the objectives of creating deep pools with ample hiding cover and holding gravels for spawning (EA, p. 5). Alternative One, the “No Action” alternative, would not meet these objectives.

#### *Oregon Coast coho salmon*

Yoncalla Creek is designated as critical habitat and Essential Fish Habitat for Oregon Coast coho salmon. Potential effects from placement of logs for instream habitat are primarily associated with sediment generated by stream bank and stream channel disturbance.

Actions of this nature were programmatically consulted with the National Marine Fisheries Service and are addressed and authorized in *Reinitiation of the Endangered Species Act Section 7 Formal Programmatic Conference and Biological Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for Aquatic Restoration Activities in the States of Oregon and Washington* (ARBO II), dated April 25, 2013.

#### *Survey and Manage*

The project area is located entirely on privately-owned lands and, as such, is not subject to the terms of the *2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measure Standards and Guidelines*.

#### *Northern spotted owl*

The project will occur within the range of the northern spotted owl (*Strix occidentalis caurina*). There are no disruption concerns as there are no known sites for the species within 0.25 miles of the project area, and the project will not occur within suitable habitat or critical habitat.

#### *Marbled murrelet*

The project will occur within the range of the marbled murrelet (*Brachyramphus marmoratus*). There are no disruption concerns as there are no known sites for the species within 0.25 miles of the project area, and the project will not occur within suitable habitat or critical habitat.

## *Botany*

The instream project is located within the respective distribution ranges of the Kincaid's lupine (*Lupinus sulphureus* var. *kincaidii*) and the rough popcornflower (*Plagiobothrys hirtus*). There are no known extant sites for either the Kincaid's lupine or the rough popcornflower, within the project area. There is no suitable habitat for Kincaid's lupine, but there is a historic record (June, 1939) of rough popcornflower occurring within the Yoncalla Creek project area. A survey of the project area conducted in 1983 did not find any remaining rough popcornflower plants and noted heavy grazing by sheep (Oregon Biodiversity Inform Center GIS data). On April 29, 2014, Susan Carter, District Botanist, spoke with Sam Friedman, Botanist with the U.S. Fish and Wildlife Service who confirmed that the site is extirpated and no further surveys are necessary. Consequently, the project would have no effect on either species.

## *Cultural/Historical Resources*

Bureau of Land Management personnel conducted cultural resource surveys on June 25, 2014 in accordance with Appendix A of the 1998 protocol with the State of Oregon (Survey Techniques for Densely Vegetated Areas in Western Oregon). No cultural resources were identified.

The BLM has completed its Section 106 responsibilities for this project. A Project Tracking Form (CRS No. SR1405) has been prepared and is on file.

## **Public Involvement & Response to Comment:**

An interdisciplinary team began analysis for the Roseburg District Aquatic Restoration EA in the autumn of 2008, and the public was notified of initiation of the environmental assessment in the Winter 2008 Roseburg District Quarterly Planning Update.

A thirty-day period for public review and comment was provided upon completion of the environmental assessment (August 4, 2009 through September 3, 2009), consistent with BLM policy/practice to provide the public a review opportunity prior to issuance of any decision(s). Notification was made to state and Federal resource management and regulatory agencies. Local tribal and county government, trade groups and other interested parties were also notified. No comments on the environmental assessment were received.

## **Monitoring:**

Monitoring will be done in accordance with the 1995 ROD/RMP, Appendix I (pp. 84, & 195-198), with emphasis on assessing the effects of the restoration activities on the following resources: Water and Soils; and Fish Habitat.

**Administrative Remedies:**

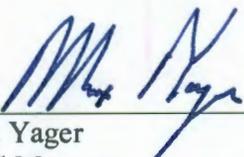
The decision described in this document is a forest management decision and is subject to protest by the public. In accordance with Forest Management Regulations at 43 CFR Subpart 5003 Administrative Remedies, protests of this decision may be filed with the authorized officer, Max Yager, within 15 days of the publication of the legal notice of availability of the decision on July 3, 2014, in *The News-Review*, Roseburg, Oregon.

43 CFR § 5003.3 subsection (b) states: "Protests shall be filed with the authorized officer and shall contain a written statement of reasons for protesting the decision." This precludes the acceptance of electronic mail (email) or facsimile (fax) protests. Only written and signed hard copies of protests that are delivered to the Roseburg District Office will be accepted. The protest must clearly and concisely state which portion or element of the decision is being protested and the reasons why the decision is believed to be in error.

43 CFR § 5003.3 subsection (c) states: "Protests received more than 15 days after the publication of the notice of decision or the notice of sale are not timely filed and shall not be considered." Upon timely filing of a protest, the authorized officer shall reconsider the project decision to be implemented in light of the statement of reasons for the protest and other pertinent information available.

The authorized officer shall, at the conclusion of the review, serve the protest decision in writing to the party or parties. Upon denial of protest, the authorized officer may proceed with the implementation of the decision as permitted by regulations at 43 CFR § 5003.3 subsection (f).

If no protest is received by close of business (4:30 P.M., PDT) within 15 days after publication of the decision notice, this decision will become final. If a timely protest is received, the project decision will be reconsidered in light of the statement of reasons for the protest and other pertinent information available, and the Swiftwater Field Office will issue a protest decision.

  
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Max Yager  
Field Manager  
Swiftwater Field Office

JUNE 30<sup>th</sup>, 2014  
Date