

Olalla Creek- Lookingglass Creek Watershed Instream Habitat Restoration Decision Document

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

South River Field Office, Roseburg District

Decision:

It is my decision to implement the Olalla Creek- Lookingglass Creek Watershed Instream Habitat Restoration Project. The BLM will place large wood and boulders in reaches of Thompson Creek in Section 5, T. 30 S., R. 7 W., Willamette Meridian (W.M.) and Muns Creek in Section 3, T. 28 S., R. 8 W., W.M. The intent is to create and maintain spawning and rearing habitat for coho salmon, steelhead trout and resident cutthroat trout. Logs to be placed in the streams will vary in size but will generally be greater than 24 inches in diameter and 35 feet in length.

Funding for this project was secured through Title II of the Secure Rural Schools and Community Self-Determination Act. Instream work is scheduled to begin after July 1, 2011 and will be completed by September 15, 2011.

A total of 44 logs will be placed in Thompson Creek using cable-yarding equipment. Three trees from the adjacent Riparian Reserve will be either pulled or felled toward the stream and moved with cable-yarding equipment. In addition, boulders up to one cubic-yard in size may be placed near structures to provide additional habitat, and structural stability and integrity.

In Muns Creek, 70 logs will be placed instream using a combination of cable-yarding and ground based equipment such as an excavator. Ground-based equipment operation will be permitted on existing roads or along designated access trails to the stream. Where practicable, equipment will avoid stream entry and be limited to streamside operation.

All equipment will be pressure-washed or steam-cleaned prior to mobilization into 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 must be re-cleaned before being returned to the project area.

Rationale for the Decision:

Projects of this nature were described under Alternative Two, the Proposed Action, described 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

Thompson Creek and Muns Creek are both 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 *Endangered Species Act – Section 7 Programmatic Consultation Biological and Conference Opinion and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation for Fish Habitat Restoration Activities in Oregon and Washington*, dated April 28, 2007.

Placement of the instream structures in Thompson Creek and Muns Creek will not result in any undue environmental degradation. The project is consistent with Aquatic Conservation Strategy objectives contained in the 1995 ROD/RMP (pp. 20-21), in that it will help: maintain and restore in-stream flows, maintain and restore the natural sediment regime, and maintain and restore aquatic habitat. The project also implements management direction to restore stream channel complexity (1995 ROD/RMP, p. 20).

Survey and Manage

On December 17, 2009, the U.S. District Court for the Western District of Washington issued an Order in Conservation Northwest, et al. v. Rey, et al., No. 08-1067 (W.D. Wash.) (Judge Coughenour), granting Plaintiffs' motion for partial summary judgment and finding a variety of NEPA violations in the BLM and USFS 2007 Record of Decision eliminating the Survey and Manage mitigation measure.

In 2006, the District Court (Judge Pechman) had invalidated the agencies' 2004 RODs eliminating Survey and Manage due to NEPA violations. Following the ruling, parties to the litigation entered into a stipulated agreement exempting certain categories of activities from the Survey and Manage standard (hereinafter referred to as "Pechman Exemptions"). In his ruling, Judge Coughenour deferred issuing a remedy and left the Pechman exemptions in effect.

Judge Pechman's Order from October 11, 2006 directs: "Defendants shall not authorize, allow, or permit to continue any logging or other ground-disturbing activities on projects to which the 2004 ROD applied unless such activities are in compliance with the 2001 ROD (as the 2001 ROD was amended or modified as of March 21, 2004), except that this order will not apply to:

- a) Thinning projects in stands younger than 80 years old;
- b) Replacing culverts on roads that are in use and part of the road system, and removing culverts if the road is temporary or to be decommissioned;
- c) Riparian and stream improvement projects where the riparian work is riparian planting, obtaining material for placing in-stream, and road or trail decommissioning; and where the stream improvement work is the placement of large wood, channel and floodplain reconstruction, or removal of channel diversions; and

- d) The portions of project involving hazardous fuel treatments where prescribed fire is applied. Any portion of a hazardous fuel treatment project involving commercial logging will remain subject to the survey and management requirements except for thinning of stands younger than 80 years old under subparagraph (a) of this paragraph.”

The Olalla - Lookingglass Creek Watershed Instream Habitat Restoration project meets exemption “c” described above.

Northern spotted owl

The project would have no potential for disruption of northern spotted owls as there is no suitable habitat within disruption thresholds (35 yards) at either the Muns Creek or Thompson Creek project sites. The Thompson Creek project site is located within 1992 and 2008 designated critical habitat for the northern spotted owl. The project would have no effect on the intended function of the critical habitat because the standing trees selected for pulling or felling into the stream would not result in adverse modification of critical habitat as the trees selected are not dominant trees in the stand, and lack cavities, platforms, and large diameters that are primary constituent elements.

Marbled murrelet

The project would have no effect on the marbled murrelet at either the Muns Creek or Thompson Creek project sites as there is no suitable nesting habitat within the project area, no trees with platforms will be removed, and no suitable nesting habitat is present within the disruption threshold (100 yards) for disturbance. No daily operating restrictions are required.

Botany

Botanical surveys were completed and document that no Threatened and Endangered or Bureau Sensitive species were found in the project area.

Cultural/Historical resources

Bureau of Land Management personnel conducted cultural resource surveys on May 17 and 18, 2011 in accordance with Appendix A of the 1998 protocol with the state of Oregon (Survey Techniques for Densely Vegetated Areas in Western Oregon).

A domestic dump dating to c. 1960 was located along a proposed access route from Road No. 29-8-2.1 to Muns Creek. The site’s National Register eligibility status has not been established. Project plans have changed and equipment and materials access will occur elsewhere, avoiding any impacts to the site. The site has been given a temporary number – OR-10-291.

No resources were identified at the Thompson Creek project area. A National Register “Eligible” archaeological site (35DO665) underlies a user-developed campground on the stream terrace south of BLM road 30-7-5.1, at the confluence of Olalla Creek and Thompson Creek.

This is approximately 600 feet west of the project area. To avoid impacting this known site, activities such as equipment or materials staging will not be allowed in the vicinity of the site.

The BLM has completed its Section 106 responsibilities for this project. A Project Tracking Form (CRS No. SR1104) 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:

This decision is appealable under regulations contained in 43 CFR § 4.410. Any appeals of the decision must be filed with the authorized officer within thirty (30) days of publication of this notice, on June 14, 2011.



Steven Lydičk
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South River Field Office

6/13/2011
Date