DECISION MEMO

Corvallis Watershed Aquatic Restoration Project

USDA Forest Service
Siuslaw National Forest
Central Coast Ranger District
Benton County, Oregon

Township 12 South, Range 6 West, Section 19 and Township 12 South, Range 7 West,
Sections 10, 11, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35.

Background

The Marys River Preliminary Watershed Analysis (1999) and the Supplement to the Marys River Preliminary Watershed Analysis (2005) identified barriers in Rock Creek and its tributaries to cut-throat trout and other aquatic organisms. It was also recognized that large wood was lacking within the portion of Rock Creek that passes through the City of Corvallis and private land prior to entering Greasy Creek. The Marys River Watershed Council, City of Corvallis, the private landowner and the Forest Service worked together in the Marys Peak Stewardship Group to identify the opportunities to restore fish passage and restore habitat. Design grants for culvert replacement were applied for and received from the Oregon Water Enhancement Board (OWEB).

Two culverts on Forest Service Road 3405 are proposed to be replaced to meet the 100 year flood criteria. One culvert is located on Griffith Creek and the other is located on the Middle Fork of Rock Creek. Also, 85 trees between 24 and 36 inches in diameter are proposed to be cut from Forest Service land and helicopter placed in the lower reach of Rock Creek.

The Griffith Creek culvert is an under sized perched pipe that would be removed and replaced with a 14 foot wide corrugated squash pipe and lined with aggregate to simulate a stream bed. The pipe would be 70 feet long and would be placed under Forest Service Road 3405 which passes through the City of Corvallis Watershed Property.

The Middle Fork Rock Creek culvert is an undersized perched pipe that would be removed and replaced with a 14 foot wide corrugated squash pipe and lined with aggregate to simulate a stream bed. The pipe would be 85 feet long and would be placed under Forest Service Road 3405 which passes through the City of Corvallis Watershed Property.

Full span large wood structures would be built using whole trees. Individual trees would be cut from suitable or dispersal habitat or habitat with potential nesting structure after August 6 and prior to March 1 (unless such habitat has been surveyed and determined to be unoccupied) and may be stock piled for later use or immediately placed into the stream channel or flood plain. These trees would be removed by helicopter. No suitable nesting trees or trees greater than 36 inches dbh would be removed. Selected single trees or small groups of trees (2-4 trees) would be (1) along the periphery of permanent openings (e.g., rights-of-way, powerlines, rivers etc.), or along the periphery of non-permanent openings (e.g., along plantation edges, along recent clearcuts [less than 40 years old]); (2) single trees may only be removed from the first two lines of trees and would be dispersed along these edges; (3) single trees or small groups of trees (2-4 trees) must be spaced at least one site potential tree height apart and at least one crown width
from any trees with potential nesting structure for any listed species. The trees would be placed by helicopter in lower 3.5 miles of mainstem Rock Creek. Twenty-nine sites have been identified in the mainstem of Rock Creek from the 2nd bridge crossing to the confluence of the North Fork and South Fork of Rock Creek. These sites were selected as sites exhibiting the greatest potential for encouraging floodplain interaction during winter flow regimes. Three to five tree length Douglas-fir will be incorporated into each site in orientations that are designed to capture transient woody material and accumulate bedload. The development of interactive floodplains and hyporheic flow is a target goal to help address the summer temperature limitations that have been identified.

**Decision**

I have decided to enhance fish habitat in Rock Creek by:

- Replacing the two culverts, Griffith Creek and Middle Fork Rock Creek, in Forest Service Road 3405.
- Utilizing 85 Douglas-fir trees with diameters between 24 to 36 inches, to be placed in Rock Creek by a helicopter to enhance approximately 3.5 miles of stream.

The selection, felling, movement and placement of the wood will follow the design criteria described in current Letter of Concurrence (LOC) for wildlife (USDA USDI 2006; Letter of Concurrence for Habitat Modification 2007-2008 activities, FWS Reference Number 1-7-06-I-0190, p. 8). Implementation schedule will be consistent with requirements in this LOC.

There are no listed fish species present in the basin. There is no effect to ESA listed threatened and endangered aquatic species.

**Scoping and Public Involvement**

This project is a culmination of public scoping at several forums. The Marys Peak Stewardship Group brought all the players together, but Rock Creek restoration has also been a subject at the Marys River Watershed Council and at the City of Corvallis watershed advisory Commission meetings. A field trip, attended by 18 people, to the site sponsored by the Marys Peak Stewardship Group was held October 20, 2007. Substantial funding to design and implement this project was received from the Oregon Enhancement Board which also reviewed the project. The project has been listed in the Siuslaw National Forest’s quarterly “Project Update” publication since the Fall 2007 edition.

**Extraordinary Circumstances Review**

Site-specific conditions were reviewed on the ground to determine if the potential effects on resources would result in the existence of an extraordinary circumstance, thus precluding the use of the categorical exclusion:

1. **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species**

This project is not likely to jeopardize the continued existence of federally listed species or result in adverse modification of designated critical habitat because there are no listed fish species in the basin and because this project is consistent with requirements described in
current consultation documents for listed wildlife (USDA USDI 2006; Letter of Concurrence for Habitat Modification activities 2007-2008, FWS Reference Number 1-7-06-I-0190).

Based on the design of the Project, it is consistent with US Forest Service goals for wildlife.

2. Floodplains, wetlands, or municipal watersheds

Floodplains: Executive Order 11988 requires federal agencies to avoid adverse impacts associated with the occupancy and modification of floodplains. A substantial portion of the Project is located within the floodplain of Rock Creek. The Project will not further degrade, but will improve, hydrologic conditions on the floodplain. As such, there will be no adverse impacts to floodplains; thereby complying with EO 11988 and FSH 1909.15, Chapter 30.3.2.

Wetlands: Executive Order 11990 requires federal agencies to avoid adverse impacts associated with destruction or modification of wetlands. The Project will not modify or destroy wetlands. As such, the Project will not adversely affect wetlands; thereby complying with EO 11990 and FSH 1909.15, Chapter 30.3.2.

Municipal Watersheds: The Project area is located in the City of Corvallis municipal watershed. The actions associated with this Project will not adversely affect the municipal watershed, thereby complying with FSH 1909.15, Chapter 30.3.2.

3. Congressionally designated areas, such as wilderness, wilderness study areas, or National Recreation Areas

The Project is not located in or near a congressionally designated area.

4. Inventoried roadless areas

The Project area is not located in an inventoried roadless area.

5. Research Natural Areas

The Project is not within any proposed or designated Research Natural Areas.

6. American Indians and Alaska Native religious or cultural sites

As outlined in the American Indian Religious Freedom Act, no effects are anticipated on American Indians and Alaska Native religious or cultural sites.

7. Archaeological sites, or historic properties or areas

Based on a records search, the Project will not affect known archaeological or historic sites.

Findings Required By Other Laws and Regulations

This decision is consistent with the 1990 Siuslaw National Forest Land and Resource Management Plan (Siuslaw Forest Plan), as amended by the 1994 Record of Decision (ROD) for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (Northwest Forest Plan), including all plan amendments in effect on the date of the decision.

Other Laws and Regulations

National Forest Management Act—This Act requires all projects and activities to be consistent with the Forest Land and Resource Management Plan. This project and decision are consistent with the Siuslaw Forest Plan, as amended by the Northwest Forest Plan.
Endangered Species Act—See previous section, Item 1.

Migratory Bird Treaty Act—The Migratory Bird Treaty Act of 1918 (MBTA), as amended, was established to protect migratory birds. This act makes it illegal to pursue, hunt, take, capture, kill, or possess migratory birds or any part nest, or egg of any such bird (16 U.S.C. 703-7012). In January of 2001 an Executive Order 13186 was issued on the Responsibilities of Federal Agencies to Protect Migratory Birds. It specifies the need to avoid or minimize any adverse impacts on migratory birds. The order addressed the need to restore and enhance the habitat of migratory birds. This project and decision are consistent with the MBTA.

National Historic Preservation Act—See previous section, Item 7.

Archaeological Resources Protection Act—See previous section, Item 6.

National Environmental Policy Act—This Act requires public involvement and consideration of potential environmental effects. The documentation of this decision supports compliance with this Act.

In accordance with Executive Order 12898, this project will not result in any disproportionate impact to minority or low-income populations.

This project is consistent with the Aquatic Conservation Strategy objectives. The ACS assessment is on file at the Corvallis office.

Project implementation is consistent with other Federal, State, and local laws for the protection of the environment.

Reasons for Categorically Excluding this Project

Based on a review of the expected impacts and consultation with District and Forest resource specialists, I have determined that: (1) this action will have limited context and intensity; (2) there will be no irreversible commitment of resources or irretrievable loss of site productivity in the project area; (3) there will be no apparent adverse cumulative or secondary effects. There are no known conflicts with any other planned or proposed activities on National Forest land in the area. Therefore, this action is categorically excluded from documentation in either an Environmental Assessment or and Environmental Impact Statement. The category for this action is found in Forest Service Handbook (FSH) 1909.15, Environmental Policy and Procedure Handbook, Section 31.2, #7 Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices and Section 31.2, # 12 Harvest of live trees not to exceed 70 acres, requiring no more than ½ mile of temporary road construction.

Implementation Date

This project will be implemented in the summer of 2008.

Appeal Opportunities

This decision is not subject to appeal pursuant to 36CFR215. Implementation of this decision may begin immediately.
Contact Person
For additional information concerning this decision or the Forest Service appeal process, contact Frank Davis at (541) 750-7077.

_/s/ Pamela J. Gardner______________________________  MAY 22, 2008 ____________________________
PAMELA J. GARDNER
District Ranger

DATE