



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

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## **Decision Record for the New River Health Environmental Assessment**

### **EA OR-128-03-11**

#### **Background**

The Coos Bay District, Bureau of Land Management (BLM), has prepared an Environmental Assessment (EA) that analyzes alternatives of the New River Health project. The goal of this project is to enhance habitat conditions within the New River Area of Critical Environmental Concern (ACEC) by temporarily breaching the river across the foredune to the Pacific Ocean at a site located on federal lands. The timing and location of a temporary breach has the potential to improve aquatic and coastal dune habitats for listed threatened fish and wildlife species under the Endangered Species Act (ESA), including the Oregon coast coho salmon and Western Snowy Plover. Breaching the river to improve these habitats is also meant to aid local ranchers by minimizing excessive out-of-bank winter stream flows and flooding of adjacent pastures.

The rationale for developing the New River Health project is to find a more ecologically sound alternative to the current mechanical breach site at the southern end of New River near Floras Creek. Since the early 1970s, New River has been breached at this location by adjacent ranchers during various winters to alleviate flooding of their pastures. In October 2000, Oregon Parks and Recreation Department (OPRD) issued a five-year Ocean Shore Permit (BA-512-00) to the local ranchers for this purpose.

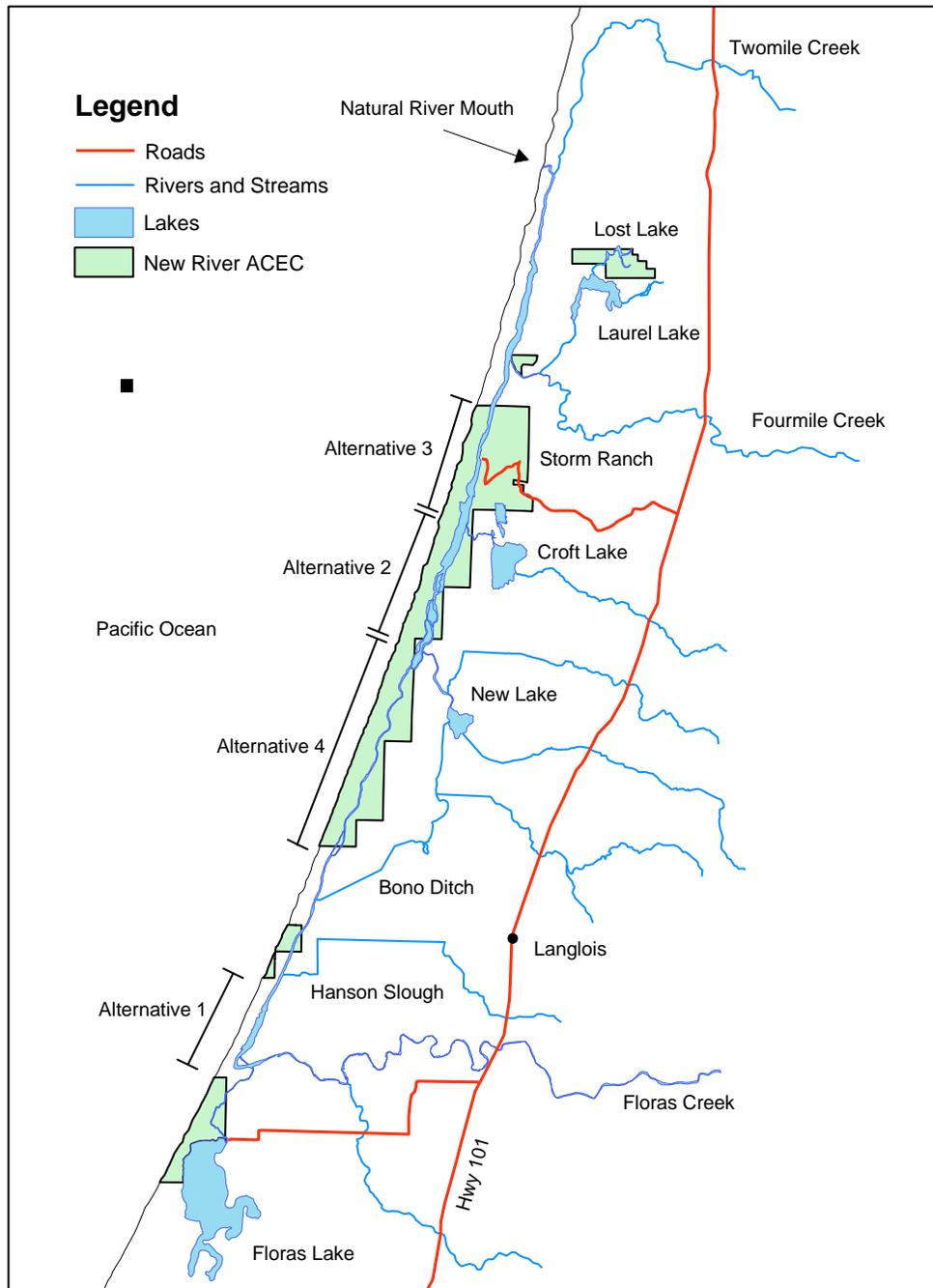
Under the no action alternative (Alternative 1) described in the EA, there would be no change in BLM's current management strategy. As a result, under the current Ocean Shore Permit, mechanical breaching of the river could continue on private land along the southern portion of New River near Floras Creek. See Figure 1 for the general location of this alternative and the other preferred alternatives.

The proposed action (Alternative 2) would temporarily breach New River across the foredune to the ocean on BLM land located between New Lake and Croft Lake outlets. When mechanical breaching is necessary during flood events, opening the river across the foredune at this location will help maintain a more connected river channel by flushing out sediment that has accumulated

throughout shallow portions of the river. This will in turn encourage natural breaching processes to occur on the north end of the river by creating a deeper channel that drains more readily.

In addition to the no-action and proposed action, the EA analyzed two other alternatives. Alternative 3 involves mechanically breaching New River on BLM land between Croft Lake outlet and the northern boundary of the Storm Ranch portion of the ACEC. Alternative 4 involves mechanically breaching New River on BLM land located between Bono Ditch and New Lake outlet. Both of these temporary breach locations have the potential to improve aquatic and coastal dune habitat while encouraging the natural flow of the river to the north.

**Figure 1. Vicinity Map of New River.**



The EA determined that a breach at any of these alternative locations is preferred to a southern breach near the bend in Floras Creek to avoid rapid de-watering of New River during flood events and subsequent fragmentation of the riverine system during summer low-flow conditions. As a result, the EA concluded with a Finding of No Significant Impact (FONSI).

On August 1<sup>st</sup>, 2003, the Coos Bay District announced (via public notice published in The World Newspaper) the availability of the EA and FONSI for public comment until August 20<sup>th</sup>. Copies of the EA and FONSI were sent to the appropriate government agencies, public interest groups, and individuals on the Coos Bay District mailing list. These documents were also available on the District's website (Home page: <http://www.or.blm.gov/coosbay>).

The District received one formal written comment from the Department of Environmental Quality (DEQ). The letter stated that "the proposed action should have a positive effect on water quality [over] time in the New River system." DEQ offered to collaborate with the BLM on designing a water quality monitoring strategy related to this project.

## **Decision**

Based on the recommendations of the recently completed EA, my decision for the up-coming 2003-2004 winter is to adopt the proposed action (Alternative 2). This alternative allows for the establishment of a temporary breach on BLM land located between New Lake and Croft Lake outlets. This mechanical breach will only be conducted if winter-time flooding does occur and all conditions outlined in the Ocean Shore Permit are met.

Due to the dynamic ecological conditions associated with New River, it is not reasonable to assume that a simple, one-time solution will improve the long-term health of this unique coastal ecosystem while providing adequate flood relief of adjacent ranches. Therefore, it is my decision to adopt an adaptive management approach to breaching New River on federal lands that has the flexibility of incorporating the three viable alternatives (Alternatives 2, 3, and 4) analyzed in the EA. If it is necessary to mechanically breach New River during future flooding events, the timing and location of the breach will be based upon the following selection criteria and monitoring strategy.

## **Selection Criteria and Monitoring Strategy**

- 1) Survey cross-channel and longitudinal profiles at various locations along New River to determine how effective different breaches are at deepening the river channel. When determining the location of a future mechanical breach, use the profile data to select a portion of the river that is susceptible to channel drying during the summer.
- 2) Install and monitor staff gauges at key locations along New River to determine the extent of flooding and the draw-down rate after a breach event has occurred. When determining the location of a future mechanical breach, select a site that does not result in rapid de-watering of the system yet adequately alleviates flooding of adjacent private lands.

- 3) Map the extent of flooding on adjacent ranchlands using photographs taken from aerial flyovers or from lookout points along Langlois Mountain Road. In conjunction with flood-inundation mapping, assess the flood frequency based on the upstream Floras Creek staff gauge. These hydrological studies will provide information to determine if a future flooding event is considered severe enough to warrant a mechanical breach.
- 4) Develop and implement a photo point monitoring plan to document changes in foredune morphology before, during, and after a mechanical breach. Monitor breach outlet stability in relation to its placement within the littoral cell and its proximity to ocean embayments. Results will help determine if a breach closes too quickly to prevent adequate flood alleviation or creates a permanent outlet that limits natural movement of the river mouth to the north.
- 5) Prior to each winter season, the BLM staff will collaborate with adjacent ranchers to evaluate the monitoring results and review the selection criteria to determine the most appropriate timing and location for a potential mechanical breach.

## **Decision Rationale**

The proposed action has been selected for the following reasons:

- 1) The project complies with the *New River ACEC Management Plan*. The primary goal of this plan is to manage habitats at New River for biodiversity and ecosystem health with special emphasis on sensitive fish, wildlife, and botanical species. The *New River ACEC Management Plan* is tiered to the *Coos Bay District Resource Management Plan* and its *Record of Decision*. These plans are in conformance with the *Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl*.
- 2) The project complies with the Endangered Species Act, the Clean Water Act, and does not retard or prevent attainment of Aquatic Conservation Strategy (ACS) objectives.
- 3) The project improves BLM's ability to collaborate with an adjacent landowner on resource management issues important to the overall health of the New River estuary.
- 4) Consultation with the National Marine Fisheries Service (NOAA Fisheries) has resulted in a biological opinion supports the project with certain terms and conditions. These terms and conditions focus primarily on monitoring the effectiveness of a temporary breach, which is addressed in the 'Selection Criteria and Monitoring Strategy' section of this Decision Record. As part of the terms and conditions, BLM will also complete a spill control and countermeasures plan to prevent accidental point-source pollution related to construction operations. NOAA Fisheries also requested that the following Salvage notice be included as a condition of the project:

“NOTICE. If a sick, injured, or dead specimen of a threatened or endangered species is found, the finder must notify the Vancouver Field Office of NOAA Fisheries Law Enforcement at (360) 418-4246. The finder must take care in handling of sick or injured specimens to ensure effective treatment, and in handling dead specimens to preserve biological material in the best possible condition for later analysis of cause of death. The finder also has the responsibility to carry out instructions provided by Law Enforcement to ensure that evidence intrinsic to the specimen is not disturbed unnecessarily.”

- 5) Consultation with the United States Fish and Wildlife Service (USFWS) has resulted in a biological opinion also supports the project with certain terms and conditions. These terms and conditions focus on monitoring of the temporary breach as it relates to changes in beach morphology, which is also addressed in the ‘Selection Criteria and Monitoring Strategy’ section of this Decision Record.

### Appeals

This decision may be appealed to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with regulations contained in 43 CFR, Part 4. If an appeal is taken, your notice of appeal must be filed at the Myrtlewood Field Office, BLM, 1300 Airport Lane, North Bend, OR, 97459, within 30 days of the approved signature date below. The appellant has the burden of showing that the decision being appealed is in error.

#### Decision recommended by:

NRSA: *Dennis Turowski*

Date: *11/25/03*

NRSA: *Terri Colby*

Date: *11/25/03*

NRSA: *Gregg Nelson*

Date: *11/25/03*

#### Decision Approved by:

*Richard Conrad*  
Myrtlewood Field Manager

Date: *11/25/03*