

**South River Programmatic Restoration
Environmental Assessment
(EA # OR-105-04-03)
South River Field Office
Date Prepared: May 27, 2004**

**Little Muley Creek Culvert Replacement
Decision Documentation**

Decision:

It is my decision to authorize the replacement of a large stream-crossing culvert on Little Muley Creek, located beneath BLM Road No. 29-8-2.1 on BLM-managed land and an easement on private land in the NW¹/₄NW¹/₄, Section 2, T. 29 S. R. 8 W., W.M. District and Field Office engineering personnel have identified the culvert as at-risk for failure. Hydrology and fishery personnel from the South River Field Office identified the culvert as a source of sediment and an impediment to upstream and downstream passage by juvenile fish, and other aquatic organisms.

A temporary bypass road will be constructed to provide access to Federal and private forest lands, and other properties located above the project site. It will be removed upon completion of the project.

Culvert design incorporates requirements of *the Oregon Road/Stream Crossing Restoration Guide* published by the Oregon Department of Forestry in 1999. Installation will incorporate Best Management Practices from Appendix D (pp. 134-136) of the *Roseburg District Record of Decision/Resource Management Plan* (ROD/RMP June 1995). Among the project design features and controls to be implemented are:

- All excavation and earth-moving equipment will be pressure washed or steam cleaned prior to mobilization in and out of the project site, to minimize the risk of introducing soil from outside the project area that may be contaminated with noxious weed seed or root materials. Disturbed areas will be seeded and mulched or otherwise revegetated.
- In-stream construction activities will be confined to the period between July 1 and September 15, during low summer stream flows.
- Prior to the commencement of work, absorbent booms will be installed downstream of the project site to contain any inadvertent spillage of petroleum products.
- Stream flow will be diverted or pumped around the project site during construction activities, and in-stream equipment operation will be minimized to the extent practicable.
- Any resulting waste material will be end-hauled to an authorized upland disposal site.
- The existing culvert will be replaced with an open-bottom metal arch sized to greater than bank-full width, and designed to pass a 100-year flood event. The arch will reduce stream flow velocities that impede upstream and downstream passage by juvenile resident fish, anadromous fish and other aquatic fauna. This will also allow accumulation of substrates (spawning gravels).

Rationale for the Decision:

This project was analyzed under Alternative 2, the “proposed action”, of the South River Programmatic Restoration EA. Its implementation will meet the objectives of reducing sediment and restoring fish passage. Alternative 1, the “no action” alternative, would not meet the identified objectives or need.

The replacement of the culvert will not result in any undue environmental degradation. The project is consistent with Aquatic Conservation Strategy objectives contained in the ROD/RMP (pp. 20-21). Specifically, the project will aid in the maintenance and restoration of in-stream flows; maintenance and restoration of spatial and temporal connectivity in the watershed; maintenance and restoration of the natural sediment regime; and maintenance and restoration of aquatic habitat. The project is also consistent with the management objective “To preclude stream crossings from being a direct source of sediment to streams thus minimizing water quality degradation and provide unobstructed movement for aquatic fauna.” (ROD/RMP, p. 134)

Potential effects to the Federally-threatened Oregon Coast coho salmon, the Oregon Coast steelhead trout, and Essential Fish Habitat are associated with sediment. With application of the project design features described above and identified in the National Marine Fisheries Service *Programmatic Biological and Conference Opinion for Programmatic Activities Affecting SONC Coho Salmon, OC Coho Salmon, and OC Steelhead* the effects will be localized and short term. The actions may affect but are “not likely to adversely affect” coho salmon and would “not have an adverse effect” on Essential Fish Habitat. Replacement of the existing culvert will restore access to approximately one mile of aquatic habitat utilized by coho salmon, steelhead trout and cutthroat trout.

The project area is within the range, as identified by the U.S. Fish and Wildlife Service, of Kincaid’s lupine (*Lupinus sulphureus var. kincaidii*), a Federally-threatened species. The site was surveyed but no lupine was located, hence there would be “no effect” on the species. No other special status species identified in the EA were located.

In a letter dated May 13, 2004, addressing the reinitiation of consultation for modification of distances for activity based disturbance (Ref. I-15-04-F-0301), the U.S. Fish and Wildlife Service adopted new disturbance threshold distances. For projects that involve the operation of heavy equipment, jackhammers or rock drills, and chainsaws this distance varies from 35 to 65 yards for spotted owls. For marbled murrelets the distance is 100 yards.

There are no spotted owl activity centers within ¼-mile of the project site and there is no suitable habitat present in the vicinity of the culvert or bypass road. As a consequence, there would be “no effect” on owls with respect to either disturbance or modification of suitable habitat.

There is no suitable marbled murrelet nesting habitat within ¼-mile of the project area, subsequently there would be “no effect” to marbled murrelets for disturbance or modification of habitat.

No issues were identified by any local or tribal governments, State agencies, or other Federal agencies. The EA and Finding of No Significant Impact were made available for public review from May 5 to May 25, 2004. Comments were received from one organization which did not constitute new information or identify issues not addressed in the South River Programmatic Restoration EA, ROD/RMP, or the Roseburg District *Proposed Resource Management Plan/Environmental Impact Statement*.

Monitoring:

Monitoring will be done in accordance with the 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.

Protest Procedures:

As outlined in 43 CFR § 5003 - Administrative Remedies, protests may be filed with the authorized officer within 15 days of the publication date of the Decision Notice in *The News-Review*, Roseburg, Oregon.

The Code of Federal Regulations, at 43 CFR 5003.3 subsection (b) states that “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 or facsimile protests. Only written and signed hard copies of protests that are delivered to the Roseburg District Office will be accepted.

John A. Royce
Acting Field Manager
South River Field Office

Date