

**Decision Notice/Finding of No Significant impact:
Upper Trout Creek Riparian, Stream Channel and Fish Passage Rehabilitation Project**

DECISION NOTICE & FINDING OF NO SIGNIFICANT IMPACT

**Upper Trout Creek Riparian, Stream Channel and Fish Passage
Rehabilitation Project**

USDA FOREST SERVICE

**Mount Adams District, Gifford Pinchot National Forest
Skamania County, Washington**

T. 4N, R. 6E, Sections 1, 2, 3, 4, 10, 11, 13, 14, 22, 23, 24;

T. 4N, R. 7E, Sections 19, 25, 30; and

T. 5N, R. 6E, Section 34, W.M.

DECISION AND REASONS FOR THE DECISION

Background

The Trout Creek watershed is vital for recovery of threatened Lower Columbia River summer steelhead within the Wind River basin. Timber harvest, splash dams, stream clean-outs and floods have removed stream shade, in-stream large woody debris, and reduced channel stability in the upper portion of Trout Creek. The lack of riparian and upland vegetation within the project area are negatively affecting water quality and fish habitat. This project is designed to accelerate the recovery of impaired watershed processes. The actions proposed are needed to restore fish passage, rehabilitate water quality and habitat for steelhead and late seral dependent species within this portion of Trout Creek. Coincidentally, some mature forests stands are located within the project area that lack structural diversity, complexity, and are overstocked.

The purpose of the action to be taken at this time within the upper Trout Creek, Layout, Compass, Crater and Planting Creek area is to:

1. accelerate the development of riparian forest and canopy cover to improve bank stability, stream shade and reduce water temperature;
2. restore the volume of in-stream large woody debris to aggrade stream channels to restore floodplain connectivity, stream sinuosity, off-channel habitat, and reduce peak flow velocities;
3. rehabilitate sediment and nutrient deposition/routing;
4. restore pool quality and frequency to provide high quality habitat for threatened steelhead;
5. accelerate the growth rates and recovery of riparian stands;
6. and restore fish passage.

The EA identified restoration of the historic characteristic structure and complexity of stands within Late-Successional Reserves (LSR) as a purpose for this action. However, only a small number of acres within the non-riparian LSR would be affected by this action. I have determined that this is not a primary purpose for this action.

Similarly, the EA identified restoration of optimal cover for deer and elk within their winter range as a purpose of the action and as an issue. There is an opportunity with this project to more quickly develop optimal thermal cover through thinning young stands and underplanting to begin to develop a second conifer overstory layer (EA, p. 52), however this is not a primary purpose for this action.

This action is needed, because:

- the Trout Creek watershed provides vital spawning and rearing habitat for threatened Lower Columbia River summer steelhead;
- maximum water temperatures have exceeded the lethal limits (>75° F) of steelhead within the project area in recent years (*Wind River Watershed Analysis*, 2001; page 133);

- riparian stands are underdeveloped due to stream channel instability and intense competition for resources as a result of high stocking densities (*Wind River Watershed Analysis*, 2001, pg. 145);
- riparian stands are estimated to be only providing <30% stream shade;
- low flow stream channel width to depth ratios within the project area exceed historic reference conditions by >50% which increases the surface area of stream exposed to solar radiation (*Wind River Watershed Analysis*, 2001; pages 146 - 147);
- approximately 40% of the stream banks within the project area are considered unstable and eroding (*Wind River Watershed Analysis*, 2001; pages 148 - 149);
- segments of stream channels within the project area have “down-cut” or degraded and lost connectivity with floodplains and side channel habitat;
- the quantity of in-stream large woody debris within the project area (57 pieces per river mile on average) is <45% the historic reference conditions (130 pieces per river mile on average) (*Wind River Watershed Analysis*, 2001; pages 140 - 141);
- pool quality and quantity values are both significantly less than reference reaches found in the watershed (*Wind River Watershed Analysis*, 2001; pages 142 – 143);
- upland matrix stands are underdeveloped due to intense competition for resources as a result of high conifer stocking densities;

There was also a need identified to replace culverts along Forest Service roads 4200 and 4300 that restrict fish passage to 1.7 river miles of steelhead habitat and pose a risk to downstream spawning habitat. The effects of replacement of the culverts was analyzed through the Upper Trout Creek Riparian, Stream Channel and Fish Passage Rehabilitation Project EA and separate decisions were issued for these replacement actions (*Decision Memo: Trout Creek/Forest Road 42 Fish Passage Improvement Project*, and *Decision Memo: Trout Creek/Forest Road 42 Fish Passage Improvement Project*, both signed June 24, 2004).

The environmental assessment (EA) documents the analysis of two action alternatives to meet this need. Following is a summary of the actions involved in each of the alternatives. A comparison of these alternatives can be found in the EA on page 22.

Alternative A – No action

Alternative B – The proposed action

This alternative would allow rehabilitation of approximately three miles of Trout Creek, two miles of Crater Creek, two miles of Compass Creek, three miles of Layout Creek and over one and a half miles of Planting Creek. Trees would be acquired from thinning young (40 – 50 year old) stands within the Trout Creek watershed. Helicopters would only be used to stockpile some of the material near the treatment sites. Approximately 2 acres of riparian area would be damaged from these stockpiles. Implementation of this alternative would rely on approximately 9,750 feet of previous skid trails and approximately 12,234 feet of new temporary skid trail construction in Riparian Reserves and approximately 39,114 feet of temporary skid trail construction in upland thinning units to provide access directly to the instream/riparian restoration sites and to acquire the woody material from riparian and upland vegetation management units.

Approximately 472 acres of riparian thinning are included in this alternative with the primary objective of conifer release. Approximately 300 acres of second-growth would be thinned followed by underplanting. Approximately 172 acres of young stands would be thinned to release conifers.

Douglas-fir trees dominate the project area and would be the principal species removed from upland stands for in-stream structures and in skid trail construction, however scattered fir, alder, and hemlock, may also be cut in the development of skid trails. It is anticipated that approximately 100 trees would be removed for every ¼ mile of skid trail constructed. No western redcedar of any size would be cut in the construction of skid trails.

After the completion of the project all skid trails would be decommissioned and vehicle access blocked.

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In all, approximately 6,000 whole trees would be used either singly as LWD or in the creation of in-stream large wood complexes. All riparian forests outside the 100-year flood plain would also be supplemented with coarse woody debris and underplanted with a mix of western redcedar, western hemlock, grand fir, and western white pine.

Alternative C

Alternative C would treat the same areas as Alternative B however; implementation of this alternative would rely more heavily on helicopters to transport trees to the stream. The main differences from Alternative B are as follows:

- Helicopter stockpiles would damage approximately 3.9 acres of riparian area under this alternative.
- Approximately 6,150 feet of temporary skid trail construction would occur to provide access directly to project sites.

Decision

Based upon my review of all alternatives, I have decided to implement a modified version of Alternative B. This decision includes all of the required mitigation as listed in the EA and in Appendix A of this Decision Notice. The changes from the Proposed Action (Alternative B) as it was described on page 2 of this Decision Notice and in the EA are as follows:

- Thinning of Units 1, 3, and 4 will be limited to moderate thinning with an average of at least 40% canopy closure following thinning treatments.
- Unit 7 will be thinned with a light thinning prescription, with an average of at least 50% canopy closure following thinning treatments.
- In addition to retention of old growth and snag trees as legacy trees in all units, thinning will retain trees larger than 30 inches in diameter.
- Within Compass Creek; Crater Creek; Trout Creek from the confluence of Compass Creek, and above; Layout Creek from the upper 0.5 mile of reach one, and above (including the North Fork and South Fork); and Planting Creek upper end of proposed project area, all activities including construction of channel and floodplain structures, road, skid trails, and landings, "buck and chuck", and riparian thinning and release treatments, must be reviewed and approved by the District Botanist before they can be implemented.
- Use of helicopters will be emphasized more than in the Proposed Action, however landing areas in or near riparian reserves will be avoided or limited in size.
- Replacement of culverts on Forest Service roads 4200 and 4300 were approved by separate decisions (*Decision Memo: Trout Creek Tributary/Forest Road 42 Fish Passage Improvement Project*, June 24, 2004; and *Decision Memo: Trout Creek Tributary/Forest Road 43 Fish Passage Improvement Project*, June 24, 2004).
- An additional mitigation measure was added to ensure public safety during helicopter operations: During helicopter stockpile operations, forest roads and dispersed recreation sites which cross under the flight path will be closed or have traffic control.

As modified, Alternative B will result in fewer adverse impacts to the environment than the description of the Proposed Action as it appears in the EA.

Rationale for the Decision

As compared to Alternative A, both Alternatives B and C meet the purpose and need for this action by rehabilitating the degraded reaches of Trout, Compass, Crater, and Layout Creeks and accelerating the recovery of riparian areas, water quality and steelhead habitat.

Alternative B, as modified, would impact fewer acres of riparian area but would add the use of helicopters to reduce overland transport of logs and thereby reduce the need for construction of temporary skid trails

in the Riparian Reserve. Helicopter stockpiles will be located on gravel bars and previously disturbed sites.

Modification of Alternative B will include mitigation that requires that all project activities within the Compass Creek, Crater Creek and the upper reaches of Trout Creek, Layout Creek, and Planting Creek, including construction of channel and floodplain structures, road, skid trail and landings, and riparian thinning and release treatments (including “buck and chuck”), must be reviewed and approved by the District Botanist. This mitigation would maintain habitat quality for the sensitive species, *Corydalis aquae-gelidae*.

Though the original proposal for the Win Thin Timber Sale was used as the basis for the harvest prescription for this project, the Win-Thin harvest prescription was not fully analyzed and that analysis had not been released for public comment. The effects of the Win-Thin harvest prescriptions were not specifically addressed in the *Upper Trout Creek Riparian, Stream Channel and Fish Passage Rehabilitation Project* EA and therefore heavy thinning and group openings were not adequately analyzed. Thinning prescriptions that are limited to moderate or light thinning are consistent with the purpose and need for this action.

PUBLIC INVOLVEMENT

As described in the background, the need for this action was documented in the first iteration of the *Wind River Watershed Assessment*, 1996. A proposal to “restore riparian areas and channel stability to recover viable populations of wild steelhead in upper Trout Creek and its tributaries” has been listed in the Schedule of Proposed Actions (Gifford Pinchot National Forest *Pinchot Projects*) since the winter 2000 edition.

In March 2003, a scoping letter soliciting comments and ideas pertinent to the proposed action was prepared and mailed to approximately 50 individuals, organizations, industry representatives, neighboring natural resource management agencies, and the Yakama Indian Nation.

Using these comments the interdisciplinary team identified several issues regarding the effects of the proposed action. The main issues of concern were:

- effects to water quality leading to adverse effects to threatened steelhead (EA, page 9), and
- potential to introduce and/or spread noxious weeds (EA, page 10).

To address these concerns, the Forest Service created the alternatives described above.

Notice of the availability of the EA for a 30-day public comment period was published in the April 16, 2004 edition of *Columbian*, the newspaper of record for the Mount Adams District. The comment period closed on May 17, 2004. Three letters of comment were received. The comments and Forest Service responses have been summarized and appear as Appendix I to the EA.

FINDING OF NO SIGNIFICANT IMPACT

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

1. The nature of this project (stream rehabilitation and restoration) is not listed within the Forest Service Handbook 1950 Chapter 20.6 under the classes of actions requiring an environmental impact statement.
2. The beneficial effects of the action do not bias my finding of no significant environmental effects.

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3. I find that there will be no significant effects on public health and safety. This action may indirectly affect the safety of the public during helicopter operations. Public access to the area during helicopter operations will be restricted (Mitigation Measure 51, Appendix A, p. 7).
4. I find that there will be no significant effects on unique characteristics of the area. The West Crater Geologic Special Interest Area is adjacent to the project area. Actions occurring within the project area would have no effect to this area. Mitigation measures have been included to avoid impacts to cultural resources (EA, page 19 and Appendix A, p. 5). While there are wetlands and flood plains in proximity and downriver of the three reaches and riparian zones that comprise the project area, there would be no change in their size or ecological function. (EA, page 73) This action is not within proximity of wild and scenic rivers, prime farmlands, or rangelands, thus I find that there will be no effects to these areas. (EA, page 73)
5. I find that the effects on the quality of the human environment are not likely to be highly controversial. There is no known scientific controversy over the impacts of the project. The comments to the EA indicate that this action is not considered controversial. (EA, Appendix I)
6. Through implementation of similar stream rehabilitation projects in the Hatchery Reach and Mining Reach of the Wind River, the Forest Service has gained considerable local experience with the types of activities to be implemented. Thus, I have determined that the effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk.
7. I find that this action is one of several similar actions and is not likely to establish a precedent for future actions with significant effects, or represent a decision in principle.
8. I find that the cumulative impacts are not significant. Cumulative impacts are addressed by resource area in Chapter III of the EA.
9. I find that the action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because known sites will be protected by avoidance (see EA page 19 and Appendix A, p. 5).
10. I find the action, as mitigated, will be conducted in accordance with the Endangered Species act of 1973 (16 U.S.C. 1536) and the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as amended by the Sustainable Fisheries Act of 1966 (16 U.S.C. 1855). For Threatened and Endangered aquatic species described in the *Endangered Species Act - Section 7 Consultation Biological Opinion & Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation* (National Marine Fisheries Service (NOAA), February 20, 2004). NOAA authorized an incidental take of Lower Columbia River steelhead (*Oncorhynchus mykiss*) based on the Forest Service biologist's determination of *may affect and is likely to adversely affect*. NOAA concluded that implementation of the proposed project is not likely to jeopardize the continued existence of Lower Columbia River steelhead. In addition, the MSA consultation summarized that the proposed project *may adversely impact* designated Essential Fish Habitat for Chinook salmon (*O. tshawytscha*). All construction activities will follow the conservation recommendations, Reasonable and Prudent Measures and Terms and Conditions to avoid, minimize, or otherwise offset affects to aquatic resources (see Appendix A, measures 1-10). These short-term adverse effects are considered to be acceptable to gain long-term benefits to the species from this action.

A Forest Service biologist determined that this action *may affect, but is not likely to adversely affect* the following federally listed terrestrial species: bald eagles (Threatened), northern spotted owls (Threatened), gray wolves (Endangered), and grizzly bears (Endangered), or their habitat. Cascade torrent salamanders and California wolverine are identified as a Regional Forester's Sensitive species. California wolverines have been documented on the Gifford Pinchot National Forest and Cascade torrent salamanders have been documented in the project area. For both

species, the action *may impact individuals, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the populations or species.*

There are no federally Endangered or Threatened plant species or plant species Proposed for federal listing known to occur on the Gifford Pinchot National Forest. However, the Regional Forester's Sensitive species, cold water *Corydalis* (*Corydalis aquae-gelidae*), is present in the project area. The Forest Service botanist determined that this action *may impact cold water Corydalis or its habitat, but is not likely to lead to federal listing.*

Findings Required by Other Laws and Regulations

As required by the National Forest Management Act, this decision is tiered to the *Gifford Pinchot National Forest Land and Resource Management Plan* (1990) as amended by the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (1994), *Amendments to the Survey & Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines* (2001), *Amending Resource Management Plans for Seven Bureau of Land Management Districts and Land and Resource Management Plans for Nineteen National Forests Within the Range of the Northern Spotted Owl - Decision to Clarify Provisions Relating to the Aquatic Conservation Strategy* (2004), and *To Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* (2004). I find that there will be no irreversible or irretrievable commitment of resources. All helicopter landings and skid roads are temporary and will be subsoiled and reseeded upon completion of the project.

I find that all applicable state and federal requirements associated with the Clean Water Act (CWA) will be met through planning, application, and monitoring of BMP's in conformance with the CWA and Federal guidance and management direction.

I find that this action does not violate other Federal, State, or local laws designed for the protection of the environment.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at Gifford Pinchot National Forest, Claire Lavendel, Forest Supervisor, 10600 N.E. 51st Circle, Vancouver, WA 98682 (fax: (360) 891-5045).

The office business hours for those submitting hand-delivered appeals are: 8:00 AM to 4:30 PM Monday through Friday, excluding federal holidays. Appeals submitted electronically must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), Word (.doc), or portable document format (.pdf) to appeals-pacificnorthwest-giffordpinchot@fs.fed.us. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification. E-mails submitted to email addresses other than the one listed above, or in formats other than those listed or containing viruses, will be rejected. It is the responsibility of the appellant to confirm receipt of appeals submitted by electronic mail.

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Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the *Columbian*, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the *Columbian* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted substantive comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Cynthia Henchell, South Zone Planning Team Leader, (509) 395-3411 or chenchell@fs.fed.us.

Nancy Ryke

1/10/2005

Nancy Ryke
District Ranger
Mount Adams District

Date

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