



United States
Department of
Agriculture

Forest
Service

April 2004



Environmental Assessment

Expired Special Use Permits

**Barlow Ranger District, Mt. Hood National Forest,
Wasco County, Oregon**

For Information Contact: Doug Jones
6780 Hwy 35, Mt. Hood. OR 97041
541.352.6002
dgjones@fs.fed.us

Background

Several private and state facilities have existed on the Forest for up to 50 years or more, and were originally authorized to operate on the National Forest by Special Use Permits. The authorizing permits have expired, but the facilities and uses are still desired. The facilities involved are: Rock Creek Improvement District – dam, reservoir and conveyance ditches; Lost and Boulder Improvement District – irrigation ditches and pipes; Oregon Department of Fish & Wildlife (ODF&W- Cody Ditch); Oregon Department of Transportation (ODOT) Warm Springs Junction Maintenance Facility; Sportsmans Park Water Association – buried water line and storage tank.

Additional documentation, including more detailed analyses of project-area resources, may be found in the project planning record located at the Hood River Ranger District Office in Mt. Hood.

Purpose & Need for Action

The purpose of this initiative is to get the existing uses, mentioned above, into compliance with Forest Service special use permit policies by having an authorizing permit in effect. This action is needed, because the facilities and their continued operations are still desired, but these occupancies and uses are not authorized by a current, valid special use permit. The irrigation ditches provide water to farms east of the Forest in Wasco County. The ODOT maintenance facility, that includes employee housing, serves the public highways US 26 and OR 216. Sportsman’s Park Water Association’s 90,000 gallon tank and buried pipe supply water to about 150 homesites in the subdivision adjacent to Rock Creek Reservoir, the need for domestic water continues there.

Proposed Action

The action proposed by the Forest Service to meet the purpose and need is to issue new 20-year special use permits to Rock Creek Improvement District, Lost and Boulder Improvement District, ODF&W, ODOT and Sportsmans Park Water Ass’n.

Decision Framework

Given the purpose and need, the deciding official reviews the proposed action in order to make the following decisions:

Whether to issue new permits to the entities and what, if any, mitigation measures would be applied to the operations under an operation and maintenance plan.

Public Involvement

The proposal was listed in the *SPROUTS* Schedule of Proposed Actions Summer 2003 issue. No public comments were received.

Issues

#1: A concern for impacts to the fishery (White River Watershed) that includes Redband trout, a sensitive species. The concerns are related to water diversions from native streams, whether the diversions are screened to keep fish out of the ditches (Forest Plan FW-705), and what effects routine ditch maintenance might have on fish. (Internal issue)

2 #: ODOT's Warm Springs Junction maintenance facility is located at the junction of Highways 26 and 216 – both are Scenic Viewsheds in the Forest Plan. There is a concern for impacts to scenery resources by buildings and facilities at the yard. (Internal issue)

COMPARISON OF ALTERNATIVES, INCLUDING THE PROPOSED ACTION

This section describes and compares the alternatives considered for the Special Use Permit re-issue project. It includes a description and map of each alternative considered. Because no substantive issues were raised by the interdisciplinary team or the public, only one action alternative is developed.

Alternatives

Alternative 1

No Action

Under the No Action alternative, current management plans would continue to guide management of the project area. No new special use permits would be issued for the existing facilities, but they would continue to operate.

Alternative 2

The Proposed Action

Issue 20-year Special Use Permits to Rock Creek Improvement District, Lost and Boulder Improvement District, Oregon Department of Fish & Wildlife, Sportsman's Park Water Association, and Oregon Department of Transportation for all of the existing facilities involved including: 1) earthen dam and 30 acre reservoir for Rock Creek plus 3 miles of irrigation ditches and pipes with 25 ft wide right-of-way. 2) 8.4 miles of irrigation ditch and pipe for Lost & Boulder; 3) ¾ mile irrigation ditch for ODF&W's Cody Ditch serving the White River Game Mgmt Area; 4) A 6 acre site for ODOT's Warm Springs Jct facility; 5) one mile of buried water line and 90,000 gallon water storage tank for Sportsman's Park. No changes or improvements to any of the facilities are proposed under this proposal. Future developments or modifications to any of the facilities would be reviewed under separate analysis.

Mitigation Measures Common to All Alternatives

Mitigation measures were developed to ease some of the potential impacts the various alternatives may cause. The mitigation measures may be applied to the action alternative.

The Forest will work with the two irrigation districts and ODF&W to ensure all water diversions within fish bearing streams are screened. The outflow grate at Rock Creek reservoir will also be a subject for screening so that fish leaving the lake do not perish in ditches. The Rock Creek system has diversions from Souva and Gate Creeks that should be screened within 5 years. The Lost and Boulder screen will be installed in 2004 (approved in Forest-wide Restoration EA).

The Ranger District will ensure that ODOT continues to remain consistent with the Forest Plan Standards and Guides for Scenery Resource Management along Hwy 216 for the facilities in its compound. This compliance will help protect the scenic resources adjacent to the highway.

All ground disturbing work with heavy equipment will require the proponent to wash equipment before bringing it onto National Forest System lands to prevent the introduction of invasive weed seeds. If working in an area with obvious populations of invasive weeds, the equipment will be cleaned prior to operating in another area of the forest that does not have the weeds.

Any annual or unscheduled maintenance requiring earth moving or vegetation removal will be approved in advance by the authorized officer after appropriate environmental review. If more than 50 cubic yards of soil is to be removed or filled in waters of the State of Oregon, the proponent will ensure that a joint fill/removal permit is obtained from Oregon Division of State Lands (DSL) and the US Army Corps of Engineers.

ENVIRONMENTAL CONSEQUENCES

This section summarizes the physical, biological, and social environments of the affected project areas and the potential changes to those environments due to implementation of the alternatives. It also presents the scientific and analytical basis for the comparison of alternatives presented in the chart above.

Fish and Water Impacts

Alternative 1 (no action) would leave all of the formerly permitted facilities without an authorization. The Forest would not require the irrigation districts or state agencies to remove their facilities, but would allow them to operate without the overriding control of a permit and operating plan. This could result in effects to aquatic resources such as harmful sedimentation in streams from maintenance work.

Alternative 2 (Proposed Action). With a permit and its requirements, the agency can better control the activities in the permit areas to provide protection for the resources. The permit gives the agency an

ability to enforce compliance with various laws and regulations, and with Forest Plan standards. With the permit in place, the Forest can more readily coordinate with the ditch companies and outside agencies, like Wasco County Soil & Water Conservation District, to jointly work on water conservation strategies and fish-friendly facilities. Piping of ditches for water conservation has been occurring.

PBS Environmental Co. was contracted to perform field surveys and to make effects determinations (fish and wildlife) for the expired permits. The PBS biologist found (with USFS concurrence): The ODOT facility and Sportsmans Park water system would have no effect on fish nor on essential fish habitat. The irrigation ditches would have a “may impact individuals or habitat, but not likely to contribute toward Federal listing or loss of viability to the populations of the species” call with regard to inland redband trout because of water diversions. Lost-Boulder ditch is installing a fish screen on its diversion in 2004 and the Rock Creek Company and ODF&W, who divert water from Gate Creek, will be seeking grants to screen their diversions in the future. The screen on Boulder Creek will create some short-term sediment discharge into the stream and requires the removal of one mature Douglas fir tree.

Scenic Resources Along Highways 216 and 26

Alternative 1 (no action) would leave all of the formerly permitted facilities without an authorization. The Forest would not require ODOT to remove their facilities, but would allow them to operate without the overriding control of a permit. This could result in effects to scenic resources from ODOT facilities not built to blend with roadside scenery, although the State agency is cooperative with our desires. Recent installations of magnesium chloride tanks at Warm Springs Junction occurred without consultation with the Forest. The tanks were colored a highly visible baby blue that attracts the attention of travelers. The Forest worked with ODOT to put up a new building to enclose the tanks from sight.

Alternative 2 (Proposed Action). With a permit and its requirements, the agency can better control the activities in the permit areas to provide protection for the resources. The permit enables the agency to enforce compliance with various laws and regulations, and with Forest Plan standards. ODOT has worked well with the Forest in the past regarding visual resource objectives, but the permit formally documents the need to coordinate with the Ranger District now and in the future when different personnel are working for both agencies.

Wildlife

Both Alternatives

The PBS biologist (with FS concurrence) determined no effect to listed species or critical habitat. Also, no effects were found to survey and manage species because no new ground-disturbing activities are proposed. Actual surveys did not have to be done.

Heritage

Both Alternatives

Issuance of new special use permits to existing facilities without new development falls into the category of a non-undertaking and no further surveys or documentation is needed.

Botany

Both Alternatives

The District botanist has visited all of the sites of the existing facilities although he did not perform formal surveys. He found no general botany concerns and no effects to threatened, endangered or sensitive plant species. There is a species of orchid growing near the Gate Creek diversion ditch and the permit administrator with work with the ditch company to ensure the area is avoided by any maintenance work. No concerns were listed for survey and manage species because no new disturbances are proposed.

Policies

No Action Alternative If the Forest were to select this alternative, no new permits would be issued to existing facilities that continue to operate on the forest. Agency policy is to authorize all such improvements and activities with a special use permit – to not issue permits while allowing the uses to continue violates agency policy.

No Action would also mean it will be more difficult to ensure that the irrigation districts meet **Aquatic Conservation Strategy Objectives (ACS)** because there would be no overriding permit and operating plan with which the agency can enforce appropriate operations and maintenance. Issuing new permits will enable the Forest to better enforce compliance with those objectives and the ACS Objective conditions in the 5th Field Watershed would be maintained.

Cumulative Effects

All of the uses described in this document have been occurring for over 30 years without undue impact to the various resources. If any deleterious effects have taken place from the water diversions, they have not proven to put aquatic species at risk. If the irrigation districts chose to pipe more of their open ditches for water conservation, we would recognize the cumulative effects as positive ones.

ODOT has the potential to add to the scenery impacts along the highways involved, but with a permit in-place and proper administration, the potential for increased cumulative scenery impacts is negligible.

CONSULTATION AND COORDINATION

The Forest Service consulted the following individuals, Federal, state and local agencies, tribes and non-Forest Service persons during the development of this environmental assessment:

Readers of the *Sprouts* – a quarterly publication of forest projects

FEDERAL, STATE, AND LOCAL AGENCIES:

Oregon Department of Fish and Wildlife
Oregon Department of Transportation

TRIBES:

Confederated Tribes of Warm Springs

OTHERS:

PBS Environmental Co., Vancouver, Washington; Consultant for wildlife and fish biological evaluations.

ID TEAM MEMBERS:

Doug Jones – Permit Specialist/Team Leader
Lance Holmberg – Botanist
Gary Asbridge – Fish Biologist
Rich Thurman – Wildlife Biologist
Mike Dryden - Archaeologist