

**DECISION RECORD #1
FOR
SPENCER CREEK RESTORATION TREATMENTS EA #OR-014-04-08
PROJECT: SPENCER CREEK MECHANICAL TREATMENTS**

INTRODUCTION

This Decision Record, the first to authorize work on actions proposed and analyzed in the Spencer Creek Restoration Treatments EA # OR-014-04-08 (EA), addresses only the placement of wood in Spencer Creek with ground based equipment in sections 20 and 34 which are owned by Inland Fiber Group LLC. Lands administered by the Bureau of Land Management (BLM) would not be affected. The BLM has a Memorandum of Understanding with Inland Fiber Group LLC to perform restoration work on private lands. For projects where BLM performs work or expends federal funds on private land, the BLM has the responsibility to perform the analysis and make decisions on those proposed actions. The Klamath Falls Resource Area (KFRA) interdisciplinary team prepared the Spencer Creek Restoration Treatments EA based on current resource conditions in the project area to meet the objectives and direction of the Klamath Falls Resource Area Resource Management Plan (RMP) and the Northwest Forest Plan.

Future decisions will address the remaining treatment actions described in Table 1 of the EA for the limited access reaches of the proposed action, including additional large woody debris placement in streams.

DECISION

Based on site-specific analysis, the supporting project record, management recommendations contained in the Spencer Creek Watershed Analysis, 1995, and management direction contained in the Klamath Falls Resource Area Resource Management Plan (RMP), 1995, I have decided to implement watershed restoration treatments and associated Project Design Features analyzed in the Spencer Creek Restoration Treatments EA, as described in the proposed action (Alternative 1).

Specifically, this decision will result in:

- Placement of large woody debris (cull logs) into about 1.5 miles of a perennial stream channel to dissipate stream energy, create localized sediment deposition, and increase habitat diversity (as discussed on pages 4 and 7 of the EA). The location of the treatments is shown on the attached maps.

Additional LWD treatments along the full length of the analysis area in the EA may be implemented at a later date, following preparation of future Decision Records.

Surveys

Required surveys for cultural resources are completed. No cultural resources were located. All required surveys for wildlife and botanical resources, including Special Status Species, have been completed with the following results:

- A bald eagle nest is located near project activities, within the Spencer Creek District Designated Reserve. This nest is located over one quarter of a mile from the nearest project activities.
- A spotted owl nest site is located over 0.7 miles from project activities.
- A goshawk nest site is located over 0.7 miles from project activities.
- Surveys detected no Special Status vascular plants or mollusks within the project area.

Mitigations

The Project Design Features / Best Management Practices described in Appendix B of the EA shall be implemented.

DECISION RATIONALE

Impacts Not Significant

The decision to implement a portion of Alternative 1, as proposed, meets the purpose and need identified in the EA and furthers the intent established in the Northwest Forest Plan Aquatic Conservation Strategy and the Klamath Falls Resource Area Resource Management Plan (RMP) to implement restoration projects within Key Watersheds. I conclude that none of the alternatives analyzed constitutes a significant impact affecting the quality of the human environment greater than those addressed in the Final Klamath Falls Resource Area Management Plan and Environmental Impact Statement (EIS), September 1994, and other analysis documents. The cumulative effect of this decision combined with other actions for vegetation treatments fall within the range of effects analyzed in the RMP EIS. I have also determined that the proposed action will have no significant impacts. As such, in conjunction with this decision, I have signed a Finding of No Significant Impact.

Alternative 2, the No Action Alternative, is rejected because it does not meet the resource management objectives for the Aquatic Conservation Strategy identified in the Klamath Falls RMP. It would not address or alter many of the existing conditions and trends relative to watershed restoration that were identified both in the EA and in the Spencer Creek Watershed Analysis. With No Action, these conditions would not be improved or mitigated; certain undesirable ecological trends would continue unchanged and, in some cases, would be exacerbated with the passage of time.

CONSISTENCY WITH EXISTING PLANS AND ANALYSES

Based on the information in the Spencer Creek Restoration Treatments EA and the project record, I conclude that the proposed project is consistent with the Klamath Falls Resource Area Record or Decision and Resource Management Plan (June 1995), the Record of Decision and Standard and Guidelines on Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl (April 1994), and, the Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage, Protection Buffer, and other Mitigation Measures Standards and Guidelines (January 2001).

This decision is also consistent with the Endangered Species Act, the Native American Religious Freedom Act, and other cultural resource management laws and regulations. It is also consistent with Executive Order 12898 on Environmental Justice and will not have any adverse impacts to energy development, production, supply and/or distribution per Executive Order 13212.

CONSULTATION AND COORDINATION

The project coordinator has conducted field tours with Inland Fiber Group LLC and Oregon Department of Fish and Wildlife to address concerns regarding potential effects to stream channels and adjacent riparian stands. The BLM has permission from Inland Fiber Group LLC resource specialist to conduct log placement activities within Spencer Creek on Inland Fiber Group LLC land holdings in sections 20 and 34. Both ODFW and Inland Fiber Group LLC have concurred with the appropriateness of the project activities at this time. Oregon Department of Fish and

Wildlife, District Fisheries Biologist has reviewed the EA and project work site and made recommendations for implementing project activities including local modifications to instream work timing guidance. The Fremont-Winema National Forest, Zone Fisheries Biologist has also reviewed the EA and has provided valuable recommendations for project implementation. This Decision does not address treatments on Forest Service lands at this time.

The lead wildlife biologist determined that the project will have “No Effect” on spotted owls, bald eagles, and goshawks that are nesting near the project area. Due to the distance from the nests to the project activities and the time of year during which the project will be implemented, disturbances to these species during nesting will be avoided. The lead fisheries biologist determined that proposed project will have “No Effect” on listed suckers which could occupy downstream habitat.

The State Historic Preservation Office (SHPO) was notified of this project in accordance with 36 CFR §805.5(b). They have raised no objections to the BLM’s finding that it would not adversely impact sites of cultural or historic significance.

PUBLIC COMMENT

One public comment was received following the 30-day public comment period for the Spencer Creek Restoration Treatments EA. This comment was positive in nature and recommended implementation of the proposed project.

ADMINISTRATIVE REMEDIES

Any party adversely affected by this decision may appeal within 30 days after receipt of the decision in accordance with the provisions of 43 CFR Parts 4.4. The notice of appeal must include a statement of reasons or file a separate statement of reasons within 30 days of filing the notice of appeal. The notice of appeal must state if a stay of the decision is being requested and must be filed with the Field Manager at:

Klamath Falls Resource Area
Bureau of Land Management
2795 Anderson Ave, Building 25
Klamath Falls, OR 97603

A copy of the notice of appeal, statement of reasons, and other documents should be sent to the:

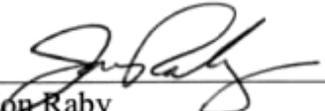
Regional Solicitor, Pacific Northwest Region
U.S. Department of the Interior
Lloyd 500 Building, Suite 607
500 N.E. Multnomah Street
Portland, OR 97232

If the statement of reasons is filed separately is must be sent to the:

Board of Land Appeals, Office of Hearings and Appeals
U.S. Department of the Interior
801 North Quincy Street, Suite 300
Arlington, VA 22203

It is suggested that any notice of appeal be sent certified mail, return receipt requested.

Before deciding to file an appeal, I encourage you to contact me to determine if your concerns might be met in some other way, or to assist you in the appeal process if it is appropriate. Thank you for your continued interest in the multiple use management of your public lands. This notice constitutes the decision notification for purpose of protests under 43 CFS subpart 5003 B Administrative Remedies.

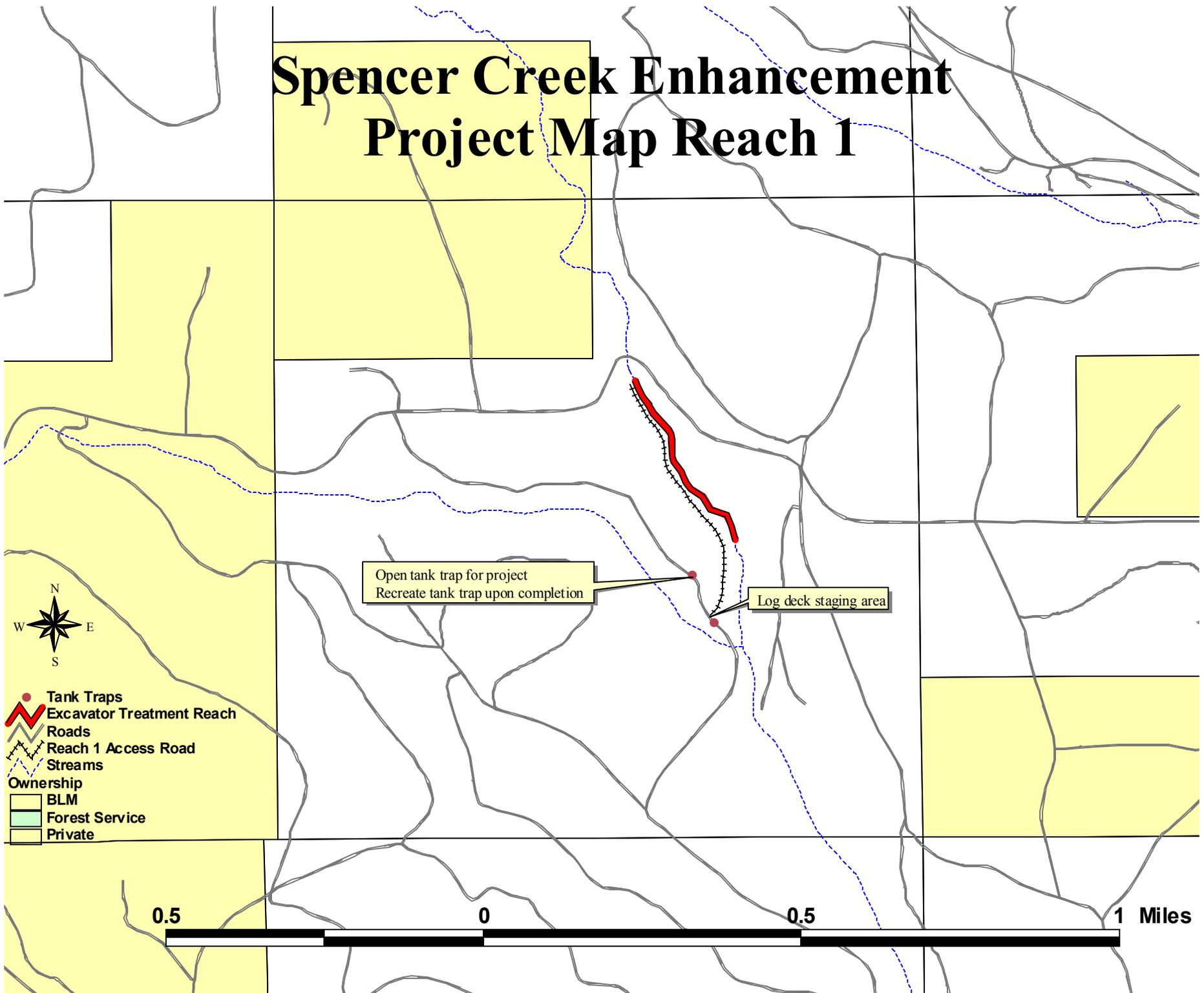


Jon Raby
Field Manager, Klamath Falls Resource Area

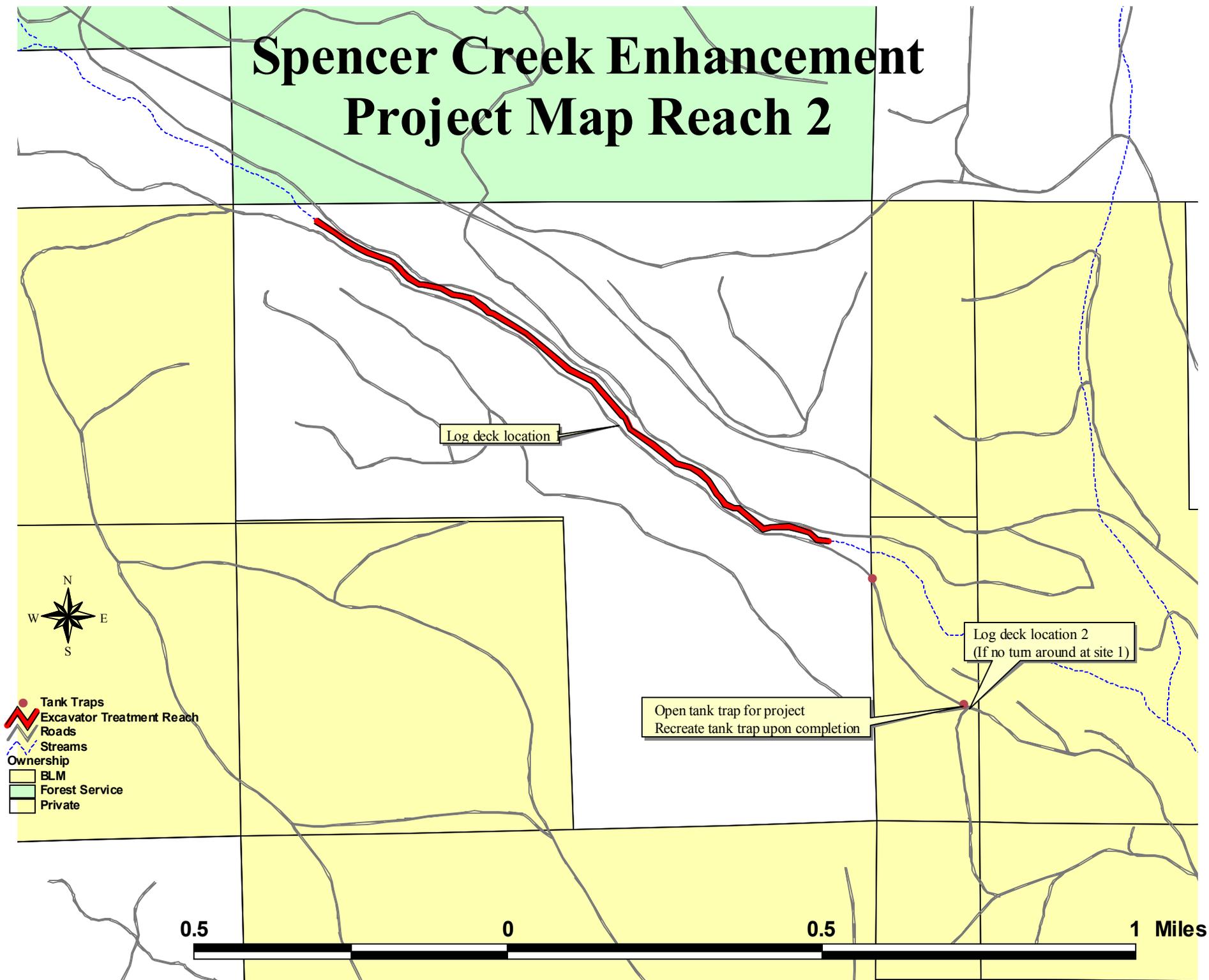


Date

Spencer Creek Enhancement Project Map Reach 1



Spencer Creek Enhancement Project Map Reach 2



**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Klamath Falls Resource Area**

**Finding of No Significant Impact
Spencer Creek Restoration Treatments
EA# OR 014-04-08**

Background:

The Interdisciplinary Team for the Klamath Falls Resource Area, Lakeview District, Bureau of Land Management has completed an Environmental Assessment (EA) and analyzed a proposal to conduct habitat enhancement within Spencer Creek Watershed, which is tributary to Klamath River. The project will contribute to meeting the goals of the Aquatic Conservation Strategy. The Spencer Creek Pilot Watershed Analysis (BLM/USFS 1995, Page 5-42) recommends placement of large woody debris along constrained reaches of the stream channel in order to improve aquatic habitat diversity. The proposed project area is located on public and private lands within Spencer Creek Watershed administered by the Klamath Falls Resource Area BLM, the Fremont/Winema National Forest, and Inland Fiber Group LLC.

The issues addressed in the EA concern potential impacts to fish habitat, water quality, and other resources as they affect aquatic life and humans in the proposed project area. The design features of the Proposed Action and alternatives are described in the Spencer Creek Restoration Treatments EA.

Determination:

The anticipated environmental effects contained in this EA are based on research, professional judgement, and experience of the Interdisciplinary (ID) team and Klamath Falls Resource Area staff. Based on the information within the Environmental Assessment, it is my determination that none of the alternatives analyzed constitute a significant impact affecting the quality of the human environment greater than those addressed in the:

- Klamath Falls Resource Area Resource Management Plan and Final Environmental Impact Statement (RMP/FEIS, September 1994) and its Record of Decision (ROD, June 1995)
- Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl (April 1994), also known as the Northwest Forest Plan (NFP).
- Klamath Falls Resource Area Integrated Weed Control Plan EA (1993).
- Interior Columbia Basin Ecosystem Management Project and the Eastside Draft Environmental Impact Statement (ICBEMP, May 1997).

Therefore, an Environmental Impact Statement, or a supplement to the existing RMP and Environmental Impact Statement, is not necessary and will not be prepared.



Jon Raby

Field Manager, Klamath Falls Resource Area



Date