

Decision Notice and Finding of No Significant Impact for the Chewuch River Restoration River Mile 13-15.5 Project

USDA Forest Service
Methow Valley Ranger District
Okanogan-Wenatchee National Forest
Okanogan County, Washington

Introduction

There is a need to restore habitat diversity by increasing large wood quantities, pool frequency and quality, and re-establishing side- and off-channel habitat for anadromous fish species, including Chinook Salmon, Steelhead and bull trout in the 13-15.5 mile reach of the Chewuch river. The environmental assessment (EA) documents the analysis of activities proposed to meet this need.

Decision and Reasons for the Decision

Based upon my review and consideration of the EA and documentation included in the project record, I have decided to implement Alternative 2 which includes construction of backwater alcove channels, engineered log jams, and pool enhancement with large wood cover habitat.

This alternative meets the purpose and need for action. It addresses the need for large wood, enhanced pool habitat and off-channel rearing habitat as established in the Okanogan National Forest Plan (USDA-FS 1989b) and the 1995 PACFISH documents (PACFISH 1995) and detailed *Chewuch River Large Wood, Pool, and Off-channel Habitat* (Shull and Butler 2014)

Long-term effects of Alternative 2 to fishery habitat would be an increase in total pool and deep, complex pool habitat, logjams per mile, and off-channel habitat, which would successfully meet the need within the proposed reach. Aquatic habitat diversity within the project area would move toward meeting the desired condition. The number of log jams per mile would increase to within about half of the desired level. Total pools and deep, complex pools per mile would be adjusted to within about 60 and 90 percent of what the desired number is for the Chewuch River. Off-channel habitat would double in size.

A detailed description of how Alternative 2 addresses the key issues identified by the Interdisciplinary team is on page 14-16 of the EA. Design criteria and mitigation measures would address issues relating to the spread of invasive plants, impacts to Sensitive plant habitat, disturbance during critical nesting habitat, risk to boaters, and effects to Wild and Scenic River eligibility.

Alternatives Considered

Because no unresolved conflicts emerged during scoping, an alternative to the Proposed Action was not developed. This EA addresses one action alternative, the Proposed Action, including design criteria and required mitigations to prevent unacceptable resource damage and ensure Forest Plan compliance.

No Action

Under the No Action alternative, current management plans would continue to guide management of the project area.

Public Involvement and Scoping

This project has been listed on the Okanogan-Wenatchee National Forest Schedule of Proposed Actions (SOPA) since April of 2014. The proposal was provided to the public and other agencies for comment during scoping in March, 2014. A description of the public involvement and Tribal Consultation process used for this project is described in the EA beginning on page 5.

The interdisciplinary team identified several issues regarding the effects of the proposed action. Main issues of concern included effects to Wild and Scenic River eligibility and Sensitive plant species (see EA pages -6-7).

Finding of No Significant Impact

The following is a summary of the project analysis to determine significance, as defined by Forest Service Handbook 1909.15_05. "Significant" as used in NEPA requires consideration of both context and intensity of the expected project effects.

Context means that the significance of an action must be analyzed in several contexts (i.e. local regional, worldwide), and over short and long time frames. For site-specific actions, significance usually depends upon the effects in the local rather than in the world as a whole.

Intensity refers to the severity of the expected project impacts and is defined by the 10 points below.

Context

The context of the environmental effects is based on the analysis in this EA. This project is limited in scope and duration.

This proposed project is on the Methow Valley Ranger District. It includes a 2.5 mile reach of the 45 mile Chewuch River; from river mile 13-15.5. The project acreage is less than one-hundredth of a percent of the 1.3 million acre Methow Valley Ranger District.

The Chewuch River watershed is designated as a Key Watershed under both the Northwest Forest Plan and under PACFISH. Under both management plans, Key Watersheds are priorities for the conservation and restoration of habitat for at-risk salmon.

The Chewuch is classified as "eligible" for wild and scenic river designation for its outstandingly remarkable values for scenery, recreation, fisheries and wildlife.

The Chewuch River originates in the Cascade Range northeast of Rimmel Mountain at the junction of Rimmel Creek and Cathedral Creek. It flows generally south to join the Methow River at Winthrop. The Methow empties into the Columbia River. Tributaries of the Chewuch River include Andrews Creek, Lake Creek, Eightmile Creek, and Cub Creek.

Intensity

The following factors were considered to evaluate intensity.

1. *Impacts that may be both beneficial and adverse.*

This proposal to improve fish habitat in a 2.5 mile reach of the Chewuch River will contribute to the overall objectives of restoring habitat diversity by increasing large wood quantities, pool frequency and quality, and re-establishing side- and off-channel habitat(USDA-FS 1994a), (UCSRB 2007), (USDA-FS 2010)

Beneficial and adverse effects have been taken into consideration when making this determination of non-significance. Some of the site work will have short term impacts on recreation, fish, scenery, wildlife and sediment, but the overall long term benefit will be to move the Chewuch River desired aquatic and riparian conditions. When complete, the increased large wood, backwater channels and enhanced pool habitat will improve fish habitat, and over time, will not be discernable to recreationists. (EA pages 62-86). Beneficial impacts have not been used to compensate for significant adverse impacts.

2. *The degree to which the proposed action affects public health or safety.*

As discussed in the Wild and Scenic Resources section of the EA (beginning on page 61) and the supporting resource report in the project record, all structures will be designed and constructed to reduce the risk to boaters. Bumper logs would be installed on three structures to reduce the risk that boaters would be caught on, or pulled under the structures. Table 47 in the EA provides information about how boater safety was addressed in each structure design. Recreational river users assume some risks associated with log jams or large wood when utilizing the Chewuch River; risks to river users are not unusual or unique to this project.

3. *Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, Wild and Scenic rivers, or ecologically critical areas.*

Surveys located three Sensitive plant sites in the project area. All three sites are populations of *Sanicula* black snakeroot. There are seven occurrences of *Sanicula* on the Okanogan-Wenatchee National Forest and the only other known occurrences in Washington state are on the Colville National Forest along with one population on Washington State Department of Natural Resources Land near Loomis Washington. Effects of disturbance to *Sanicula* individuals and habitat will be mitigated by salvaging affected individuals, holding them at a nursery until work is finished, then transplanting them back to where they were collected. Furthermore, re-vegetation will take place in the disturbed portions of the project area, restoring habitat. With the mitigation described, the project may impact *Sanicula* individuals or habitat, but will not likely contribute to a trend towards federal listing or cause a loss of viability to the population or species.

Surveys found four cultural resource sites in the project planning area. As described on page 33, all National Register eligible cultural resources would be avoided. The project is determined to have no adverse effect in accordance with 36 CFR 800The Chewuch River is eligible for Wild and Scenic River designation for its outstandingly remarkable values for fisheries, scenery, recreation and wildlife. Impacts to these values and the river's eligibility for designation were analyzed as described in the EA. The analysis identified that impacts from the project to fisheries would be beneficial, that eligibility based on wildlife values would not be degraded by the project, and that overall, the project would meet the High scenic integrity objective. Table 46 details deviations from landscape character and scenic quality objectives for each structure. During construction, the project may have short-term impacts to recreation (due to sites being temporarily closed), but there would be no long term loss of sites.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

Aquatic habitat restoration projects, such as this one, have occurred at multiple locations on the Forest and other jurisdictions in the region. The potential impacts are well known and documented and are not thought to be highly controversial. There has been no information presented that indicates substantial controversy about the effects disclosed in the EA.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

There were no highly uncertain, unique, or unknown risks identified for this project. Similar aquatic habitat restoration projects have occurred at multiple locations in the area, including on other sites on National Forest System lands on the Chewuch River. Monitoring for previous projects has not identified any unique or uncertain risks associated with these types of projects.

6. *The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

Conversations have indicated that Yakama Indian Nation may submit future proposals for restoration work in adjacent reaches of the Chewuch River. Environmental effects for those proposals, including any cumulative effects, would be considered if future proposals are developed and submitted.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. Significance exists if it is reasonable to anticipate a cumulatively significant impact on the environment. Significance cannot be avoided by terming an action temporary or by breaking it down into small component parts.*

Past projects have added large wood and off-channel habitat to stream reaches below the project area on private, state, and USFS land. The project will have a measurable cumulative impact upon fisheries and the impact will be primarily beneficial. There may also be additional large wood projects in the future. While no proposals have been submitted, conversations between the Forest Service and Yakama Nation indicate that future proposals are anticipated for restoration work in adjacent reaches of the Chewuch River. Environmental effects for those proposals will need to be considered once more detailed information is available. At this time they are not considered reasonably foreseeable future actions and there is not enough information to meaningfully evaluate their effects.

Each resource effects analysis contained in the EA discusses cumulative effects; none were found to be significant (see Chap. 3, Cumulative Effects sections). When analyzed cumulatively the past, current and possibly future large wood projects will have a beneficial cumulative impact upon fish and fish habitat. The Okanogan-Wenatchee National Forest is comprised of over 4 million acres; the Methow Valley Ranger District is approximately 1.3 million acres. The project would take place at sites along 2.5 miles of the 45 mile long river; less than one-hundredth of a percent of the total District acreage..

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

There are no scientific resources in the project area. No districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places will be affected.

Project activities will avoid sites registered as “eligible” for the National Register of Historic Places (EA pages 27-34). No effects are expected to cultural or historical resources. If any undiscovered sites are located during project activities, work will stop until the requirements of Section 106 of the National Historic Preservation Act are met (EA, pages 27-34). The Confederated Tribes of the Colville Indian Reservation and the Yakama Nation were consulted on this project; no concerns were raised by either Tribal government.

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Alternative 2 is compliant with the Endangered Species Act direction for wildlife because it either has *no effect* on threatened and endangered wildlife species (lynx and northern spotted owl), or it has a *may affect, not likely to adversely affect* (grizzly bear and gray wolf).

Due to the presence of spring Chinook, steelhead, and possibly bull trout in the river while heavy equipment operations would be occurring, the project would affect these species temporarily and may result in “take” of the species. As a result, the project *may affect, likely to adversely affect* spring Chinook, steelhead, and bull trout for the short term. The project *may affect, not likely to adversely affect* designated critical habitat for these species. Long-term the project would result in beneficial impacts to these species and their designated critical habitat (see EA pages 40-61).

Consultation with the U.S. Fish and Wildlife Service and NOAA Fisheries was completed by the Yakama Nation and uses the U.S. Army Corp of Engineers’ *Washington State Fish Passage and Habitat Enhancement Programmatic*. Concurrence with the effects determinations for federally listed species, described below, was provided by U.S. Fish and Wildlife Service and from NOAA Fisheries as part of the permitting process.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

A discussion of federal, state or local laws, as well as requirements is provided in each resource section in the EA.

LRMP standards and guidelines for Botany will be addressed through design criteria and mitigation measures. As summarized on page 27 of the EA, the project complies with watershed analysis requirements for surveys and Forest Service manual requirements for Biological Evaluations, project design and consideration for distribution of species.

The wildlife report addresses compliance with Federal, State or local laws or requirements imposed for the protection of the environment beginning on page 96 of the EA. The project is compliant with LRMP MIS direction, Migratory Bird Treaty Act and Executive Order 13186 direction, as well as Forest Service Manual direction.

Water Resources compliance with LRMP and Other Relevant Laws, Regulations, Policies and Plans is discussed beginning on page 58. This project conforms to the Okanogan National Forest Plan, as amended by Decision Notice and Environmental Assessment for the Interim Strategies for Managing Fish-producing Watersheds in Eastern Oregon and Washington, Idaho, and Portions of California (PACFISH, USDA and USDI 1995). The project is consistent with standards and guidelines of both the Northwest Forest Plan and PACFISH.

The project would comply with all applicable LRMP standards and guidelines, Forest Service Handbook Direction for Wild and Scenic Rivers. Based on Section 7 analysis documented in

Appendix C of the Wild and Scenic Resource Report, this project would not have a direct and adverse impact on this section of the Chewuch River. The free-flowing river conditions and water quality would not be changed. The Outstandingly Remarkable Values would be, for the most part, protected or improved. Changes in the scenic quality would be minor, and likely not noticeable to most people. Access to, and availability of, recreation would be affected in the short term at two dispersed campsites. River-users could see longer-term impacts if channel-spanning logs become lodged in the structures. Given the low number of river-users, and the design of the structures, impacts to recreation would be slight. Alternative 2 would not degrade the wildlife outstandingly remarkable value for making the Chewuch River eligible as a Wild and Scenic River.

The project follows applicable LRMP standards and guidelines for invasive plants. It includes design criteria and mitigation measures from the Pacific Northwest Invasive Plant Program Final Environmental Impact Statement, Record of Decision (EA page 40).

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that Alternative 2 will not have significant effects 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.

Findings Required by Other Laws and Regulations

National Forest Management Act (NFMA)

Okanogan National Forest Land and Resource Management Plan as Amended by the Northwest Forest Plan (LRMP).

This decision is consistent with the LRMP's goals and objectives. Project design is in conformance with LRMP Forest-wide Management Area standards and guidelines. The Environmental Impacts section of the EA, beginning on page 17, describes adherence to these land allocations in the effects analyses for each resource.

No management activities are planned in Administratively Withdrawn or Congressionally Withdrawn Areas.

This project is consistent with the Aquatic Conservation Strategy (ACS) objectives. The project is specifically intended to enhance aquatic habitat complexity by increasing habitat complexity, pool habitat, cover habitat, and off-channel refuge habitat for all life stages of fish. This will increase aquatic habitat resilience to natural and human caused disturbances, improve production of native fish species, and move habitat conditions towards desired aquatic and riparian conditions, which are goals of the ACS. Refer to the Water Resources discussion, beginning on page 40 of the EA.

This project has no impact on timber or other Forest resources and is consistent with the National Forest Management Act (NFMA) of 1976. This project does not propose any commitments of resources that are irretrievable or irreversible.

This project is consistent with the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage Protection buffer, and other Mitigation Measures Standards and Guidelines. There are four categories of projects exempt from the Survey and Manage standards and guidelines as stipulated by Judge Pechman (October 11, 2006, "Pechman exemptions"). The Category "C" exemption was used in the portions of this project occurring within the Northwest Forest Plan (all sites on the west side of the Chewuch River):

This project is consistent with the 2005 Pacific Northwest Record of Decision for Invasive Plant Management (EA page 40). Applicable prevention and treatment standards and guidelines from that document have been incorporated into the design criteria.

Roadless Area Conservation Rule

No management activities are proposed within or adjacent to any Inventoried Roadless Area.

Endangered Species Act

This project is compliant with the Endangered Species Act, see FONSI element nine above.

Magnuson - Stevens Fishery Conservation and Management Act (MSA)

This project is consistent with the MSA. Chinook salmon habitat within the project area of the Chewuch River is currently functioning at risk and this project is intended to enhance aquatic habitat complexity by increasing habitat complexity, pool habitat, cover habitat, and off-channel refuge habitat for all life stages of fish..

Clean Air Act

Adding large wood to the Chewuch River would not affect air quality. Therefore, this project would comply with the Clean Air Act.

Clean Water Act

This project uses design criteria minimizing the impacts to aquatic and riparian resources (See project design features and mitigation section). It is in compliance with the Clean Water Act.

Environmental Justice (E.O. 12898)

The Proposed Action is consistent with Executive Order 12898. This project will not have any disparate effects on minority populations or low-income populations. This project is site specific and will not have human health effects on any group.

Potential or Unusual Expenditures of Energy

This project has no potential or unusual expenditures of energy. This project does not involve energy production or storage.

Conflicts with Plans, Policies, or Other Jurisdictions

The IDT has cooperated with State and other local agencies to the fullest extent possible to reduce duplication between NEPA and State and local requirements. State, local, and federal laws were reviewed and this project has no inconsistencies with approved State or local plan and laws.

Administrative Review and Objection Rights

This decision is not subject to administrative review (objection) pursuant to 36 CFR Part 218 since no timely, specific written comments regarding the proposed project or activity were received during any designated opportunity for public comment. There were no written comments during the scoping period or the opportunity to comment on the Draft EA.

Implementation

Because this decision is not subject to objection, implementation of the Chewuch River Restoration RM 13-15.5 may occur as early as practicable within the timing restrictions identified within the EA, but not before all interested and affected parties are notified of availability of the EA, FONSI, and decision notice as soon as it is signed, as required by 36 CFR 220.7(d).

Information Contact Person

For further information concerning the Chewuch River Restoration River Miles 13-15.5 Project, contact Gene Shull, North Zone Fish Biologist, during normal business hours.

Approved by:


MICHAEL C. LIU

29 MAY 2018
Date

Methow Valley District Ranger

Okanogan-Wenatchee National Forest