DECISION NOTICE
And
FINDING OF NO SIGNIFICANT IMPACT

Clackamas Road Decommissioning for Habitat Restoration

USDA FOREST SERVICE
MT. HOOD NATIONAL FOREST
CLACKAMAS RIVER RANGER DISTRICT
CLACKAMAS and MARION COUNTIES, OREGON

An Environmental Assessment (EA) has been prepared for Clackamas Road Decommissioning for Habitat Restoration. This project is located in T.7 S., R.7 E.; T.8 S., R.7 E.; T.9 S., R.7 E.; T.6 S., R.8 E.; T.6 S., R.7 E.; T.8 S., R.8 E.; T.8 S., R.9 E.; T.7 S., R.8.5 E.; Willamette Meridian. (All section number references are to sections of the EA unless specified otherwise.)

The following four purposes of this project are derived from the Mt. Hood Forest Plan as amended and the recommendations of the Forest-Wide Roads Analysis:

- Reduce road maintenance costs (s. 1.5.1)
- Reduce impacts to hydrology and aquatic habitats (s. 1.5.2)
- Reduce road density to improve wildlife habitat (s. 1.5.3)
- Reduce the spread of non-native invasive plants (s. 1.5.4)

DECISION and RATIONALE

I have decided to implement Alternative C. (s. 2.1.3). It will decommission approximately 113 miles of system roads and seasonally close one road with a gate.

The treatment for each road segment would vary based on site-specific conditions. Some roads will need to be stabilized using techniques such as removing culverts, installing water bars, pulling back unstable fill slopes, and applying erosion control mulch and seed on disturbed areas. Some roads are already hydrologically stable and will not require these treatments.

Road treatments are spit into three categories: Stabilize, Entrance Management and Records (s. 1.6.6). I have decided that the roads that will be decommissioned with little or no ground disturbance (Entrance Management and Records) are sufficiently vegetated and are sufficiently hydrologically stable. Natural processes of shrub and tree growth will continue. I considered the option of aggressive decommissioning techniques, such as deep decompaction and slope recontouring to facilitate more rapid hydrologic restoration. However, I have concluded that these practices are very expensive and are not appropriate everywhere. It is unnecessary to disturb the vegetation that is already growing on the road to gain additional infiltration capacity. The ecological risks associated with leaving these roads alone will be minimal and the strategy is cost effective.

Roads will be blocked where necessary at the entrance to keep vehicles from driving on the decommissioned road.

Roads that are decommissioned will no longer be maintained and will be removed from the Forest's transportation database.

Monitoring would be conducted in conjunction with adaptive management to insure that treatments are effective. Monitoring may indicate that additional treatment is necessary to more effectively block vehicles or to more effectively control erosion. These additional treatments are part of this decision.

Best Management Practices (**BMPs**) and Design Criteria in section 2.2 of the EA are included with this alternative. Also included are the three supplemental design criteria 2a, 2b and 2c that were added based on local experience. They would result in more effective erosion control measures. No significant impacts were found that would require further mitigation.

Some of the roads that will be decommissioned have **encumbrances** that affect the timing of decommissioning. I found it appropriate to include these roads in this decommissioning project at this time even though there would be some minor delay until the roads will be available for decommissioning. The minor delays would include factors such as timber sale contracts, stewardship contracts and invasive plant treatments.

The Forest is developing an Off-Highway Vehicle (**OHV**) plan. An Environmental Impact Statement is being prepared but at this time, it has not been completed. It would designate areas where OHV routes are appropriate and would restrict OHV use elsewhere. Alternative C was designed to be consistent with the proposed action of the OHV plan. However, when the Forest OHV EIS is completed it will take precedence over this project if there are any incompatibilities.

The project area contains parts of the Clackamas River **Wilderness**. One very short road (4651130) is in the Wilderness. A review will be conducted to determine if the use of motorized equipment is warranted or if other techniques are appropriate to achieve the restoration objective. I found it appropriate to include this road for decommissioning because it has two culverts at a perennial stream crossing that need to be removed. Decommissioning this road will enhance wilderness values. (s. 3.5.5)

The selected alternative meets the purpose and need discussed in the EA (s. 1.5):

- Reduce road maintenance costs - Current and anticipated road maintenance budgets are insufficient to properly maintain Forest Service system roads for safe and efficient access. With the trend of declining budgets expected to continue, the backlog of roads needing maintenance could affect hydrologic function and safety. (s. 1.5.1)

- Reduce impacts to hydrology and aquatic habitats - If unneeded roads are not maintained or decommissioned in the near future, there is an increased risk for surface erosion, gullying, and landslides. Such potential risks may result in increased sediment delivery to streams and

reservoirs. Increased sedimentation can degrade water quality, aquatic habitats, and threatened, endangered, and sensitive aquatic species. (s. 1.5.2)

- Reduce road density to improve wildlife habitat - High open road density can result in habitat fragmentation, poaching and wildlife harassment. (s. 1.5.3)

- Reduce the spread of non-native invasive plants - Roads serve as potential conduits for non-native invasive plants. (s. 1.5.4)

The selected alternative will achieve these purposes and result in a transportation system that allows safe access through the Forest while minimizing impacts to aquatic and terrestrial resources.

It is my decision to select Alternative C over the other alternatives considered for the following reasons:

- It accomplishes the purpose and need.

- The issue raised about access for motorized dispersed recreation has been resolved to my satisfaction (s. 1.10). It is regrettable that funding for road maintenance has not kept pace with the need to provide safe and hydrologically stable access routes. Alternative C responded to comments received by many individuals and groups that requested some roads be left open. It is clear that many people love the Upper Clackamas drainage and have strong multi-generational ties to specific places. Some requested no action, while others listed specific roads that are special to them. I looked at every road that was requested and weighed the site-specific situation, resource risks and maintenance costs in formulating Alternative C. This alternative certainly does not give everyone what they want but it reaches a balance between the need for recreational access and what we can afford. Compared to the proposed action, Alternative C would retain 17 miles of roads. It would leave open the following roads that were included for decommissioning with the proposed action: Roads 4200380, 4220110, 4671220, 4671230, 4672130, 4672160, 4672170, 4672180, 4672230, 4672260, 4690120 and 6350320.

Description of Other Alternatives and Reasons for Non Selection:

- **Alternative A** is the no-action alternative (s. 2.1.1). It was not selected because it would not provide any of the benefits described in the purpose and need. If no action is taken and if road maintenance budgets continue to be insufficient to properly maintain roads, they would deteriorate and become unsafe, and water quality, fish and wildlife would decline and invasive plants would spread.

- **Alternative B** was the proposed action. (s. 2.1.2) It includes the decommissioning of 130 miles of roads. It meets the purpose and need but was not selected because it would close some key dispersed recreation areas.

- **Other Alternatives Considered**
  The EA discusses comments that were received suggesting the consideration of other alternatives or ways to modify this project. Details of the suggestions and responses are in the EA at s. 2.4 as well as Appendix B. I will briefly respond to some of them here.

  Some commenters suggested more aggressive ground-disturbing methods on all decommissioned roads. Completely obliterating the entire roadbed by recontouring slopes along the full road length is not a proposed treatment for this project. The option of using more aggressive stabilization techniques on all roads was considered. These techniques would be very expensive and would result in greater site disturbance and erosion. I find that the proposed treatments are cost effective and sufficient to achieve project objectives. Treatments were tailored to site-specific conditions to eliminate vehicle traffic and restore the original road prism to more natural vegetation and hydrologic conditions in a cost effective manner.

  Some commenters suggested less aggressive methods. Some suggested that we leave the roads as they are and post signs indicating that they are not maintained. This option would not meet the purpose and need. Unmaintained roads would eventually contribute sediment to streams, culverts would fail, and hazardous conditions would result.

FINDING OF NO SIGNIFICANT IMPACT (40 CFR 1508.27)

Based on the site-specific environmental analysis documented in the EA and the comments received from the public, I have determined that this is not a major Federal action that would significantly affect the quality of the human environment; therefore, an Environmental Impact Statement is not needed. This determination is based on the design of the selected alternative and the following factors:

- THREATENED, ENDANGERED, AND SENSITIVE SPECIES - Informal consultation with U.S. Fish & Wildlife Service concerning the **northern spotted owl** has been completed for this project. A Programmatic Biological Assessment titled "Activities with the Potential to Disturb Northern Spotted Owls, Willamette Planning Process - FY 2008-2009" has been prepared by an interagency team. Consultation for the northern spotted owl (disturbance only) has been completed and documented in a Letter of Concurrence written by U.S. Fish & Wildlife Service, dated September 17, 2007. It concurs with the determination that the project *may affect, but is not likely to adversely affect* spotted owls.

  This project is covered by two programmatic biological opinions for **fish** and aquatic habitat restoration projects that have been issued by NOAA Fisheries and the US Fish and Wildlife Service. The project is consistent with the programmatic biological opinions. Because of culvert removal and other practices, the project warrants an effects determination of *may affect, likely to adversely affect* for listed fish and an effects determination of *may affect, not likely to adversely affect* for listed critical habitat. It also indicates that Essential Fish Habitat established under the Magnuson-Stevens Fishery Conservation and Management Act would have an effects determination of *not adversely affect*. (s. 3.2.10 - 12).

There will be no significant adverse effects to sensitive species (s. 3.2.9, s. 3.3.2, s. 3.4). The project will not jeopardize the continued existence of any listed species nor will it cause a trend to federal listing or loss of viability for any proposed or sensitive species.

- CONSISTENCY WITH MT. HOOD FOREST PLAN – The selected alternative is consistent with direction found in the Mt. Hood National Forest Land and Resource Management Plan as amended (Forest Plan).

  - I find that the selected alternative is consistent with standards and guidelines specific to the relevant land allocations and it is consistent with the applicable Forest-wide standards and guidelines (s. 3.0).

  - **Aquatic Conservation Strategy** - I find that the selected alternative is consistent with riparian reserve standards and guidelines. It will contribute to maintaining or restoring aquatic conditions and is consistent with the Aquatic Conservation Strategy objectives (s. 3.2.15 & Biological Evaluation).

    - I find that the project design criteria (s. 1.6 & s. 2.2) will minimize impacts and maintain the function of key watershed indicators that make up elements of the Aquatic Conservation Strategy. These key indicators for water quality, habitat, flow, channel condition, and watershed condition, will be maintained or enhanced.

    - I find that the project, as designed, will enhance streams and riparian reserves (s. 3.2). If no action is taken, roads would continue to deteriorate from lack of road maintenance putting riparian reserves, aquatic habitats and water quality at risk.

  - I find that the selected alternative is consistent with **late-successional reserve** (LSR) objectives. (s. 3.3.1)

  - I have considered the impacts to Forest Management Indicator Species (s. 3.3.4). Management Indicator Species for this portion of the Mt. Hood National Forest include northern spotted owl, pileated woodpecker, pine marten, deer, elk, salmonid smolts and legal trout. I find that the selected alternative is consistent with the standards and guidelines pertaining to Management Indicator Species.

- WATER QUALITY AND FISHERIES - The analysis shows that decommissioning will result in long-term improvements. The project meets Riparian Reserve standards and guidelines and state water quality standards and the Clean Water Act. All of these objectives, standards and laws were established to ensure there would be no significant reduction to water quality or fish habitats. (s. 3.2 & s. 3.2.18).

- CUMULATIVE EFFECTS - The analysis considered not only the direct and indirect effects of the projects but also their contribution to cumulative effects. Past, present and foreseeable future projects have been included in the analysis (s. 3). The analysis considered the proposed actions with BMPs and design criteria. The EA elaborates on

cumulative impacts related to resources such as water quality, soils and wildlife. No significant cumulative or secondary effects were identified.

- CULTURAL RESOURCES - Field surveys have been conducted. The heritage resource report (2009-060605-005) concludes that there will be no effect to any properties on or eligible to the National Register of Historic Places Documentation has been forwarded to the State Historic Preservation Office (s. 3.9).

- WILDERNESS – Recent wilderness legislation created new wildernesses with roads in them. Road 4651-130 will be decommissioned. Removing this road is consistent with wilderness values. Other roads proposed for decommissioning are outside but directly adjacent to the wilderness boundary. The Wilderness bill language does not require a buffer between the wilderness and management actions. (s. 3.5.5).

- WILD AND SCENIC RIVERS – Approximately 1.5 miles of roads will be decommissioned in the Clackamas Wild and Scenic River corridor (s. 3.5.4). This corridor is also a State Scenic Waterway. Decommissioning is consistent with the standards and guidelines for this river and would protect the river's outstandingly remarkable values.

- OTHER –The effects are not likely to be highly controversial and do not involve highly uncertain, unique, or unknown risks. This action will not set a precedent because other similar actions have occurred in the past. The project was not found to threaten a violation of any Federal, State, or local law. The project complies with Executive Order 12898 regarding environmental justice (s. 3.10). No disproportionately high adverse human or environmental effects on minorities and/or low-income populations were identified during the analysis and public information process. No significant irreversible or irretrievable commitments of resources were found (s. 3.11). The project will not affect public health or safety (s. 1.5.1), the project does not involve burning and would not significantly affect air quality. Adverse and beneficial impacts have been assessed and found to be not significant. No significant effects to consumers, civil rights, minority groups, women, prime farmland, rangeland, forestland, wetlands, or floodplains were identified. The effects to climate change were considered but no significant contributions to carbon emission or sequestration were identified for any of the alternatives.

Comments:
The legal notice for the 30-day comment period for this project was published in the Oregonian on March 21, 2009. I have considered the substantive comments that were received. The responses to the comments are contained in Appendix B of the EA.

Appeal Rights:

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215. Any individual or organization that submitted comments or expressed interest during the comment period may appeal. Any appeal of this decision must be in writing and fully consistent with the content requirements described in 36 CFR 215.14. An appeal should be addressed to the Regional Forester at any of the following addresses. Postal: Regional Forester, Appeal Deciding Officer, USDA Forest Service, 333 SW 1st Avenue, Portland, OR 97204; For hand delivery, office hours are 8-4:30 M-F; fax: 503-808-2255. Email: appeals-pacificnorthwest-regional-office@fs.fed.us. Electronic appeals must be submitted as part of the actual e-mail message, or as an attachment in Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf) only. 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.

The Appeal, including attachments, must be postmarked or received at any of the addressed listed above within 45 days of the date legal notice of this decision was published in the Oregonian. For projects signed by the District Ranger, the Appeal Deciding Officer is the Forest Supervisor. For further information regarding these appeal procedures, contact the Forest Environmental Coordinator Mike Redmond at 503-668-1776.

Project Implementation:

Implementation of this decision may occur on, but not before, 5 business days from the close of the 45-day appeal filing period described above. If an appeal is filed, implementation may not occur for 15 business days following the date of appeal disposition (36 CFR 215.10).

The EA can be downloaded from the Forest web site at http://www.fs.fed.us/r6/mthood in the Projects & Plans section.

For further information contact Jim Roden, Estacada Ranger Station, 595 NW Industrial Way, Estacada, OR 97023. Phone: (503) 630-6861 Email: jroden(at)fs.fed.us

Responsible Official:

/S/ *Andrei Rykoff* **May 8, 2009**

ANDREI RYKOFF Date Published
District Ranger