

JOBS IN THE WOODS PROGRAM

IN WESTERN OREGON

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

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JOBS IN THE WOODS PROGRAM IN WESTERN OREGON

PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

CHAPTER 1 - PURPOSE OF THE NEED FOR ACTION

A. INTRODUCTION

This programmatic Environmental Assessment (EA) was prepared pursuant to the National Environmental Policy Act (NEPA) to analyze the social, economic, and environmental effects of providing U. S. Fish and Wildlife Service (Service) funding to watershed restoration projects in western Oregon as part of the Service's Jobs in the Woods (JITW) program. The Service decided to conduct a programmatic EA for all proposed JITW watershed restoration projects for several reasons: (1) all projects will be selected and administered through the Service's Oregon State Office (OSO) and Klamath Basin-Ecoregion Office (KB-ERO) within the JITW program; (2) the EA will only be reviewed at the OSO and KB-ERO levels; (3) all proposed projects fall into four main project categories with similar objectives to benefit fish, wildlife, and plant resources and their habitats; (4) all projects are located in western Oregon; and (5) there have been no publicly expressed issues or concerns of the JITW program. Public involvement was established through the Oregon and California State Community Economic Revitalization Teams (SCERT), Ecosystem Investment Teams (EIT, subcommittees of the SCERT), and Oregon Rural Development Council meetings conducted in 1994-1997. Additional public involvement has occurred during the development and implementation of JITW projects through local watershed councils/organizations, non-profit conservation groups, and local, county, and state governmental agencies.

Jobs in the Woods program and project files are at the Service's state and field offices. Upper Klamath Basin files are available for review at the U. S. Fish and Wildlife Service, Klamath Basin Ecoregion Office, 6600 Washburn Way, Klamath Falls, Oregon. All other files are available for review at the U.S. Fish and Wildlife Service, Oregon State Office, 2600 SE 98th Avenue, Suite 100, Portland, Oregon.

B. NEED AND PURPOSE

The following is from the Northwest Forest Plan JITW program guidance (U. S. Fish and Wildlife Service 1995) ([Appendix A](#)).

Need

The JITW program is part of the Service's contribution to the overall implementation of the Northwest Forest Plan. The Service is required to allocate congressionally appropriated JITW program funds and

to direct these funds toward watershed restoration projects in Washington, Oregon, and northern California.

Purpose

The purpose of the JITW program is to implement watershed restoration projects within the range of the northern spotted owl (*Strix occidentalis caurina*) that (1) employ dislocated timber and forest industry workers to the extent possible; (2) address actions on non-federal lands identified during watershed analyses; (3) support ongoing watershed restoration projects on federal lands; and (4) benefit federally significant fish, wildlife, and plant species that include listed and proposed species, sensitive and at-risk species, migratory birds, anadromous fish, and their critical habitats. Social and economic goals for the JITW program are directed toward timber dependent communities affected by reduced timber harvests on federal lands within the range of the northern spotted owl. The ecological goals of the program are to restore ecosystem functions and values to natural conditions and achieve ecosystem restoration goals and objectives in concert with other governmental watershed restoration programs in the area covered by the Northwest Forest Plan. Additional program benefits and objectives include encouraging partners (e.g., government entities, private organizations and individuals) to promote environmental education experiences and to foster long-term stewardship of natural resources in the Pacific Northwest.

C. ADDITIONAL RATIONAL FOR A PROGRAMMATIC EA

The programmatic EA approach was also determined to be the preferred procedure for adequately analyzing the JITW program to meet the requirements under NEPA. The similarity of proposed restoration activities under the JITW program during any fiscal year allowed for the categorization of these activities under the following four major project categories¹: (1) instream habitat restoration, (2) riparian/wetland restoration, (3) fish passage improvements, and (4) upland/forest restoration. The rationale for this approach was that similar social, economic, and environmental impacts could occur from a given project within a project category independent of its location. For example, a fish passage improvement project that proposed to replace a culvert on a stream in Tillamook County would likely have the same potential impacts as a culvert replacement project in Curry County. Additional influencing factors supporting a categorical assessment are: (1) watersheds where restoration activities will occur have undergone preliminary assessments as part of local and/or regional watershed analyses that meets the Northwest Forest Plan watershed analysis guidelines (Regional Ecosystem Office 1995) or the intent of these guidelines; (2) a state or federal biologist, with local experience in completing similar project activities, is required to be involved in the planning and/or design process for each project; and (3) project coordinators must obtain required regulatory permits and comply with local, state, and federal mandates regarding all aspects of proposed restoration activities.

¹ Restoration also includes the creation of appropriate habitats under instream, riparian/wetland, and upland/forest restoration project categories.

Therefore, a programmatic EA was prepared for the above main project categories independent of project location and the fiscal year funding period. Future program changes outside the scope of this programmatic EA will result in the preparation of an additional EA or an Environmental Impact Statement, as necessary, to address environmental impacts related to the new changes.

CHAPTER 2 - ALTERNATIVES CONSIDERED

A. NO ACTION ALTERNATIVE

Under the no action alternative, many social, economic, and environmental goals and objectives under the JITW program may not be achieved using only the limited existing watershed restoration funding sources and programs in western Oregon. Social and economic achievements may be reduced and may further distress many timber dependent communities due to the reduction of JITW program funds that would be directed toward them for purchasing supplies, materials, and services, and to employ/train community workers.

Proposed watershed restoration projects may not be completed or only partially completed with existing resources, and may require project coordinators to solicit additional funding from other sources and programs to complete their projects. The reduction in the number and type of projects that may not be completed or only partially completed is not currently known. However, many projects may likely be postponed beyond anticipated completion dates delaying or not adequately achieving watershed restoration goals and objectives. A reduction in the number watershed restoration projects would diminish the benefits to federally significant fish, wildlife, and plant species (i.e., listed and proposed species, sensitive and at-risk species, migratory birds, anadromous fish, and their critical habitats) that may be gained if these projects were completed.

B. ACTION ALTERNATIVE - JITW PROGRAM FUNDING

Under the action alternative, the Service proposes to use congressional appropriations for the JITW program to fund watershed restoration projects on non-federal lands in western Oregon. Program funds will help to achieve the social, economic, and environmental goals and objectives outlined in the Program Guidance ([Appendix A](#)). Social and economic goals (i.e., employment and training opportunities) would be directed toward timber dependent communities affected by reduced timber harvests on federal lands within the range of the northern spotted owl. This alternative would also benefit federally significant fish, wildlife, and plant species by restoring degraded habitats.

Projects funded during any fiscal year will be assessed for social, economic, and environmental impacts along with their adherence to local, state, and federal regulatory mandates before distributing awarded funds. Project funding will provide the financial resources necessary to initiate and/or complete watershed restoration projects on non-federal lands in watersheds identified during local and/or regional watershed analyses. The JITW program is one of the few federal programs that provide funding for watershed restoration projects on non-federal lands. The implementation of the JITW program will give the Service an opportunity to carry out the Northwest Forest Plan directive of restoring and conserving the diverse forest and water resources in the Pacific Northwest, specifically on non-federal lands.

CHAPTER 3 - AFFECTED ENVIRONMENTS

Many watersheds in Oregon are in a degraded state from past and present road building, timber harvests, livestock grazing, agriculture, and other land use activities. Storms, floods, and other natural events have also caused significant changes and/or adverse impacts in watersheds. In western Oregon, degraded watersheds occur in Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Deschutes, Douglas, Hood River, Jackson, Jefferson, Josephine, Klamath, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Wasco, and Yamhill counties. Major impacts and problems currently present in western Oregon watersheds include, but are not limited to the following:

- < De-stabilization and compaction of streambanks and upland/forest soils and slopes
- < Increases in sedimentation and erosion rates
- < Loss in instream structural complexity and diversity
- < Decline in anadromous and resident salmonid spawning and rearing habitats
- < Reduction in vegetative composition and diversity in riparian, wetland, upland, and forest habitats
- < Decrease in overall water quality

Watershed restoration projects funded under the JITW program will occur in watersheds on non-federal lands within the range of the northern spotted owl in the above western Oregon counties. Many projects may have more than one stream reach, riparian/wetland area, and/or upland/forest area that may receive restoration treatments under a single project title. Proposed restoration activities for individual projects will fall under one or more of the following main project categories: (1) instream restoration, (2) riparian/wetland restoration, (3) fish passage improvements, and (4) upland/forest restoration. Specific restoration activities under each project category are discussed in more detail in Chapter 4 - Environmental Consequences. It should be noted that the financial resources necessary to complete restoration efforts in all of the watersheds are beyond the funding allocated to the JITW program. Therefore, only a limited number of watersheds would be directly affected.

The timber dependent communities that may be affected by watershed restoration efforts in western Oregon are listed in [Appendix B](#). Communities affected by restoration activities would be primarily near watersheds where the Service would conduct these activities.

CHAPTER 4 - ENVIRONMENTAL CONSEQUENCES

A. NO ACTION ALTERNATIVE

Under the no action alternative, watersheds identified in local and/or regional watershed analyses may be directly or indirectly impacted since watershed restoration efforts may be lessened from the lack of JITW funding. Watershed restoration projects not completed or only partially completed would decrease the size and length of rehabilitated stream, riparian/wetland, and upland/forest habitats. As a result, currently degraded habitats may recover slowly or decline further. Benefits to listed and proposed species, sensitive and at-risk species, migratory birds, anadromous fish, and their critical habitats may be diminished or not occur. In addition, many timber dependent communities may be further distressed by the lack of financial assistance and employment/training opportunities for community workers.

B. ACTION ALTERNATIVE - JITW PROGRAM FUNDING

Under the action alternative, the similarity of proposed watershed restoration project activities under the JITW program during any fiscal year allowed for the categorization of these activities under the following four main project categories: (1) instream habitat restoration, (2) riparian/wetland restoration, (3) fish passage improvements, and (4) upland/forest restoration. As stated previously, this approach was taken since similar social, economic, and environmental impacts could occur from a given project within a project category independent of the project location and the fiscal year funding period. Project summaries for the FY 1996 JITW program can be found in [Appendix C](#). The summaries are for informational purposes only. They are included as part of the programmatic EA in order to provide a realistic overview of proposed restoration efforts under the different project categories. Specific restoration efforts will vary by project location and from year-to-year, but these efforts will be only implemented in watersheds where prioritized restoration activities have been identified in appropriate watershed analyses.

C. IMPACT ANALYSES FOR THE ACTION ALTERNATIVE

This section will address the type of restoration activities included under the four main project categories. Social, economic, and environmental consequences will also be discussed respective to the restoration activities under the project categories.

Project Category I - Instream Habitat Restoration

Restoration activities in this project category will restore or improve instream and riparian habitats in degraded watersheds. Activities will focus on increasing and/or improving fish spawning and rearing habitats, instream diversity and complexity, natural hydrologic flow regimes, streambank stabilization, wildlife and plant habitats, and water quality. Specific restoration activities will consist of the following:

- < Installation of wood and/or boulder instream structures
- < Hydrologic modifications to stream side channels
- < Development of off-channel refuge areas
- < Installation of bioengineered streambank stabilization structures and the implementation of sedimentation and erosion reduction techniques
- < Installation or development of wildlife foraging, breeding, nesting, roosting, and basking structures

Project Category II - Riparian/Wetland Habitat Restoration

Restoration activities in this project category will restore or improve riparian and wetland habitats in degraded watersheds. Activities will focus on increasing and/or improving riparian/wetland vegetative composition and structural diversity, natural hydrologic flow regimes, streambank stabilization, wildlife and plant habitats, and water quality. Specific restoration activities will consist of the following:

- < Installation of streambank and/or cross-pasture livestock exclusion fencing
- < Installation of off-channel livestock watering facilities
- < Installation of livestock stream crossings
- < Installation of wood and/or boulder instream structures to establish natural hydrologic regimes in riparian/wetland habitats
- < Closure, abandonment, or decommissioning of roads
- < Drainage improvements on roads for sedimentation and erosion control
- < Reestablishment of natural wetlands and their functions
- < Creation of wetlands and their functions
- < Installation of bioengineered streambank stabilization structures and the implementation of sedimentation and erosion reduction techniques
- < Installation or development of wildlife foraging, breeding, nesting, roosting, and basking structures
- < Planting of native riparian and wetland vegetation
- < Silviculture treatments
- < Control or removal of invasive plant species

Project Category III - Fish Passage Improvements

Restoration activities in this project category will restore or improve fish passage through, over, or around instream barriers. Activities will focus on modifying existing fish passage barriers to allow for unobstructed passage to former spawning and rearing habitats. Specific restoration activities will consist of the following:

- < Installation or modification of fishways
- < Reengineering of irrigation diversion structures
- < Removal or lowering of log jams and culverts
- < External and/or internal modifications to culverts

- < Realignment of culverts to stream flows
- < Replacement of undersized culverts with appropriately sized culverts
- < Replacement of culverts with bridges
- < Installation of bioengineered streambank stabilization structures and the implementation of sedimentation and erosion reduction techniques
- < Installation or development of wildlife foraging, breeding, nesting, roosting, and basking structures
- < Planting of native riparian and wetland vegetation

Project Category IV - Upland/Forest Restoration

Restoration activities in this category will restore or improve upland and forest habitats in degraded watersheds. Activities will focus on increasing and/or improving upland and forest vegetative composition and structural diversity, soil and slope stabilization, wildlife and plant habitats, and water quality. Specific restoration activities will consist of the following:

- < Installation of livestock exclusion fencing
- < Installation of livestock watering facilities
- < Closure, abandonment, or decommissioning of roads
- < Drainage improvements on roads for sedimentation and erosion control
- < Installation of bioengineered soil and slope stabilization structures and the implementation of sedimentation and erosion reduction techniques
- < Installation or development of wildlife foraging, breeding, nesting, roosting, and basking structures
- < Planting of native upland and forest vegetation
- < Silviculture treatments
- < Control or removal of invasive plant species

Terrestrial and Aquatic Habitats

Terrestrial and aquatic habitats will be affected to varying degrees by the restoration activities under each of the main project categories. Common to all activities is the potential for impacts due to the use of heavy equipment to complete restoration efforts in the different habitats. Negative impacts may include soil compaction, damage or removal of overstory and understory vegetation, de-stabilization of soils and slopes, and decreased water quality resulting from sedimentation and erosion. Habitat impacts will be restricted to the local areas in and around project sites. All impacts are expected to be only temporary (i.e., no permanent, long lasting impacts) due to the JITW program requirements associated with project design and planning, experience of project personnel, and the implementation of JITW Best Management Practices (BMPs) ([Appendix D](#)) and other state/federal guidelines during all construction phases. [Table 1](#) shows the estimated times required to stabilize soils, slopes, and streambanks; establish or reestablish native vegetation; and eliminate water quality decreases resulting from the implementation of restoration activities. An in-depth programmatic analysis of the impacts to terrestrial and aquatic habitats resulting from restoration activities are presented in [Table 2](#). Suitable

and critical habitats will not be adversely impacted by restoration activities under any of the main project categories. Overall, the restoration efforts associated with terrestrial and aquatic habitats will improve the existing conditions at the local level.

Natural materials used in the JITW program will be either donated, purchased, or salvaged. Logs, rootwads, tree tops, and boulders will be obtained from private lands, federal lands, local timber mills, and highway projects. Conifer stands will not be specifically harvested to supply the required wooden materials for any JITW project. Hardwood timber from alder dominated riparian stands may be used occasionally for instream projects. Boulders will be obtained from non-streambed sources. Any wood or boulder materials collected for specific restoration efforts will be done during appropriate seasonal periods to eliminate or reduce soil and slope disturbances. Wooden materials obtained from approved silvicultural operations, as part of a JITW project, may also be used for habitat structures.

Native vegetation planted in riparian/wetland and upland/forest areas will be obtained from commercial suppliers, except willow (*Salix* spp.) cuttings that may be obtained from existing natural stands. The gathering of willow cuttings should not adversely affect any individual stand. Plants purchased from suppliers will be adapted to grow, to the extent possible, in the environmental conditions (e.g., elevation and range) present on project sites. Plants may also be salvaged from areas where ground disturbances will be occurring on JITW project sites; they will be replanted on the sites following the completion of construction activities.

Although the Service does not have complete control over natural material acquisition, appropriate steps will be taken to ensure that acquired materials will not impact any fish, wildlife, or plant species or their critical habitats. Steps to be taken include the implementation of BMPs and guidelines on all projects, written terms and conditions on Service authorization letters issued to the project coordinators allowing the start of project activities, and follow-up monitoring by the Service or its designated agent during project construction activities.

Project monitoring will also be required for each funded project under the JITW program. Monitoring will ensure that restoration activities implemented at individual project sites are functioning as intended and are not causing unforeseen adverse impacts to human health and safety; fish, wildlife, and plant populations; instream, riparian/wetland, and upland/forest habitats; or private and public properties and facilities. Corrective actions, as appropriate, will be taken if potential or actual problems are occurring.

Fish, Wildlife, and Plant Species

Fish and wildlife species may be impacted by restoration activities. Impacts may occur as disturbance (i.e., physical or physiological stresses), displacement, or the alteration of noncritical habitats. Construction related impacts to fish and wildlife species in and around project sites will be temporary (i.e., no permanent, long lasting impacts). Any disturbance or displacement resulting from heavy equipment and increased human activity will cease immediately following the completion of construction activities. The duration of construction activities will depend on the type and extent of the restoration efforts.

Fish and wildlife responses to noise disturbances are not well understood (Andersen et al. 1989, Fletcher and Busnel 1978, Fraser et al. 1985, Henson and Grant 1991, Reijnen et al. 1995, U. S. Environmental Protection Agency 1971, White and Thurow 1985). The possibility exists that construction activities may induce stresses in a species or certain individuals within the local population, but we cannot determine the extent of induced stresses. Noise disturbances to fish and wildlife species may result in, but are not limited to the following: reduced reproductive success; interference with foraging, resting, roosting, or species communication; decreased species or prey densities; and the attraction of predators to project sites. The degree of species habituation to various levels and types of noise disturbances in their territories and home ranges will dictate the extent, if any, of induced stresses.

Noise levels resulting from the implementation of restoration activities at any individual project site should not increase significantly above the ambient noise levels that would normally occur in nearby areas from timber harvests, ranching, and farming practices, or from vehicles traveling on nearby roadways. The majority of project locations under the JITW program will be in areas (e.g., semi-urban to rural) associated with ongoing timber harvests, ranching, and farming operations, and often adjacent to existing roads (e.g., primary and secondary highways, light duty and unimproved roads), railroad lines, and electrical transmission lines. Noise ranges for equipment powered by internal combustion engines, pneumatics, and electricity are shown in [Figure 1](#). Potential noise disturbances associated with restoration activities are presented in [Table 1](#). Moderate noise levels associated with listed restoration activities will be fluctuating and intermittent. High noise levels will also be fluctuating, but these noise levels will be more continuous in nature due to the extent and duration of the listed restoration activities. Noise levels at any individual project site will be attenuated to varying degrees, dependent on the sound frequency, by atmospheric conditions, terrain, ground impedance, foliage and vegetation, and the actual distance between the sound source and potential fish or wildlife species (Aylor 1971, Embleton 1963, Fletcher and Busnel 1978, Ingard 1953, Ingard and Maling 1963). Therefore, we believe that fish and wildlife species should not be significantly impacted by increased noise levels resulting from the implementation of restoration activities².

The timing of construction activities will also eliminate or reduce impacts to fish and wildlife species during critical activity periods, such as migration, breeding, and nesting. The Oregon Department of Fish and Wildlife and the National Marine Fisheries Service (NMFS) require specific timing restrictions on any project involving instream construction activities. Activities will generally be allowed to occur between June and mid-October. Exact timing restrictions will depend upon specific stream reaches. Appropriate timing restrictions (e.g., daily or calendar period) will also be instituted to protect terrestrial species, such as the northern spotted owls, marble murrelets (*Brachyramphus marmoratus*), and bald eagles (*Haliaeetus leucocephalus*). Project areas with documented use or with nearby suitable or critical habitats that may be occupied by listed, proposed, or candidate species will be subject to appropriate terms and conditions, and reasonable and prudent measures as set forth in the Biological

² Noise level impacts to humans is well documented in the literature (U. S. Environmental Protection Agency 1978). We believe that the increased noise levels resulting from the implementation of restoration activities at any individual project site should not significantly impact the human environment.

Opinions (Chapter 5 - Endangered Species Act). Designated or proposed critical habitats for any listed or proposed species will not be adversely impacted by JITW restoration activities.

Adverse impacts will not occur to any plants that are listed, proposed for listing, or species of concern. Areas containing any of these plant species will be avoided. In addition, a botanical survey will be conducted during appropriate seasonal periods by qualified personnel if any of these plant species are suspected to be present in a project area. Restoration activities will focus on increasing the composition and diversity as well as overall conservation of native plant species. (Refer to the Terrestrial and Aquatic Habitats section in this chapter for additional botanical impact information.)

The beneficial impacts to fish, wildlife, and plant species associated with JITW restoration activities will include, but are not limited to the following:

- < Increases in the distribution and abundance of salmonid species
- < Increases in the composition, diversity, and abundance of macroinvertebrate, avian, mammalian, amphibian, reptilian and native plant species
- < Improvements in land management practices (e.g., livestock grazing and irrigation practices)
- < Education and public outreach

Social and Economic Issues

The Service has encouraged all project coordinators to provide employment opportunities to qualified and eligible unemployed timber workers and unemployed persons from local timber dependent communities. When suitable local workers cannot be found, the Service has advocated the use of Ecosystem Workforce and Hire the Fishers crews. However, project coordinators are responsible for employing the required workforce to complete individual projects. The Service will oversee that the workers that are employed meet the JITW guidelines to the greatest extent possible.

The local economy will also benefit from the purchase of project materials, supplies, and services from local timber dependent communities. The Service has and will continue to encourage project coordinators to support local businesses. However, when needed materials, supplies, or services are not available in the immediate locale, coordinators are encouraged to support other timber dependent communities outside their local areas to fulfill project needs.

Formal or informal training, either classroom or field directed, will be provided to workers during the completion of individual projects. Training cannot be quantified since training opportunities will depend on the type of project being implemented and educational/training resources available in the local timber dependent communities. All participants employed to work in the JITW program will tentatively learn about the science of ecosystem restoration, technical and safety knowledge, and business development and management skills. An Ecosystem Workforce Curriculum has been developed for the JITW Ecosystem Workforce crews. The JITW program will also promote partnerships between private landowners, watershed councils, and local, state, and federal agencies. This will reinforce the social, economic, and watershed restoration goals and objectives of the Northwest Forest Plan.

Irreversible and Irrecoverable Resources

No irreversible or irretrievable resources will be affected by the restoration activities proposed under the main project categories, except fossil fuels and lubricants used for in motorized equipment.

Cumulative Restoration Impacts

The JITW program has and will continue to accomplish the watershed restoration goals and objectives of the Northwest Forest Plan and many local and/or regional watershed plans. The JITW program cannot restore any specific watershed completely, but the completion of restoration projects under the program will contribute to the cumulative increases in the overall health of enhanced watersheds. Restoration activities that have or will occur in western Oregon under the program during FY 1994-1996 are summarized in [Table 3](#). We expect that all restoration activities will result in benefits to many fish, wildlife, and plant species and their habitats. Benefits will also occur in many timber dependent communities due to financial assistance and employment/training opportunities provided under the program.

The cumulative impacts from other federal, state, and private watershed restoration efforts are difficult to correlate with the efforts under the JITW program. Documented information on the locations and extent of restoration activities associated with non-JITW restoration efforts is not readily available at the current time. Since present JITW project locations are widely distributed throughout western Oregon ([Figure 2](#)), the cumulative impacts associated with other restoration efforts are not currently considered significant at any local or regional level.

The Service will continue to analyze the cumulative watershed restoration impacts under the JITW program on a fiscal year basis. Future analyses will be conducted on a fifth order hydrologic unit level within respective watersheds in western Oregon. These hydrologic units are located within the United States Geological Survey fourth order hydrologic units identified on the hydrologic unit map for Oregon. Polygons for fifth order units generally range from 50,000 to 200,000 acres. The creation of fifth order units will support land management planning and information sharing among federal, state, tribal, and private entities. The fifth order units will also help to standardize the reporting of watershed restoration activities and will provide a standardized means of quantifying the effects of these activities within any specific watershed (State Service Center for Geographic Information Systems, Internet web page, <http://www.sscgis.state.or.us/>, February 11, 1997). An environmental impact statement will be written if cumulative analyses show significant impacts are occurring in any fourth order hydrologic unit within the state resulting from the implementation of watershed restoration activities on federal, state, tribal, and/or private lands.

CHAPTER 5 - COORDINATION, CONSULTATION, AND COMPLIANCE

A. CONTAMINANT SURVEYS

Environmental Site Assessment surveys will be conducted at all individual JITW project sites according to Department of Interior policy and guidance provided in the Department Manual, Part 602 DM 2, Public Lands, Land Acquisition, Exchange and Disposal, Real Property Pre-acquisition Environmental Site Assessments, dated September 29, 1995. The Level I survey is equivalent to the American Society for Testing and Materials Standard Practice for Environmental Site Assessments: Transaction Screen Process (E 1528-93).

B. ENDANGERED SPECIES ACT

Section 7(a)(1) of the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.) requires federal agencies to conserve endangered and threatened species. Section 7(a) (2) requires consultations to insure that any action authorized, funded, or carried out by the Service is not likely to jeopardize the continued existence of listed, proposed or candidate species or result in the destruction or adverse modification of critical habitats. Section 7(c) requires a Biological Assessment (BA) be prepared for major construction projects if any of those species or their critical habitats are present in the proposed action area.

The OSO and KB-ERO have decided to take a programmatic approach for the formal consultation process for the JITW program in Western Oregon. The Service and NMFS will prepare individual programmatic Biological Opinions (BOs) based on a JITW programmatic BA. The BA will describe the type of proposed restoration activities under the four main project categories along with the impacts and effects to listed and proposed species and their critical habitats. Information supporting the BA will be available for review in the JITW program files at the respective Service office.

The JITW program will be held to a higher standard during the formal intra-Service consultation process. Proposed and candidate species under the Service's jurisdiction will be considered as listed and proposed species, respectively, at the time of consultation. Formal conferencing will occur concurrently with the consultation process. The effects of the JITW program on species of concern will be addressed during the informal intra-Service consultation process that will be conducted during each fiscal year. The combined Oregon Natural Heritage Program species list for the FY 1996 JITW projects is presented in [Appendix F](#). This list is for informational purposes only. It provides information on the range of listed species, proposed species, candidate species, and species of concern that may be affected by restoration activities in and around the various project sites.

Formal conferencing with the NMFS for proposed anadromous fish species will also be conducted during their formal consultation process. Proposed anadromous fish species that will be considered under formal conferencing include the Oregon coast steelhead (*Oncorhynchus mykiss*) (U. S. Department of Commerce 1996), Klamath Mountains province steelhead (*O. mykiss*) (U. S.

Department of Commerce 1996), and coho salmon (*O. kisutch*) (U. S. Department of Commerce 1995).

The NMFS has completed their formal consultation and conferencing (March 4, 1997) for the effects of the JITW program on Umpqua River cutthroat trout (*Oncorhynchus clarki clarki*), Southern Oregon/Northern California coho salmon³, Klamath Mountains Province steelhead, Oregon Coast coho salmon, Oregon Coast steelhead, and Lower Columbia steelhead in western Oregon. This document is located in the OSO Integrated Files Section 6610. The programmatic BO states that there is “more than a negligible likelihood of resulting in incidental take of Umpqua River cutthroat trout because of detrimental effects on suspended sediment levels.” Based on the information in the programmatic BA, the NMFS anticipates that an unquantifiable amount of incidental take could occur as a result of the actions covered by the programmatic BO. The terms and conditions, and reasonable and prudent measures listed in the BO will be implemented on appropriate JITW projects to eliminate or reduce incidental take.

Jobs in the Woods projects funded in each fiscal year will be informally reviewed by Service and NMFS endangered species biologists to ensure that the constraints in the programmatic BA and BOs are still valid and appropriate with respect to proposed restoration activities and any new project location(s). Projects that do not meet the intent of the BOs will result in the reinitiation of formal consultation for those projects. Formal consultation will also be reinitiated with the Service or NMFS, as appropriate, (1) if any action is modified in a way that causes an effect on a listed species that was not previously considered in the BA and the BOs; (2) new information or project monitoring reveals effects of the action that may affect listed species in a way not previously considered; or (3) a new species is listed or critical habitat is designated that may be affected by the action (50 C.F.R. 402.16). In addition, formal consultation will be reinitiated should the constraints in the programmatic BA and/or BOs become so restrictive as to prevent the implementation of restoration activities at a specific project location(s) with respect to any listed, proposed, or candidate species or their critical habitats. Under this situation, the formal consultation process may be conducted on an individual project basis instead of a programmatic basis.

C. NATIONAL HISTORIC PRESERVATION ACT

Under NEPA and the National Historic Preservation Act (NHPA), the Service is required to consider the affect of Service undertakings on cultural resources. The Service’s administration manual Part 614 FW 1.7M defines undertakings as any federal, federally assisted, or federally licensed project, activity, or program that can result in changes in the character or use of known historic properties, if any such properties are found in the area of potential effects. These may include new and continuing projects, activities, or programs and any other of their elements not previously considered under the provisions of 36 CFR 800. The NHPA and other federal historic preservation statues require the federal government to preserve the Nation’s prehistoric and historic resources. Historic preservation includes

³ The Service will reinitiate consultation with NMFS, since the Southern Oregon/Northern California coho salmon was listed as “Threatened” on April 25, 1997 (Federal Register *in press*).

the protection, rehabilitation, restoration, and reconstruction of sites, buildings, structures, and objects significant in American history, architecture, engineering, and archaeology.

The Service will submit a request for cultural resource compliance for each project under the JITW program to its Regional Historic Preservation Officer (RHPO). The RHPO will evaluate the undertaking to decide if the project activities may cause changes in the character or use of the historic properties that exist in or surrounding the area of potential effect. This area includes the project site and surrounding locations where project activities would cause changes in land use, traffic, or other aspects that could affect historic properties. Results of their findings will be provided to the JITW project leader and State Historic Preservation Officer (SHPO). The SHPO has thirty days to review the Service's findings and issue their concurrence or nonconcurrence of the findings. Appropriate restrictions or exclusions will be made to preserve cultural resources associated with each project as required. These conditions will be incorporated in the final project authorization letter from the Service to the local project applicant before commencing on the ground project activities. Projects that would adversely affect cultural resources will be modified to eliminate the effect or JITW program funds will be withdrawn from those individual projects. Cultural resource findings for each project will be kept on file at the respective Service office.

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