

**SALMON RIVER RECREATIONAL SITES RENOVATION PROJECT  
DECISION NOTICE & FINDING OF NO SIGNIFICANT IMPACT  
USDA FOREST SERVICE  
SALMON RIVER RANGER DISTRICT, NEZ PERCE NATIONAL FOREST  
IDAHO COUNTY, IDAHO**

**1.1 DECISION AND REASONS FOR THE DECISION**

In 2006 the Nez Perce National Forest proposed to renovate four recreation sites along the Salmon River Road (Forest Road #1614) including Spring Bar Boat Ramp (T24N, R3E, Section 15), Carey Creek Boat Ramp and Day Use Facility (T24N, R4E, Section 3), Wind River Trailhead (T24N, R4E, Section 2), and Vinegar Creek Boat Ramp (T25N, R5E, Section 31). An Interdisciplinary Team designed the proposed improvements to provide for user convenience and safety and to reduce impacts to natural resources. The project area is located on the Salmon River Ranger District, Nez Perce National Forest, and the Krassel and McCall Ranger Districts, Payette National Forest in Idaho County, Idaho.

This action is needed because the recreation sites along the Salmon River road do not meet the demand for parking, loading and unloading, and restroom and other improvements and facilities during much of the boating and trail use season. Employees of the Salmon River Ranger District have observed congestion regularly at the four recreation sites and received feedback from private parties, outfitter and guide businesses, and the Coeur d'Alene District Recreation Resource Advisory Committee (RAC) - Salmon River Working Group members requesting improved facilities.

The Salmon River Recreational Sites Renovation Environmental Assessment (EA) documents the analysis of three alternatives designed to meet this need.

This Finding of No Significant Impact (FONSI) and Decision Notice (DN) incorporated by reference the Salmon River Recreational Sites Renovation Environmental Assessment (EA). The EA contains analysis and documentation used to support the decision and conclusions in this FONSI and DN.

**1.1.1 DECISION**

Based on my review of the effects analysis documented in the EA, my personal knowledge of the project area and the interdisciplinary proceedings, and review of the substantive public comments received throughout our planning process, I have decided to implement Alternative 3, with the following modifications:

- Install a double door toilet with changing wings at Vinegar Creek boat ramp instead of the proposed single door toilet (response to public comment 9-1).
- Construct Ramp E at Vinegar Creek as proposed, but delay removal of Ramp B for two to three years so we can monitor use and make a final determination

whether removal of Ramp B is advisable (response to public comments 2-3, 3-3, 4-2, 5-2).

- Acquire engineered final design for a primary informational, interpretive, and fee collection signage location at Vinegar Creek that would serve the entire site, and request and evaluate a second location/design for educational signage only, with the objective of maintaining effective utilization of space for traffic and parking (response to public comments 2-4, 2-9, 7-8, 7-11).
- Conduct in-stream construction activities in the Salmon River when the river is at its lowest flow, from August 1 through October 10, versus the normal instream window of July 1 through August 15 (response to public comments 4-5, 5-4, 6-5, and interdisciplinary team concerns).

Our objective is to implement the proposed renovation with the least amount of risk for fish species of concern. This can best be achieved by conducting the in-stream work activities while the river is at its lowest level. Flow records for the Salmon River indicate the lowest flow typically occurs between August 1 and October 10. This is outside the in-stream work window typically adopted in other watersheds to protect threatened, endangered, and/or sensitive fish species and their habitat. In the case of this project, the Forest Service fisheries biologist and representatives of the regulatory agencies have agreed, through Level 1 consultation (2/24/2009 meeting), that conducting in-stream activities during the lowest possible flow will: 1) minimize the amount of disturbance and the time equipment would be working in flowing waters; 2) decrease the need for large coffer dams and the associated risk of sediment delivery due to leakage; 3) allow construction activities to proceed when recreation use is typically lower, thereby reducing potential conflicts and/or disruption of activities.

Alternative 3, with the modifications described above, would not measurably change the nature, scope, or scale of effects as described in the EA. These changes would increase parking areas, harden or resurface sites, and improve the flow of vehicle and foot traffic at Spring Bar, Carey Creek, Vinegar Creek, and the Wind River trailhead recreational sites. Alternative 3 would also decrease congestion, provide for user convenience and safety, and reduce impacts to natural resources. Table 1.1 below summarizes the work to be done at each recreation site addressed by the project. Estimated quantities were derived for engineered conceptual plans for Alternative 3. Actual quantities may vary slightly based on final project design.

**Table 1.1**

<b>Spring Bar</b>	
New Parking Area Construction	Asphalt paving for eight vehicles
New Pathway Construction to Boat Ramp Area	102 ft <sup>2</sup>
Existing Ramp Repairs	Repair and replace with 2,400 ft <sup>2</sup> concrete
New Trail Construction to Restrooms	2,050 ft <sup>2</sup>

Access Road and Turnaround Reconditioning	5,380 ft <sup>2</sup>
<b>Carey Creek</b>	
Boat Ramp Entrance Widening	Total area: 18,000 ft <sup>2</sup>
Vehicle Turnaround Improvements	Total area: 21,650 ft <sup>2</sup>
Boat Ramp Widening	Total area: 8,360 ft <sup>2</sup>
Staircase Construction	90 ft <sup>2</sup>
Restroom Construction	One double vault
Carey Creek Ramp Access Road Realignment	Shift roadway & increase to 3,670 ft <sup>2</sup> ; Recondition, gravel approach, and construct drainage dip
Picnic Area Upgrades	Remove chimney, delineate path, replace fire rings with pedestal barbeques
New Parking Area Construction	Total Area: 22,500 ft <sup>2</sup>
Pathway Construction	300 ft <sup>2</sup>
<b>Wind River Trailhead</b>	
West Parking Area Improvements	9,450 ft <sup>2</sup>
East Parking Area Improvements	600 ft <sup>2</sup>
Culvert Extension	10 ft 18 in
Stock Facilities Upgrades	Remove existing ramp, hitch rails, & feed bunks. Install 2 new feed bunks, 2 new hitch rails, and 1 new loading ramp
Water Tank and Water Line Installation	Install water tank & water line
Huntz Gulch Access Road Realignment	11,490 ft <sup>2</sup>
Old Huntz Gulch Access Road Obliteration	1,220 ft <sup>2</sup>
Restroom and Signboard Construction	25 ft <sup>2</sup> New signboard
<b>Vinegar Creek</b>	
Sand Removal and Relocation	Regularly
Parking Area Surfacing and Delineation	27,900 ft <sup>2</sup>
Pathway to Restroom Construction	285 ft <sup>2</sup>
Parking Area Construction	11,611 ft <sup>2</sup>
Concrete Boat Ramp Stabilization	Ramp C: Replace panels
Concrete Boat Ramp Widening	Ramp A total area: 4,500 ft <sup>2</sup>
Boat Ramp Removal	Remove Ramp B
Restroom Replacement	One
New Boat Ramp Construction	Ramp E total area: 3,340 ft <sup>2</sup>

When compared to the other alternatives, this alternative responds to public comment and further analysis related to needs for improvements. This alternative addresses the purpose and need for the project using the improvements to achieve these goals.

This alternative meets requirements of the Nez Perce National Forest Plan (USDA Forest Service 1987) as amended. This alternative also meets requirements of the National Forest Management Act (NFMA) and implementing regulations in 36 CFR 219, and 16 U.S.C. 1604, the National Environmental Policy Act of 1969 (NEPA) and Council on Environmental Quality (CEQ) implementing regulations under 40 CFR 1500-1508; the National Historic Preservation Act (NHPA) and implementing regulations under 36 CFR 800; the Clean Water Act (Federal Water Pollution Control Act) together with implementing regulations under 40 CFR 130; the Endangered Species Act of 1973, as amended (P.L. 96-159 1531(c)) (ESA) and implementing regulations pursuant to 50 CFR 402.06 and 40 CFR 1502.25, and the Clean Air Act (CAA) and implementing regulations in 40 CFR 50.

### **1.1.2 OTHER ALTERNATIVES CONSIDERED**

In addition to Alternative 3, I considered two other alternatives. A comparison of these alternatives can be found in Section 2.4 of the EA.

#### *Alternative 1 - No Action*

Under the No Action alternative, current management plans would continue to guide management of the project area. General maintenance would continue to occur. No renovation of the recreation sites would occur. Congestion at the boat ramps and in parking lots would continue to occur.

#### *Alternative 2 - Proposed Action*

Alternative 2 would increase parking areas, harden or resurface sites, and improve the flow of vehicle and foot traffic at Spring Bar, Carey Creek, Vinegar Creek, and the Wind River trailhead recreational sites. Alternative 2 includes a less robust list of proposed renovations than Alternative 3 (EA, section 2.4 - comparison of alternatives). This alternative, like alternative 3, would decrease congestion, provide for user convenience and safety, and reduce impacts to natural resources, but at a smaller scale than Alternative 3.

### **1.1.3 PUBLIC INVOLVEMENT**

The Salmon River Ranger District initiated planning for the Salmon River Recreation Sites Renovation project in June 2006. On August 15, 2006, the District sent informational letters to interested individuals and organizations on the Nez Perce National Forest's and the Salmon River Ranger District's NFMA/NEPA mailing lists,

and to 21 outfitters who operate on the Salmon River. The project description was also included in the Forest's Quarterly Schedule of Proposed Actions from 2006 to the present. We received seventeen written comments in response to the initial letter, along with several phone calls.

The Forest Service conducted several meetings and field visits with individuals, landowners, interested groups and nongovernmental organizations, and representatives of federal, state, and local agencies, and Tribal representatives to further revise and develop the proposed action and alternatives. The Forest Service initiated Tribal consultation with the Nez Perce Tribe at a meeting on April 8, 2006, and sent them the August 18, 2006 scoping letter. The Tribe has not identified any significant concerns regarding this proposal to date.

Using the comments from the public, numerous individuals, landowners, interested groups, nongovernmental organizations, Tribal representatives, and representatives of federal, state, and local agencies (EA, section 1.8), the interdisciplinary team identified several issues regarding the effects of the proposed action. The main issues of concern included visual resources, fisheries, watershed, wildlife, rare plants, weeds and non-native vegetation, and heritage resources (EA, section 2.2.1).

Alternative 3 responds to the issues, concerns, and recommendations identified through this public involvement process. Specialists revised the alternative based on feedback from the public visits, phone calls, and written comments, to best meet the purpose and need while reducing potential environmental impacts. The interdisciplinary team considered the comments and incorporated them in the analysis documented in the Salmon River Recreational Sites Renovation Environmental Assessment.

Consistent with 36 CFR 220.7, we sent out 75 notices to initiate the formal comment period for the pre-decisional Environmental Assessment. We received ten comment letters. We have responded to all comments received (Appendix A, attachment 1) and modified Alternative 3 reflects some of on those comments. The complete record of the public involvement process is available for review in the Project File.

## **1.2 FINDING OF NO SIGNIFICANT IMPACT**

After considering the environmental effects described in the EA and after further discussions with the regulatory agencies, I have determined Alternative 3 as modified would not have a significant effect 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. I base my findings on the following:

### **1. MY FINDING OF NO SIGNIFICANT ENVIRONMENTAL EFFECTS IS NOT BIASED BY THE BENEFICIAL EFFECTS OF THE ACTION.**

The EA includes effects discussions for resources that could be affected through implementation of Alternative 3 as modified. Potential adverse effects have been identified (EA, Chapter 3), disclosed, and mitigated through development of project

specific design criteria, mitigation measures and monitoring plan (EA, sections 2.3.3.4 – 2.3.3.6). The overall effect of implementing Alternative 3 as modified is expected to be beneficial, and the specific direct, indirect and cumulative effects will be within standards set forth by the Nez Perce Forest Plan, and consistent with applicable environmental laws (EA, sections 3.4.2, 3.5.2, 3.6.2, 3.7.2, 3.8.2, 3.9.2, 3.10.2, 3.11.2, 3.12, 3.13).

**2. THERE WILL BE NO SIGNIFICANT EFFECTS ON PUBLIC HEALTH AND SAFETY.**

The design features and mitigation measures, including the modifications, limit effects to public health and safety. Alternative 3 with modifications will have no significant adverse effects on public health and safety.

**3. THERE WILL BE NO SIGNIFICANT EFFECTS ON UNIQUE CHARACTERISTICS OF THE AREA.**

The proposed action is not located in proximity to park lands, prime farmlands, wetlands, or ecologically critical areas.

Heritage Resources

No heritage resources would be adversely affected by the proposed action. A heritage resource field survey and assessment was completed for this project. Historic properties are located within the area and one identified site would be monitored during project implementation. The Forest Heritage Resource Specialist made a determination that the project would have no adverse effect on these properties because the project has been designed to avoid significant effects to components/features associated with these properties. The State Historic Preservation Office reviewed the documentation provided by the Forest Heritage Specialist and agreed with the determination (Project Record, E.9.-0002).

Eligible Wild and Scenic Corridor

The project is located along the eligible “Recreational” portion of the Salmon River, under the Wild and Scenic Rivers Act. Proposed activities in Alternative 3 as modified would not negatively change the Salmon River’s Outstandingly Remarkable Values (ORVs), or classification. The Salmon River Recreation Sites Renovation project does not propose any impoundment, diversion, straightening, rip-rapping, or other modification of the waterway that would affect the free-flowing character of the river. Therefore, the portion of the Salmon River in the project area would maintain its eligible “Recreational” status for potential future inclusion in the National Wild and Scenic Rivers system (EA, section 3.5.2.2).

Consequently, there are no unique characteristics of the geographic area that would be adversely affected by Alternative 3 as modified action.

**4. THE EFFECTS ON THE QUALITY OF THE HUMAN ENVIRONMENT ARE NOT LIKELY TO BE HIGHLY CONTROVERSIAL.**

The effects on the quality of the human environment are not likely to be highly controversial. While some individuals feel certain aspects of the project do not meet their personal desires, and there is disagreement on some points, public and scientific

support is high for recreation renovations. No highly controversial issues were identified during scoping. Numerous public comments were received during the scoping process, and the majority of the comments were in support of the project (EA, section 1.8, section 4, DN/FONSI, Appendix A, attachment 1).

**5. THE FOREST SERVICE HAS CONSIDERABLE EXPERIENCE WITH THE TYPES OF ACTIVITIES TO BE IMPLEMENTED. THE EFFECTS ANALYSIS SHOWS THE EFFECTS ARE NOT UNCERTAIN, AND DO NOT INVOLVE UNIQUE OR UNKNOWN RISK.**

Alternative 3 as modified does not contain risks that are highly uncertain or involve unique or unknown risk. Renovation and maintenance are considered common activities for Forest Service facilities. Design criteria (EA, section 2.3.3.5, Table 2-1) will be incorporated during project layout and implementation, to avoid and minimize known risks associated with the project. Mitigation measures (EA, section 2.3.3.5, Table 2-2) will be employed where unexpected situations arise that could potentially have a detrimental effect on resources.

Alternative 3 as modified was developed using extensive field surveys and reconnaissance, incorporation of pertinent research and collaboration with interested publics (EA, sections 1.8, 3.4.1.2, 3.5.1.1, 3.5.2, 3.6.1.1, 3.7.1.1, 3.8.2, 3.9.1, 3.9.2, 3.10.1.1, 3.11.1.1, 3.12, 3.14, 4.2 and 4.3). Each applicable regulatory agency has issued a letter of concurrence and consistent with the effects analysis determinations.

State Historic Preservation Office: Heritage Determination of Eligibility and Effect, dated 4/7/2008 (Project Record, E.9-0002)

US Fish and Wildlife Service: Fisheries concurrence, dated 7/3/2008 (Project Record, F.1-0007).

National Oceanic and Atmospheric Administration – National Marine Fisheries Service: Biological Opinion, dated 1/8/2009 (Project Record, F.1-0005), and notes from the Level 1 meeting dated 2/24/2009 (Project Record, F.1-0008).

**6. THE ACTION IS NOT LIKELY TO ESTABLISH A PRECEDENT FOR FUTURE ACTIONS WITH SIGNIFICANT EFFECTS.**

Alternative 3 will not set a precedent for future actions with significant effects. The proposed activities are similar in nature and effects to many other projects along the Salmon River and are consistent with the Nez Perce National Forest Plan (EA, sections 3.4.2, 3.5.2, 3.6.2, 3.7.2, 3.8.2, 3.9.2, 3.10.2, 3.1.2, 3.12, 3.13 and 3.14). This action does not represent a decision in principle about a future consideration.

**7. THE CUMULATIVE IMPACTS ARE NOT SIGNIFICANT.**

The specialists on the Interdisciplinary Team (IDT) identified direct and indirect impacts of the project that might contribute to a cumulative impact, reviewed past, present, and reasonably foreseeable activities (EA, section 3.3), as well as the monitoring and mitigation pertinent to this proposal, and documented cumulative effects, if any, in their reports. Based on their analyses, the impacts associated with Alternative 3 as modified will contribute minimally to the impacts of past, present, and reasonably foreseeable projects, and will not have any significant cumulative effects.

The proposed action would have no unfavorable cumulative effects on Visual Resources (EA, section 3.5.1.2), Fisheries (EA, section 3.6.1.2), Watershed (EA, section 3.7.1.2), Wildlife (EA, section 3.8.1.2), Rare Plants (EA, section 3.9.1.2), and Heritage Resources (EA, section 3.11.1.3).

For the following resources, the proposed action may contribute to effects from past, present and reasonably foreseeable actions, but the cumulative effects would not be significant: Recreation (EA, section 3.4.1.2), and Weeds and Non-Native Vegetation (EA, section 3.10.1.2).

Recreation (EA, section 3.4.1.2; Response to Comments Appendix A)

Recreation use is not expected to cumulatively increase solely as a result of the project. The proposed improvements would provide facilities to address only 40% of the maximum potential take-out use received at Carey Creek boat ramp (EA, page 3-12).

In 2002, the Idaho Department of Parks and Recreation began gathering baseline data on outdoor activities. The most recent 2006-2010 Statewide Comprehensive Outdoor Recreation and Tourism Plan (SCORTP) indicates a 30% increase. Estimates of recreation use were difficult to attain for this particular section of river (DN/FONSI, Appendix A, Attachment 2).

The recreation renovations are already occurring in topographically-limiting terrain and future expansion and use of the sites would be difficult beyond what is already proposed.

Weeds and Non-Native Vegetation (EA, section 2.10.1.2)

Past and present disturbances associated with vegetative treatments added to reasonably foreseeable actions would increase the risk of weed expansion due to distribution of weed seed, ground disturbance, and creation of spread corridors. The degree of the cumulative effect would vary depending upon the number of entrances over time, the distribution of disturbance across the analysis area and the acres disturbed. The cumulative risk of weed expansion would be mitigated with the implementation of the project design criteria and mitigation measures (EA, section 2.3.3.5) and would be limited in scope and scale due to the relative small size of this project in relation to the Salmon River Canyon.

**8. THE ACTION WILL HAVE NO SIGNIFICANT ADVERSE EFFECT ON DISTRICTS, SITES, HIGHWAYS, STRUCTURES, OR OBJECTS LISTED IN OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES. THE ACTION WILL ALSO NOT CAUSE LOSS OR DESTRUCTION OF SIGNIFICANT SCIENTIFIC, CULTURAL, OR HISTORICAL RESOURCES.**

A comprehensive evaluation of heritage resources was conducted and considering implementation of the project design criteria and mitigation measures, resulted in a “no adverse effect” determination from the State Historic Preservation Office (SHPO) (EA, section 3.11 and 3.12, Project Record, F.3-0001). The recommendations provided in the Heritage Resources section of the EA regarding the preservation and protection of significant cultural resources, consultation with the Nez Perce Tribe and SHPO, and

the necessary additional surveys, are consistent with the Nez Perce National Forest Plan as amended. I met with Tribal staff most recently in July 2008 to provide up to date information on the project. Nez Perce Tribal staff did not identify any significant concerns with the Salmon River Recreation Sites Renovation project.

**9. THE ACTION WILL NOT ADVERSELY AFFECT ANY ENDANGERED OR THREATENED SPECIES OR ITS HABITAT THAT HAS BEEN DETERMINED TO BE CRITICAL UNDER THE ENDANGERED SPECIES ACT OF 1973.**

The ID Team disclosed and documented potential effects on endangered or threatened species and their habitat in biological assessments and evaluations (Project Record, E.4-0003, E.6-0001) and concluded that Alternative 3 as modified would have the following effects on listed species:

**“No Effect”:** Sockeye salmon, Gray wolf, Canada lynx, Northern Idaho ground squirrel, Macfarlane’s four-o’clock and Spalding’s catchfly.

**“May Affect, Not Likely to Adversely Affect”:** Bull trout.

**“May Affect, Likely to Adversely Affect”:** Snake River fall and spring/summer Chinook salmon, Snake River steelhead trout.

The “May Affect, Likely to Adversely Affect” determination for Snake River fall and spring/summer Chinook salmon, and Snake River steelhead trout was made for Essential Fish Habitat (EFH). This determination is based on potential short term effects when the boat ramp work (including construction, removal, and reconditioning) and work on some of the proposed parking areas (those lower in elevation than the annual average and 100,000 cfs Salmon River flow elevation) would occur within designated critical habitat (migration corridor of juvenile and adults) for spring/summer Chinook salmon, steelhead trout, and fall Chinook salmon, and potential spawning habitat at Spring Bar. These actions would physically alter this habitat by placing fill materials within the flow channel, moving substrates (cobbles/rocks/fines), and altering water flow and fine deposition patterns and processes in these areas.

The specific results of these actions are unknown, but are expected to be highly localized due to the insignificant change in the feature’s elevation. The activities may subtly change small pocketwater and back eddy areas along the margins of the river and behind rocks/cobbles within the rivers flow, used while juveniles are migrating. However, the alterations that potentially could occur would not be expected to occur at a meaningful scale or magnitude to impair habitat conditions or adversely affect fish. The localized scale and magnitude of these actions and changes in relation to the Salmon River environment as a whole are anticipated to be minute, and thus insignificant.

The risk of affecting fish or their habitat would further be reduced because boat ramp reconditioning would occur within the existing footprint of the concrete already present. All finished boat ramp elevations (either existing or new) and parking facilities at or below the 100,000 cfs flow elevation are expected to be similar (+ 1 inch) to existing facility or existing natural features’ elevations. Thus the anticipated changes are likely to be minimal due to the insignificant change in the feature’s elevation.

Additionally, Alternative 3 contains substantial design criteria and mitigation measures to minimize risks of disturbance to the Salmon River and fish habitat. See EA section 2.3.3.5 for detailed information on these measures.

The Forest Service has informally consulted with the NOAA-Fisheries regarding fish species and habitat and the U.S. Fish and Wildlife Service regarding fish, wildlife and plant species and habitat. We reached agreement regarding the proposed determinations of effect for subject species in June 2008. The Forest is not required to formally consult with the U.S. Fish and Wildlife Service regarding wildlife or rare plant species or habitat, because of the “no effect” determination to these threatened and endangered species and habitat. The Forest Service did, however, request and receive concurrence from the U.S. Fish and Wildlife Service in July 2008 for bull trout, concluding the informal consultation with this agency under Section 7 of the Endangered Species Act.

Formal consultation with NOAA-Fisheries for Snake River steelhead, and fall and spring/summer Chinook salmon fish species and habitat consistent with Section 7 of the Endangered Species, and Section 305 of the Magnuson-Stevens Fishery Conservation and Management Act, is complete, and the Forest Service will comply with the terms and conditions provided in the NOAA-Fisheries’ Biological Opinion. NOAA Fisheries concluded that the proposed work activities are not likely to jeopardize the continued existence of the ESA-listed fish species, nor to destroy or adversely modify critical habitat (Project Record, F.1-0005).

I therefore conclude that the action will not significantly adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973.

**10. THE ACTION WILL NOT VIOLATE FEDERAL, STATE, AND LOCAL LAWS OR REQUIREMENTS FOR THE PROTECTION OF THE ENVIRONMENT. APPLICABLE LAWS AND REGULATIONS WERE CONSIDERED IN THE EA. THE ACTION IS CONSISTENT WITH THE NEZ PERCE NATIONAL FOREST PLAN.**

My decision is consistent with all laws, regulations, and agency policy relevant to the Salmon River Recreational Sites Renovation project. The following discussion is not an all-inclusive listing, but is intended to provide information on areas raised as issues or comments by the public or other agencies.

Based on review of the actions associated with this project, the Salmon River Recreation Sites Renovation project is consistent with applicable Federal, State, and local laws and regulations, and no environmental protection laws will be violated with the implementation of this project. Alternative 3 meets federal, state, and local laws for heritage resources or cultural sites (EA, sections 1.5.1, 1.5.2, 2.3.3.5, 3.11, 3.12, 3.14; Project Record F.3-0001), water quality (EA, sections 1.5.1, 1.5.2, 1.5.4, 2.3.3.5, 3.5.2, 3.6.2, 3.7.2, 3.12, Project Record E.5 – 0001, E.5-0006), Threatened and Endangered species (EA, sections 1.5.1, 1.5.2, 3.8.1.1, 3.8.2, 3.13, Project Record F.6- 0001), noxious weeds (EA, sections 1.5.1, 1.5.2, 3.10, 3.12, Project Record E.8 - 0001), and fisheries (EA, sections 1.5.1, 1.5.2, 2.3.3.5, 3.6.1.1, 3.6, 3.12, 3.13, Project Record E.4 –0003, F.1-0005). It also meets National Environmental Policy Act disclosure

requirements (Salmon River Recreational Sites Renovation EA and this Finding of No Significant Impact).

### **Nez Perce and Payette Forest Plans**

My decision to implement Alternative 3 as modified is consistent with the intent of the forest plans' long term goals and objectives. The project was designed in conformance with land and resource management plan standards and incorporates appropriate land and resource management plan guidelines for the applicable Management Areas that occur within the Salmon River Recreational Sites Renovation project area described in the EA (EA, section 3.12). Specific and applicable standards and guidelines that help guide the intensity, timing and extent of the activities included in this decision are identified in the Nez Perce and Payette Forest Plans.

### **National Forest Management Act [at 16 U.S.C. 1604(i)]**

The National Forest Management Act and accompanying regulations require that several specific findings be documented at the project level.

***Forest Plan Consistency [16 U.S.C. 1604(i)]*** – All resource plans must be consistent with the Forest Plan goals, objectives and standards. Forest Plan goals, objectives and standards are displayed throughout the Salmon River Recreational Sites Renovation EA. Consistency with these goals, objectives and standards is addressed most specifically in Chapters I, II, and III of the EA.

### **Alaska National Interest Lands Conservation Act (ANILCA)**

The Alaska National Interest Lands Conservation Act (ANILCA) assures access to non-federally-owned lands within the boundaries of the National Forest System as is deemed adequate to secure reasonable use. Alternative 3 as modified is in compliance with ANILCA. The planned road obliteration (1,220 ft<sup>2</sup>) would not restrict access to non-federally owned land. Travel from non-federally owned land to federally owned land would not be changed from the existing access prescriptions.

### **Clean Water Act**

The objective of the Clean Water Act is to "...restore and maintain the chemical, physical, and biological integrity of the nation's waters." One of the Act's goals is to "...provide for the protection and propagation of fish, shellfish, and wildlife" and provide for "...recreation in and on the water" (33 U.S.C. 466 et seq., Title I, Section 101). Based on the analysis disclosed in this document, Alternative 3 complies with the Clean Water Act. This project includes design and mitigation measures to ensure management activities maintain or improve watershed condition (EA, section 2.3.3.5). These features, including best management practices, are designed to maintain or improve soil, water, riparian and aquatic resources, including beneficial uses. Cumulatively this direction would ensure continued compliance with the Clean Water Act (EA, section 3.7.2).

As designed and mitigated, Alternative 3 as modified will comply with applicable Clean Water Act and Idaho State Water Quality Standards. Compliance for water quality standards is assured by the design and location of the planned activities and the

mitigation identified. Idaho Water Quality Standards provide for water quality protection of designated and existing beneficial uses of water. Idaho has designated the Salmon River below the project area for cold water communities, primary contact recreation, domestic water supply, and special resource water. The project is expected to maintain or improve conditions related to these beneficial uses.

Through the Clean Water Act, the State of Idaho identifies water quality concerns. No waters downstream of the activity area are identified on the 2002 Integrated 303(D)/305(B) report as impaired.

An in-depth discussion of the effects of the project on aquatic resources is located in the EA section 3.6 (Fisheries) and section 3.7 (Watershed).

### **Environmental Justice (Executive Order 12898)**

Executive Order 12898 (59 Fed. Register 7629, 1994) directs federal agencies to identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. Executive Order 12898 requires an analysis of the impacts of the proposed action and alternatives to the proposed action on minority and low-income populations. It is designed in part "...to identify, prevent, and/or mitigate, to the greatest extent practicable, disproportionately high and adverse human health or environmental effects of USDA programs and activities on minority and low income populations."

I have reviewed the effects of Alternative 3 as modified and find the proposed actions would have no disproportionate impacts on individual groups of peoples or communities. Implementation of the selected action would produce no adverse effects on minorities, Native Americans, or women. No civil liberties of American Citizens would be affected.

Project specific consultations were held with Nez Perce Tribal Staff. The Nez Perce Tribe holds treaty rights for hunting, fishing, and other activities on the Nez Perce National Forest (Project Record F.2-0001 to 0003). The implementation of this project is expected to provide enhanced recreational opportunities in communities such as Riggins, with a related effect on the local economy. Some of these communities include minority populations that may benefit from the economic effects.

Based upon the analysis disclosed in this document, Alternative 3 as modified is in compliance with Executive Order 12898.

### **Floodplains and Wetlands (Executive Orders 11988 & 11990)**

Executive Orders 11988 and 11990 pertain to floodplain management and protection of wetlands. Alternative 3 as modified includes project design and mitigation measures and restoration activities that are expected to meet the intent and assist in the attainment of the objectives of these Executive Orders.

Alternative 3 as modified is not expected to negatively change the functions or values of wetlands and floodplains as they relate to protection of human health, safety, and welfare; preventing the loss of property values, and; maintaining natural systems.

Activities would take place within the active channel, requiring a 404 permit from the US Army Corps of Engineers and Stream Alteration permit from the State of Idaho.

All actions being considered in Alternative 3 as modified take place on existing recreation sites. The proposed project may result in ground disturbance of approximately four acres located within the RHCA. However, this disturbance would impact a very small amount of riparian vegetation.

Construction of the access road, parking areas, and boat ramps would not adversely affect the function or adversely modify the floodplain. Overall, riparian and floodplain effects are considered low adverse because of the small amount of area involved. This project meets the requirements of Executive Orders 11988 and 11990, which apply to protection of wetlands and floodplains. These features are protected through implementation of BMP's and Payette and Nez Perce Forest Plans standards and guidelines.

### **1.3 IMPLEMENTATION DATE**

If no appeal is filed within the 45-day time period, implementation of the decision may begin on, but not before, the fifth business day following the close of the appeal-filing period (36 CFR 215.15). If an appeal is filed, implementation may occur on, but not before, the 15th business day following the date of appeal disposition (36 CFR 215.2).

The Forest Service plans to implement this project beginning in calendar year 2010, dependent on funding. Activities would be expected to span five to ten years.

### **1.4 APPEAL OPPORTUNITIES**

This decision is subject to appeal pursuant 36 CFR 215.11. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at USDA Forest Service, Northern Region, Attn: Appeals Deciding Officer (RFO), P.O. Box 7669, Missoula, Montana 59807. An electronic appeal may be submitted to: [appeals-northern-regional-office@fs.fed.us](mailto:appeals-northern-regional-office@fs.fed.us). Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc) For hand or express delivery of appeals deliver to 200 East Broadway, Missoula, Montana between the hours of 7:30 am and 4:00 pm, Monday through Friday, excluding holidays. Appeals via facsimile may be submitted to (406) 329-3411. The appeal must have an identifiable name attached or verification of identity will be required. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice in the Lewiston Morning Tribune, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Lewiston Morning Tribune, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted substantive comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

If the Forest Service receives an appeal on this project, the Responsible Official and the appellant may conduct informal resolution meetings and/or conference calls. These discussions would take place within 15 days after the closing date for filing an appeal. All such meetings are open to the public. If you are interested in attending any informal resolution discussions, please contact the Responsible Official or monitor the following website for postings about current appeals in the Northern Region of the Forest Service: [http://www.fs.fed.us/r1/projects/appeal\\_index.shtml](http://www.fs.fed.us/r1/projects/appeal_index.shtml).

### 1.5 CONTACT

For additional information concerning this decision, contact John Fantini, Team Leader, or me at the Salmon River Ranger District office, at 304 Slate Creek Road, White Bird, ID. 83554 or by phone at (208) 839-2211.

*/s/ Darcy Pederson*

DARCY PEDERSON  
Acting District Ranger  
Salmon River Ranger District  
Nez Perce National Forest

April 6, 2009

DATE

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