



United States
Department of
Agriculture

Forest
Service

July 2009



DECISION NOTICE

FINDING OF NO SIGNIFICANT IMPACT

Staney Creek Enhancement & Restoration Project #1

Thorne Bay Ranger District, Tongass National Forest
Prince of Wales Island, Alaska



(Harvested riparian area, Staney Creek Watershed)

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United States
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Alaska Region
Tongass National Forest
Thorne Bay Ranger District

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File Code: 1950-1
Date: July 14, 2009

Dear Planning Participant

Enclosed is a copy my decision to select and implement Alternative 2 of the Stoney Creek Enhancement & Restoration Project #1, on the Thorne Bay Ranger District, Tongass National Forest. My decision and decision rationale are documented in the attached Decision Notice (DN) and Finding of No Significant Impact (FONSI). As well as a brief overview of the reasons we are doing this project.

Based on the Environmental Assessment and the findings displayed within the attached DN/FONSI, I have determined: the Stoney Creek E&R#1 Selected Alternative is not a major action that will have a significant effect on the human environment, as identified in the Council of Environmental Quality regulations for the National Environmental Policy Act (40 CFR 1508.27), and therefore does not require the preparation of an Environmental Impact Statement.

Based on the overall supportive response to the EA, I have determined that the Stoney Creek E&R1 EA is not subject to appeal per 36 CFR § 215.12 (e) (1):

Implementation may occur immediately following publication of this decision in the paper of record per 36 CFR 215.9(c)(1):

Thank you for taking the time to participate in this process. Your comments and involvement have been important to me. For additional information, concerning this decision or the appeal process, contact me at 907-828-3210, or Chuck Klee, Prince of Wales Island Zoned Environmental Coordinator, at 907-828-3264

Sincerely,



JASON C. ANDERSON
Thorne Bay District Ranger

PROJECT TIMELINE

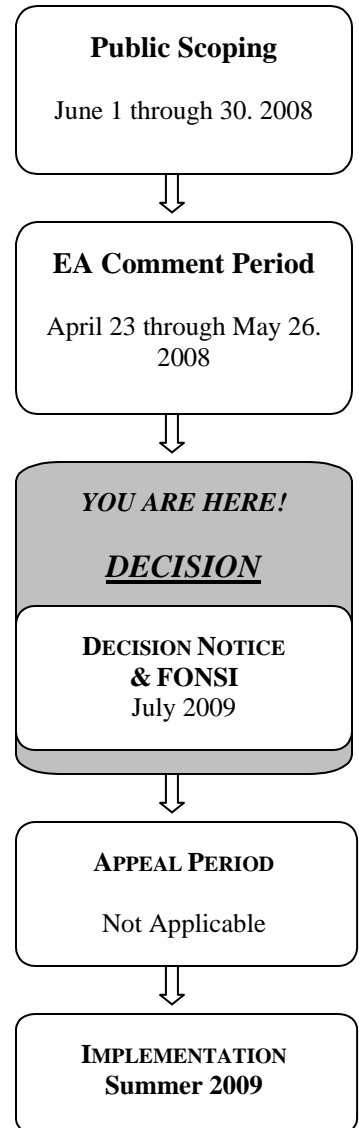


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INTRODUCTION

This Decision Notice (DN) documents my decision to select and implement Alternative 2 of the Staney Creek Enhancement and Restoration Project #1 Environmental Assessment (EA), hereafter referred to as Staney Creek E&R#1. It includes factors and rationale considered in reaching my choice among the Alternatives presented in the Environmental Assessment. This Decision Notice also contains a brief summary of the environmental analysis completed for this project, and information concerning the right to Administrative Review or Appeal of this decision.

The Environmental Assessment completed for this project is incorporated by reference in this decision document and is the basis for the Finding of No Significant Impact (FONSI) beginning on page 10. The FONSI shows my conclusions why Alternative 2 is not a major federal action which will have a significant effect on the human environment, and therefore does not require the preparation of an Environmental Impact Statement.

Three sets of comments were received on the EA. The major points in the EA comments are presented within this Decision Notice.

DECISION

Based on the EA completed for this project, the enclosed FONSI (page 10), and comments received during both the 30-day project scoping period and 30-day public review of the EA, it is my decision to select Alternative 2, as proposed, with no changes, hereafter referred to as the Selected Alternative. The Selected Alternative will:

- 1) Restore fish passage and improve watershed processes that control quality of fish habitat, movement and storage of sediment, and flow of water across the landscape by:
 - storing 27.8 miles of road;
 - decommissioning 8.8 miles of road;
 - placing large trees, root wads, and large rocks along 20,000 feet of stream, in 11 stream segments; and
 - thinning 357 acres of riparian young growth forest.
- 2) Enhance deer winter range conditions by cutting 4,037 one-tenth acre gaps in dense young growth stands at a rate of 1 gap per acre for a total of 404 acres treated;
- 3) Enhance future timber production by thinning 808 acres of densely stocked young growth forest using 14 - 16 foot spacing.

DECISION RATIONALE

After a thorough review of the Staney Creek E&R #1 EA and public comments, I have decided that the Selected Alternative:

- Is not a major action that will have a significant effect on the human environment and therefore does not require the preparation of an Environmental Impact Statement (see FONSI, page 10).
- Helps move the project area toward the desired land use conditions, and goals and objective for those land uses, as described in the Forest Plan (EA page6).
- Meets the project Purpose and Need (see PURPOSE AND NEED section below).
- Contains timely actions, especially when considering the trend of reduced budgets and reduced dollars available for proper road maintenance.
- Contains numerous opportunities for local contracting or stewardship contracts.
- Meets all Forest Plan Standards and Guidelines, Best Management Practices, and all other applicable laws and regulations.

PROJECT LOCATION

The Staney Creek Enhancement and Restoration Project Area is located on north Prince of Wales Island near the community of Naukati, Alaska (see Project Vicinity Map, Figure 1, page 3). The project area covers about 39,387 acres (62 square miles), and encompasses the 8 sub-watersheds that comprise the Staney Creek Watershed (see Figure 2, page 4). It lies within the southern half of Wildlife Analysis Area 1422 and is divided into 5 Land Use Designations (LUDs): Timber Production (30,115 acres); Modified Landscape (2,359); Old Growth (6,716); and Special Interest Area (189 acres).

Figure 1. Staney Creek Project Area Vicinity Map.

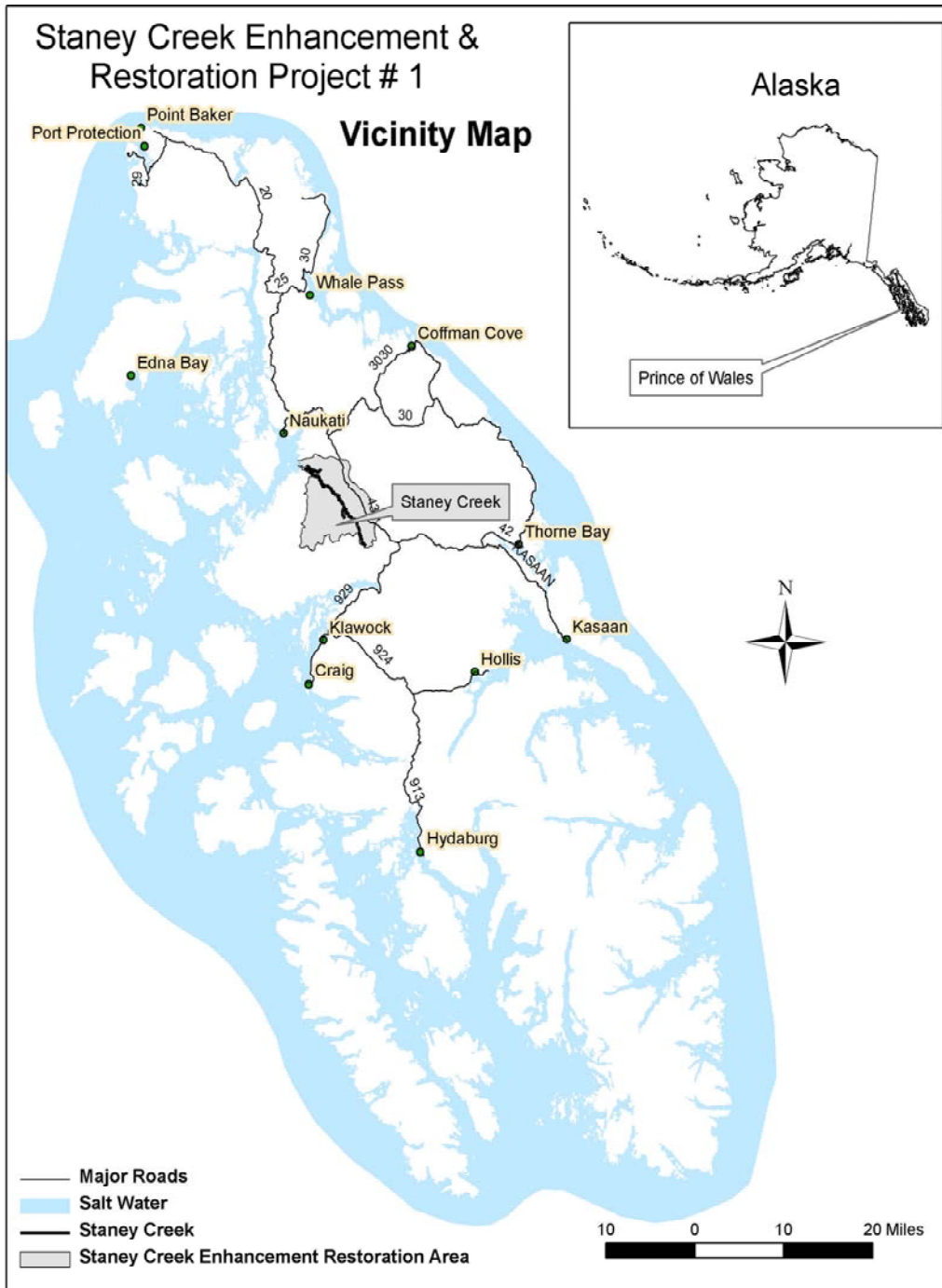
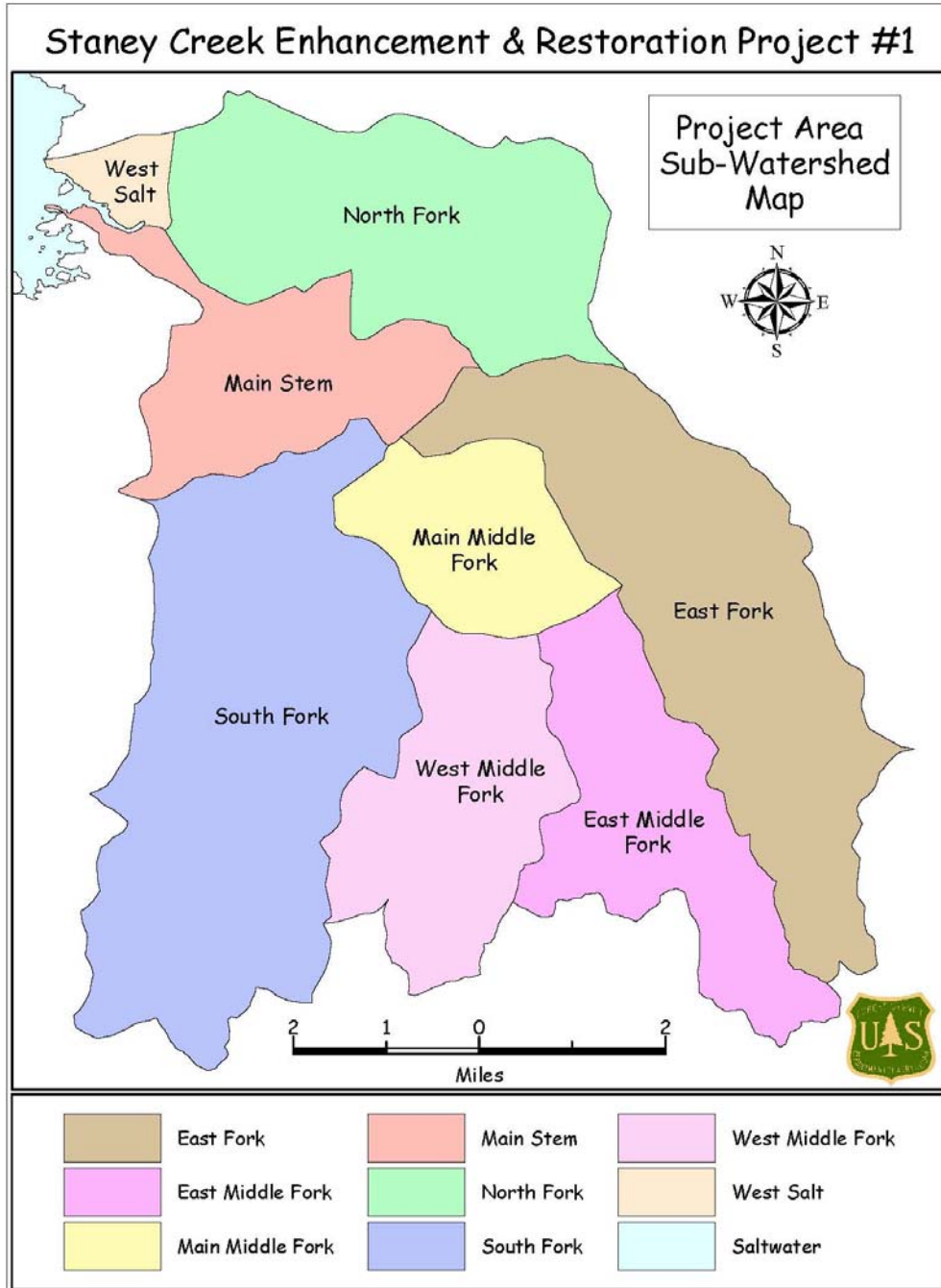


Figure 2. Eight Sub-Watersheds Comprising the Staney Creek Project Area.



S. Burch, 4/2/2009, staneyER_treatments_wshd2_04022009.mxd

PURPOSE AND NEED

The purpose of the Staney Creek Enhancement and Restoration Project is to address the effects of past management actions and move the project area from the current condition to a desired future condition described by the 2008 Tongass National Forest Land and Resource Management Plan (Forest Plan). The purpose of the project is based on the theory that naturally functioning ecosystems will best sustain populations of freshwater and terrestrial organisms. In addition, the Forest Service (USDA 2008c) is directed to “maintain or restore the natural range and frequency of aquatic habitat conditions on the Tongass National Forest to sustain the diversity and production of fish and other freshwater organisms.”

The need for action is documented in three recent landscape level planning documents: A Framework for Setting Watershed-scale Priorities for Forest and Freshwater Restoration on Prince of Wales Island (TNC 2007); the Staney Creek Young Growth Vegetation Management Strategy (USDA 2008a); and the Staney Creek Watershed Restoration Plan (USDA 2008b). These documents all point to the rich biological value of the Staney Creek Project Area, and the need to address the effects of past timber and road management actions on watershed and habitat function. These documents point to the need to:

1. Restore the ecological processes and improve the condition of riparian areas and streams in all LUDs to approximate a more pre-harvest condition. More specifically:
 - Increase channel and habitat complexity in the Main Stem, Northern, Middle Fork, and South Fork Watersheds.
 - Improve salmon rearing habitat in the Middle Fork, South Fork and Main Stem Watersheds
 - Increase steelhead spawning habitat in South Fork and Middle Fork Drainages
 - Increase Coho and Chum spawning habitat in the Main Stem, Northern, Middle Fork, and South Fork Watersheds
 - Restore riparian area vegetation diversity in all sub-watersheds
 - Reduce sediment sources in the Main Stem and Middle Fork Watersheds
 - Restore flood plain connectivity in the Middle Fork Watershed
 - Restore natural hillslope drainage patterns in the Middle Fork Watershed
2. Enhance deer winter range conditions by increasing forage production in young growth stands in all LUDs.
3. Enhance future timber production by thinning dense young growth stands in timber production LUDs.

PUBLIC INVOLVEMENT

As part of the EA process, information about the project and its likely environmental effects is distributed to communities and agencies, followed by consultation with representatives of the same groups. The following is a summary of public involvement and consultation for this project.

The Staney Creek E&R1 project has been listed on the Tongass National Forest Schedule of Proposed Actions (SOPA project # 24668) since April, 2008. A 30-day scoping notice, soliciting comments on the proposed project, was published in the Ketchikan Daily News, on May 31, 2008. The scoping letter, which summarized the purpose and need for the project and actions proposed, was sent to approximately 450 individuals, organizations and federal and state agencies that had previously shown interest in USDA Forest Service projects within the vicinity of Prince of Wales Island, Alaska. Fifteen responses to scoping were received (scoping respondents are listed below).

A 30-day Notice for Public Comment on the EA was published in the Ketchikan Daily News, on April 23, 2009. The EA was sent to approximately 47 individuals, organizations and federal and state agencies who wished to remain on the project mailing list after scoping. Four responses were received (EA respondents are listed below).

Scoping respondents:

Artley, Dick
Bartos, Louis
Brockman, Steve
(US Fish & Wildlife Service)
Coose, Dick
Durland, Robert (SAF, Dixon Entrance Chapter)
Hawes, David (DOT & PF, Southeast Region)
Hardigg, Karen (Wilderness Society)
Harris, Scott (Sitka Conservation Society)
Jensen, John E.
Kaelke, Mark (Trout Unlimited)
Privett, William B. (Friends of the Forest)
Roppel, Pat
Sachau, B.
Sebastian, Joseph (Forest Dwellers)
Ule, Edward R.

EA respondents:

Roppel, Frank
Hardigg, Karen (Wilderness Society)
Kaelke, Mark (Trout Unlimited)
Thoms, Andrew (Sitka Conservation Society)

Responses to the EA were overwhelmingly supportive. There were a few comments worth clarifying:

1. Two respondents suggested the activities be prioritized, and have submitted their preference for prioritization. While I appreciate the suggestion, it is important to me to maintain flexibility, in order to accomplish the work. Changes in funding and availability of personnel, both governmental and private contractors, will affect which parts of this project are implemented and when.
2. One respondent suggested we consider user-friendly waterbars and road barriers on any roads we close, that a person could navigate on foot or bicycle,. It is not always possible to close a road such that one can walk or bike safely, especially over areas where drainage structures have been removed. However, to the extent possible, we will try to maintain that condition on the roads requested.
3. One respondent suggested our cumulative effects analysis should have included the large Staney Creek Timber Sale EIS, as a reasonably foreseeable action. The Staney Creek Timber Sale EIS project was scoped in the mid to late 1990's. The Notice of Intent (NOI) to begin that project was issued in the Federal Register July 24, 1997. Forest Service Handbook (FSH) Regulations state that a new Notice of Intent (NOI) must be issued if, after one year from the date of issuance of the original NOI, the project becomes delayed, changes dramatically, or if the Responsible Official has changed (FSH 1909.15, Chapter 21.2). The Staney EIS project has been on hold for almost ten years. To resume the project would require a new NOI. It has been removed from the Tongass Schedule of Proposed Actions, and will be removed from the five-year timber sale plan. At this time, we really do not know if and when a large timber sale project will occur in the Staney Creek area, nor whether it will contain a restoration component, stewardship component, or even encompass the same project area. We are presently working with various groups associated with the Tongass Futures Roundtable, to determine how we would like to see the Staney Creek area evolve. For these reasons, it is clearly appropriate that the IDT did not include that project in their cumulative effects analysis.

Consultation and Coordination

The Forest Service consulted the following individuals, Federal, state and local agencies, tribes and other concerned citizens during the development of this environmental assessment:

Federal, State and Local Agencies

United States Forest Service.

Alaska Department of Natural Resources – Office of Habitat Management and Protection

ADF&G Div. Of Subsistence

ADF&G Div. Of Wildlife Conservation

ADF&G Sport Fishing Division

Advisory Council Historic Preservation

Alaska Coastal Management Program

Alaska Dept. of Environmental Conservation
Alaska Dept. of Natural Resources
Alaska Dept. of Transportation
Alaska Div. of Govt. Coordination
Alaska Office of the Governor
Alaska State Historic Preservation Office
City of Coffman Cove
City of Craig
City of Hydaburg
City of Kasaan
City of Klawock
City of Kupreanof - Petersburg
City of Thorne Bay
City of Port Alexander
City of Wrangell
Community Council of Hollis
Craig Public Library
Edna Bay Fish & Game Advisory Committee
Federal Aviation Administration
Federal Highway Administration
Hollis Public Library
Hollis Community Council
Hyder Public Library
Juneau Public Library
Kake Public Library
Ketchikan Public Library
Kettleson Memorial Library – Sitka
Petersburg Public Library
National Marine Fisheries Service
NOAA Office of Policy and Strategic Planning
Office of the Governor
Point Baker Community Council
Thorne Bay Community Library
Tlingit & Haida Central Council
U.S. Army Corps of Engineers
U.S. Coast Guard
U.S. Fish and Wildlife Service
Wrangell Public Library

Tribes

Craig Community Association (CCA)
Klawock Cooperative Association (KCA)
Hydaburg Cooperative Association (HCA)
Organized Village of Kasaan (OVK)

ISSUES & ALTERNATIVES

Issues

For the purposes of this analysis, issues identified during the public involvement process are categorized by the project IDT as either significant or non-significant. Significant issues are those directly or indirectly caused by implementing the proposed action and represent unresolved disputes, disagreements or debate about the effects of the proposed action. Non-significant issues are those that have been resolved through analysis by the IDT. They are typically resolved in a number of ways, and are categorized as: 1) outside the scope (not related to the effects) of the proposed action; 2) already decided by law, regulation, Forest Plan, or other higher level decision; 3) irrelevant to the decision to be made; or 4) conjectural and not supported by scientific or factual evidence. The magnitude, extent, duration, speed, and direction of preliminary effects can also be considered in determining non-significance. The Council for Environmental Quality (CEQ) NEPA regulations require this delineation in Sec. 1501.7, "...identify and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review (Sec. 1506.3)..."

Scoping comments were evaluated by the IDT, using the above process, and all concerns were resolved, thus no significant issues were brought forward. Comments generated during scoping, and the IDT analyses of those comments, can be found in the project record at the Thorne Bay Ranger District.

Alternatives Considered in Detail

Alternative 1: No Action

The No Action Alternative is included to meet NEPA requirements, and provide a baseline for comparison. Activities such as thinning, road storage and in-stream restoration could still be proposed individually, analyzed, and implemented, however, the and fiscal efficiency of the activities could be diminished as they would likely occur independently and over a longer period of time.

Alternative 2 (Selected Alternative)

Restore fish passage and improve watershed processes that control quality of fish habitat, movement and storage of sediment, and flow of water across the landscape by:

1. storing 27.8 miles of road;
2. decommissioning 8.8 miles of road;
3. placing large trees, root wads, and large rocks along 20,000 feet of stream, in 11 stream segments; and
4. thinning 357 acres of riparian young growth forest.

Enhance deer winter range conditions by cutting 4,037 one-tenth acre gaps in dense young growth stands at a rate of 1 gap per acre for a total of 404 acres treated;

Enhance future timber production by thinning 808 acres of densely stocked young growth forest to 14 - 16 foot spacing.

Alternatives Considered but Eliminated from Further Review

Based on scoping comments, an additional alternative was considered during the planning process, which would have removed thinning slash from up to 200 of the 400 thinning acres proposed, and made it available for commercial uses such as biomass fuel, posts and poles, or pellets. This alternative was dropped from further consideration and analysis due to a perceived conflict with future commercial thinning opportunities within the Staney Creek watershed. Many young growth stands in the project area are within 10 to 15 years of reaching a size that would allow a broader range of commercial thinning products such as cabin logs, saw logs, in addition to the products mentioned above.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

After review and consideration of the environmental effects described in the Staney Creek E&R#1 EA, incorporated herein by reference, I have determined that these actions will 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. In making a determination of “significant impact,” I used the criteria described under the term “significantly” in the Forest Service Environmental Policy and Procedures Handbook (FSH 1909.15 (05)). This term includes both context and intensity. These criteria are listed below in italics.

1) Impacts that may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial.

The Staney Creek E&R1 EA described effects that are both beneficial and adverse. While both beneficial and adverse effects are important, they are not significant, in either context or intensity, to the degree that an EIS is warranted for this project.

Context: (a) Restore fish passage and improve watershed processes that control quality of fish habitat, movement and storage of sediment, and flow of water across the landscape by:

Intensity:

- Storing 27.8 miles of road;
- Decommissioning 8.8 miles of road;
- Placing large trees, root wads, and large rocks along 20,000 feet of stream, in 11 stream segments; and
- Thinning 357 acres of riparian young growth forest.

Roads stored or decommissioned will be stabilized, water barred and returned to a more natural state. While these operations will have a net overall benefit to fish and wildlife, there may be a minimal, short-lived sedimentation effect.

In-stream projects improve habitat complexity by placing large wood and rocks along stream segments that have lost their depth, pool frequency, and large wood as a result of past timber harvest and road construction. Placing large trees, root wads, and large rocks along 20,000 feet of stream, in 11 stream segments; will have a net overall benefit to fish and wildlife. There may be a minimal, short-lived sedimentation effect.

Riparian thinning improves floodplain function by increasing bank stability and increasing the growth rate of young trees for future large woody debris. Riparian thinning will have a net overall benefit to fish, but also to wildlife. It is not expected to contribute any sedimentation. Slash may inhibit some wildlife movement, but will become less of an obstacle as it decomposes over time.

The amount of road storage or decommissioning in common wetland types for the Selected Alternative is considered negligible (Project Record – Soils Resource Report);

No NFS roads will be constructed under the Selected Alternative;

No Temporary roads will be constructed under the Selected Alternative.

Context: (b) Enhance deer winter range conditions by:

Intensity: Cutting 4,037 one-tenth acre gaps in dense young growth stands at a rate of 1 gap per acre for a total of 404 acres treated.

One methods of wildlife thinning uses gaps or openings in stem-excluded areas of young growth to increase the amount of sunlight reaching the forest floor, which stimulates forage production. Gap thinning is not expected to contribute any sedimentation. Slash may inhibit some wildlife movement, but will become less of an obstacle as it decomposes over time.

No “significant” impairment to soil productivity is anticipated from the Selected Alternative (Project Record – Soils Report); therefore no “significant” impacts to soils are expected by implementing Selected Alternative; •

Context: (c) Enhance future timber production by:

Intensity: Thinning 808 acres of densely stocked young growth forest using 14 - 16 foot spacing.

Timber enhancement traditionally uses even-spaced thinning to increase the growth and yield of young growth stands for future commercial use. It is not expected to contribute any sedimentation. Slash may inhibit some wildlife movement, but will become less of an obstacle as it decomposes over time.

No “significant” impairment to soil productivity is anticipated from the Selected Alternative (Project Record – Soils Report); therefore no “significant” impacts to soils are expected by implementing Selected Alternative; •

No restoration or enhancement activities occur within Roadless areas;

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

This action does not pose a substantial question of significant effect upon public health or safety. Similar past forest management activities have not resulted in significant effects upon public health or safety. All applicable Federal and State laws pertaining to public health and safety will be followed.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

Context: The proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

Intensity: This decision will not significantly affect any unique characteristics of the geographic area. There are no known significant effects to wetlands (Soils Report, Project Record).

There are no prime farmlands, wild and scenic rivers, wilderness, or ecologically critical areas within the project area. All activities lie within low sensitivity zones for cultural resources, indicating that they have a low potential to contain cultural resources. This determination was made on the basis of slope, elevation, and absence of known historic properties (Heritage Resource Report, Project Record).

Based on the evidence found in the EA and Project Record, I have determined that there are no “significant” impacts on historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, ecologically critical areas, because:

No historic properties are located within the area of potential effects for the project (Heritage Resource Report, Project Record);

- All selected actions are recommended for clearance based on pedestrian reconnaissance and limited survey of each area added to a search of existing archaeological data, which concluded that no historic properties are located within the area of potential effects for the project. Therefore, the Selected Alternative would have no “significant” impact to districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (Heritage Resource Report, Project Record). The Alaska State Historic Preservation Office has concurred with this finding of no impact;
- The Selected Alternative would not result in human occupancy within the floodplains. Therefore, no “significant” impact to floodplains would result from implementing the Selected Alternative.

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

Context and Intensity: The effect on the quality of the human environment is not likely to be highly controversial. Public comments resulting from project scoping and the EA analysis, have been on the whole supportive. Therefore, based on those comments and analysis, I have determined that any effects on the quality of the human environment are not likely to be highly controversial.

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

Context and Intensity: Effects described in the EA have been analyzed with a reasonable degree of certainty. There are no known effects on the human environment that are highly uncertain or involve unique or unknown risks. The mitigations, harvest methods, and other features of this decision are either commonly used or present known risks. Based on this analysis, I have determined no unique or unknown risk is involved with this project, therefore there is no “significant” impact due to uncertainty or a unique or unknown risk.

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

Context and Intensity: The proposed action does not set a precedent for any future actions with significant effects nor does it represent a decision in principle about a future consideration. This decision only pertains to restoration and encement work within the Staney Creek E&R#1 Project Area. Any future decisions would need to consider relevant scientific and site-specific information available at that time. Therefore I have determined the Selected Alternative would set no precedent for future

action with “significant” impacts, nor would it represent a decision in principle about a future consideration.

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

Context and Intensity: There are no known significant cumulative effects between this project and other projects implemented or planned on the areas separated from the affected area of this project. Cumulative effects have been analyzed and disclosed throughout Chapter 3 of the EA. Therefore I have determined the Selected Alternative actions have individually insignificant impacts and cumulatively insignificant impacts as they relate to past, present, and reasonably foreseeable actions.

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

Context and Intensity: This action will not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places; nor will the action cause the loss or destruction of “significant” scientific, cultural, or historical resources. Additionally, the Alaska State Historic Preservation Officer has concurred, under Section 106 of the National Historic Preservation Act, that no historic properties will be affected by implementation of the Staney Creek E&R#1 EA (Project Record, Heritage Resource Report). Therefore, I have determined no “significant” impacts would occur that adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of “significant” scientific, cultural, or historical resources.

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

Context and Intensity: No listed, threatened, endangered, or sensitive species or their critical habitats are affected by this decision (EA, page 21). Therefore no “significant” impacts would occur that adversely affect any listed, endangered or threatened species or its habitat. The Project Record, located at the Thorne Bay Ranger District contains the biological evaluations supporting this judgment.

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

Context and Intensity: This action does not violate Federal, State, or local law requirements imposed for the protection of the environment, and has been reviewed by Federal and State agencies (EA, pages 10 & 11, and EA Appendix A, pages 42 & 43). There are no known significant effects on civil rights, women or minorities.

FINDINGS REQUIRED BY LAWS AND REGULATIONS

2008 Tongass Land and Resource Management Plan

Context and Intensity: This decision is consistent with the Forest Plan and all action alternatives complied with the Tongass Land and Resource Management Plan as amended. This project incorporates all applicable Forest Plan Standards and Guidelines and management prescriptions and complies with Forest Plan goals and objectives. The Forest Plan complies with all resource integration and management requirements of 36 CFR 219 (219.14 through 219.27). Application of Forest Plan direction for the Staney Creek E&R#1 project ensures compliance at the project level.

Therefore, I have found the Selected Alternative consistent with the Forest Plan.

Endangered Species Act

Context and Intensity: The Selected Alternative is not anticipated to have a direct, indirect or cumulative effect on any threatened and endangered species in or outside the project area (EA page 21). Consultations with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service have been conducted and these agencies have concurred: that the proposed project is not likely to affect any threatened or endangered species. A Biological Evaluation has been completed for this action which indicates that no federally listed threatened or endangered species will be affected by this activity.

Therefore, I conclude no significant effects would occur to threatened and endangered species.

National Historic Preservation Act

Context and Intensity: The Forest Service program for compliance with the National Historic Preservation Act (NHPA) includes locating, inventorying and evaluating the National Register of Historic Places eligibility of historic and archeological sites that may be directly or indirectly affected by scheduled activities. Regulations (36 CFR 800) implementing Section 106 of the NHPA require Federal agencies to consider the effects of their actions on sites that are determined eligible for inclusion in or are listed in the National Register of Historic Places (termed "historic properties"). A Forest Service

archeologist has reviewed this project and we have made a determination of "No Historic Properties Affected," in the area of potential effects for the proposed project.

Therefore, I conclude no significant effects would occur to historic resources.

Federal Cave Resource Protection Act

Context and Intensity: There are no known caves or rocks associated with karst formation, including limestone and dolomite, found within the project area. Forest Plan Karst and Caves Standards and Guidelines would be applied should any karst resources be found.

Therefore, I conclude no significant effects would occur to Karst or Caves.

Alaska National Interest Lands Conservation Act (ANILCA)

Context and Intensity: Actions proposed for the road closure and storage in the Staney Creek E&R#1 Project Area, parallel exactly those proposed in the Prince of Wales Access Travel Management EA (POW ATM). In July of 2009, ANILCA Section 810 & 811 subsistence and access evaluation Subsistence Hearings were conducted all over Prince of Wales Island, as well as in Ketchikan and Saxman.

Therefore, I have found the Staney Creek E&R#1 Selected Alternative consistent with ANILCA.

Clean Water Act

Context and Intensity: Congress intended the Clean Water Act of 1972 (Public Law 92-500) as amended in 1977 (Public Law 95-217) and 1987 (Public Law 100-4) to protect and improve the quality of water resources and maintain their beneficial uses. Section 313 of the Clean Water Act and Executive Order 12088 of January 23, 1987 address Federal agency compliance and consistency with water pollution control mandates.

Agencies must be consistent with requirements that apply to "any governmental entity" or private person. Compliance is to be in line with "all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution."

The Clean Water Act (Sections 208 and 319) recognized the need for control strategies for non-point source pollution. The National Non-point Source Policy (December 12, 1984), the Forest Service Non-point Strategy (January 29, 1985), and the USDA Non-point Source Water Quality Policy (December 5, 1986) provide a protection and improvement emphasis for soil and water resources and water-related beneficial uses. Soil and water conservation practices, in the form of Best Management Practices (BMPs), were recognized as the primary control mechanisms for non-point source pollution on National Forest System lands. The Environmental Protection Agency supports this

perspective in their guidance, "Non-point Source Controls and Water Quality Standards" (August 19, 1987). The Forest Service must apply Best Management Practices that are consistent with the Alaska Forest Resources and Practices Regulations to achieve Alaska Water Quality Standards. The site-specific application of BMPs, with a monitoring and feedback mechanism, is the approved strategy for controlling non-point source pollution as defined by Alaska's Non-point Source Pollution Control Strategy (October 2000). In 1997, the State approved the BMPs in the Forest Service's Soil and Water Conservation Handbook (FSH Handbook 2509.22, October 1996) as consistent with the Alaska Forest Resources and Practices Regulations. This Handbook is incorporated into the Tongass Land and Resource Management Plan.

A discharge of dredge or fill material from normal silvicultural activities such as thinning for the production of forest products is exempt from Section 404 permitting requirements in waters of the United States, including wetlands (404(f)(1)(A)). Forest roads qualify for this exemption only if they are constructed and maintained in accordance with best management practices to assure that flow and circulation patterns and chemical and biological characteristics of the waters are not impaired (404(f)(1)(E)). The BMPs that must be followed are specified in 33 CFR 323.4 (a). These specific BMPs have been incorporated into the Forest Service's Soil and Water Conservation Handbook under BMP 12.5. The Selected Alternative will apply Best Management Practices.

Therefore, I have determined that no significant impact to water quality would be expected to occur from this project.

Clean Air Act

Context and Intensity: Emissions anticipated from the implementation of the Selected Alternative will be of short duration and are not expected to exceed State of Alaska ambient air quality standards (18 AAC 50).

Therefore, I have determined that no significant impact to air quality would be expected to occur from this project.

Coastal Zone Management Act

Context and Intensity: Under the Coastal Zone Management Act (CZMA) of 1972, as amended, Forest Service activities and development projects that affect the coastal zone must be consistent to the maximum extent practicable with the enforceable policies of the Alaska Coastal Management Program (ACMP). Such "consistency determinations" are made by the Forest Service and are reviewed by the State of Alaska as required by the CZMA.

Under the Alaska Forest Resources and Practices Act (AFRPA) of 1979 (as amended), Forest Service timber harvest projects satisfy the CZMA consistency requirement if the Forest Plan and all related Standards and Guidelines applicable to the project provide no less resource protection than the AFRPA requires for timber harvest projects on State

land; except, the AFRPA specifies a different minimum riparian standard for federal projects than for State projects.

The Forest Service has determined that the Staney Creek E&R#1 project does not affect the coastal zone and that Forest Plan Standards and Guidelines and mitigation measures applicable to this project meet or exceed the requirements of the State of Alaska Forest Resources and Practices Act.

I have determined therefore, the project is consistent, to the maximum extent practicable, with the enforceable policies of the Alaska Coastal Management Program. Copies of this determination and supporting information were provided to the State of Alaska, Department of Program Management and Permitting, for review as required by the CZMA. .

Magnuson-Stevens Fishery Conservation and Management Act

Context and Intensity: Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act requires consultation with the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) for actions or proposed actions that may adversely affect essential fish habitat, defined as the waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. Essential Fish Habitat (EFH) includes streams, rivers, lakes, ponds, wetlands and other bodies of water currently and historically accessible to anadromous fish, as well as estuarine, intertidal, and marine waters.

Because all activities proposed are designed to restore or enhance natural processes, using Forest Plan Standards and Guidelines, and Best Management Practices, it is unlikely that any significant adverse effects would occur to Essential Fish Habitat by implementing this project.

Executive Order 11988

Context and Intensity: Executive Order 11988 directs Federal agencies to take action to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains.

I have concluded that No "significant" impacts to floodplains will occur due to project implementation (Record – Soils Resource Report).

Executive Order 11990

Context and Intensity: This Executive Order requires Federal agencies to avoid, to the extent possible, the long- and short-term adverse impacts associated with the destruction or modification of wetlands.

The amount of road closure in common wetland types for the Selected Alternative is considered negligible, therefore, I have concluded that No “significant” impacts to wetlands will occur due to project implementation (Project Record – Soils Resource Report).

Executive Order 12898

Context and Intensity: Executive Order 12898 directs Federal agencies to identify and address the issue of environmental justice, i.e., adverse human health and environmental effects of agency programs that disproportionately impact minority and low-income populations.

I have concluded that implementation of the Selected Alternative is not anticipated to cause disproportionate adverse human health or environmental effects to minority or low-income populations.

Executive Order 12962

Context: Executive Order 12962 directs Federal agencies to conserve, restore, and enhance aquatic systems to provide for increased recreational fishing opportunities nationwide.

Intensity: It is my determination that with the application of Forest Plan Standards and Guidelines, including those for riparian areas, no significant adverse effects to freshwater or marine resources will occur. Best Management Practices would be implemented to provide assurance of water quality and aquatic habitat protection for all freshwater streams affected by the project. Project road closures could limit to foot-traffic or permitted all-terrain vehicle (ATV) access to some recreational fishing opportunities.

Therefore, any adverse effects to recreational fishing opportunities will be insignificant.

Executive Order 13007

Context and Intensity: Executive Order 13007 directs Federal agencies to (1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites. Where appropriate, agencies shall maintain the confidentiality of sacred sites. Based on consultations with the appropriate Indian Tribes (EA page 43), I have determined this project will not affect the integrity of any sacred sites or limit access to any sacred sites.

Therefore, based on the Environmental Assessment and the findings displayed previously, there are no violations of Federal, State, or local environmental law associated with this action.

CONCLUSIONS

Based on the Environmental Assessment and the findings displayed in sections 1 through 10 above, I have determined: the Staney Creek E&R#1 Selected Alternative is not a major action that will have a significant effect on the human environment, as identified in the Council of Environmental Quality regulations for the National Environmental Policy Act (40 CFR 1508.27), and therefore does not require the preparation of an Environmental Impact Statement.

RIGHT TO APPEAL

Based on the overall supportive response to the EA, I have determined that the Staney Creek E&R1 EA is not subject to appeal per 36 CFR § 215.12 (e) (1):

§ 215.12 Decisions and actions not subject to appeal.

(e) Projects or activities for which notice of the proposed action and opportunity to comment is published (§215.5) and

(1) No substantive comments expressing concerns or only supportive comments are received during the comment period for a proposed action analyzed and documented in an EA (§215.6)

IMPLEMENTATION DATE

Implementation may occur immediately following publication of this decision in the paper of record per 36 CFR 215.9(c)(1):

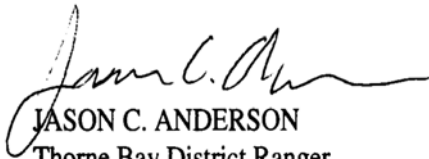
36 CFR.9 Decision Implementation

(c) When a project or activity decision is not subject to appeal (§ 215.12), implementation may occur as follows:

(1) Immediately after publication (§215.7 (b)) of a decision documented in a Decision Notice.

CONTACT

For additional information, concerning this decision, or the appeal process, contact Jason Anderson, Thorne Bay District Ranger, at 907-828-3210, or Chuck Klee, Prince of Wales Island Zoned Environmental Coordinator, at 907-828-3264.



JASON C. ANDERSON
Thorne Bay District Ranger
Tongass National Forest

July 14, 2009

Date

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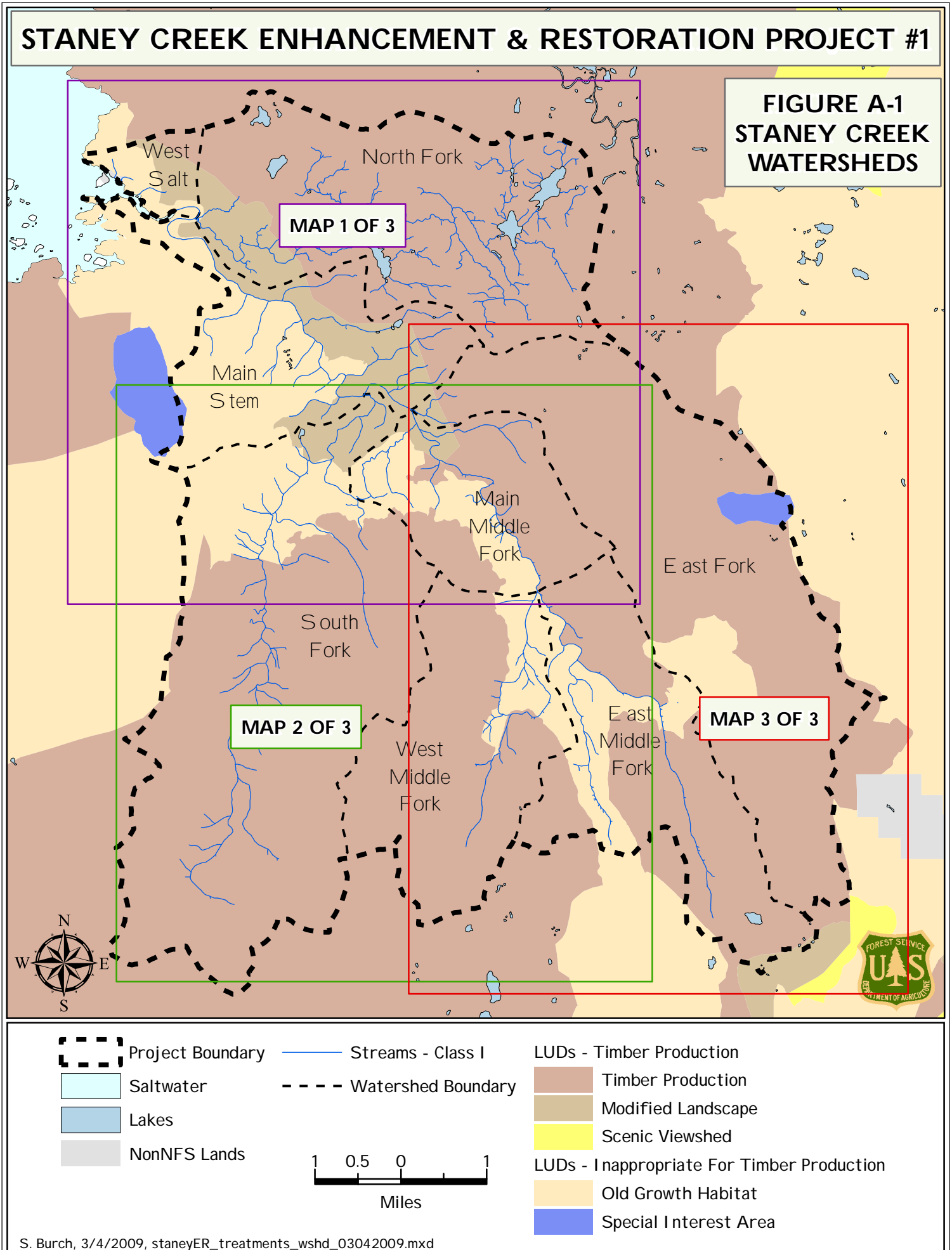
Respondents during the 30-day EA comment period.

Persons requesting a copy of this decision.

APPENDIX A

Selected Alternative Maps and Project Details

Figure A-1. Index of Selected Alternative Map Sheets.

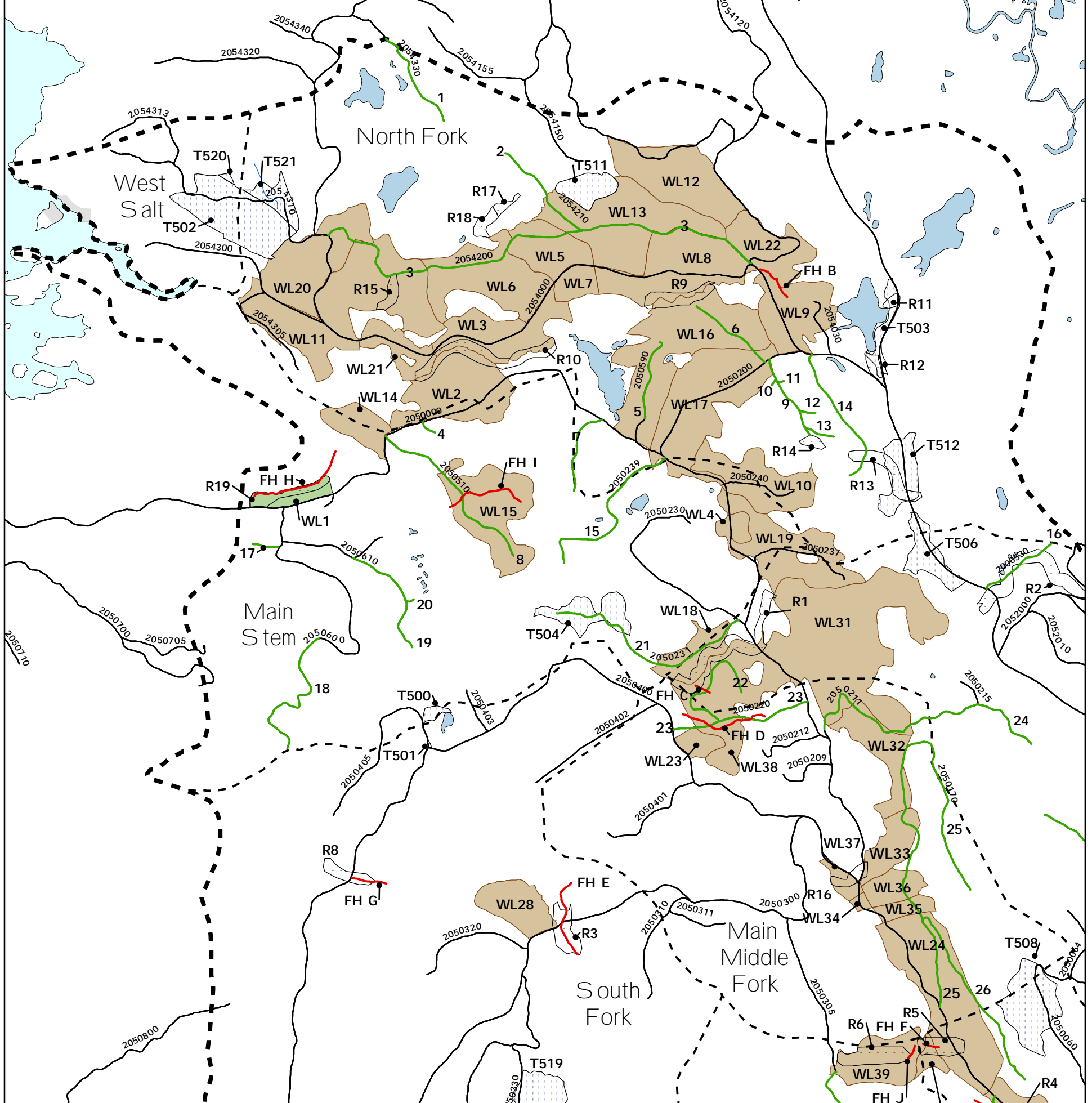


STANEY CREEK ENHANCEMENT & RESTORATION PROJECT #1

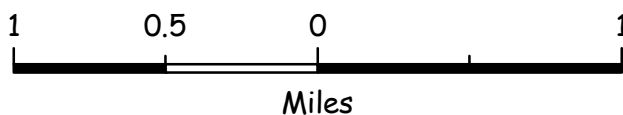
FIGURE A-2 TREATMENTS IN WATERSHEDS MAIN STEM, MAIN MIDDLE FORK, NORTH FORK, AND WEST SALT

MAP
1 OF 3

SELECTED ALTERNATIVE



Project Boundary	Aquatic Treatments	Vegetation Treatments
Saltwater	Road Storage	Timber Thinning
Lakes	In-Stream	Riparian Thinning
NonNFS Lands		Wildlife Gaps
System Roads		Wildlife Precommercial Thinning
Streams - Class I		
Watershed Boundary		



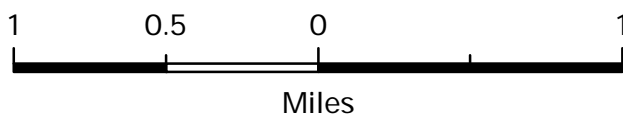
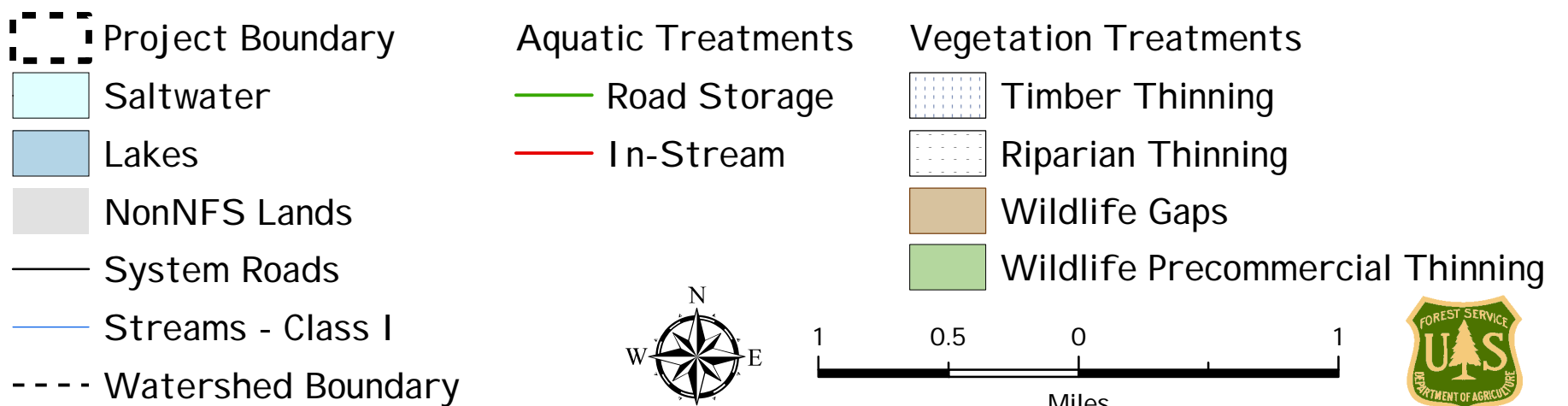
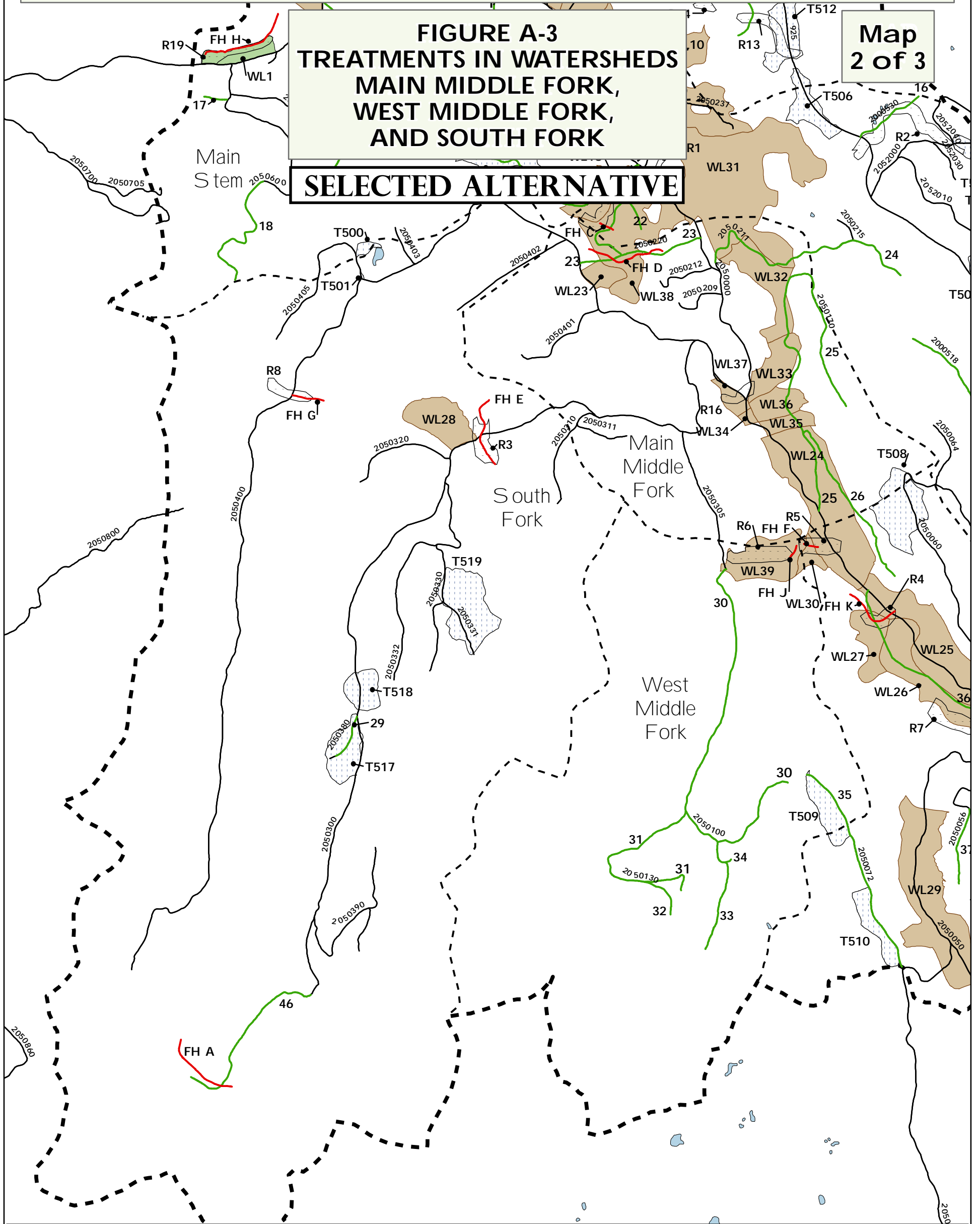
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STANEY CREEK ENHANCEMENT & RESTORATION PROJECT #1

FIGURE A-3 TREATMENTS IN WATERSHEDS MAIN MIDDLE FORK, WEST MIDDLE FORK, AND SOUTH FORK

Map
2 of 3

SELECTED ALTERNATIVE



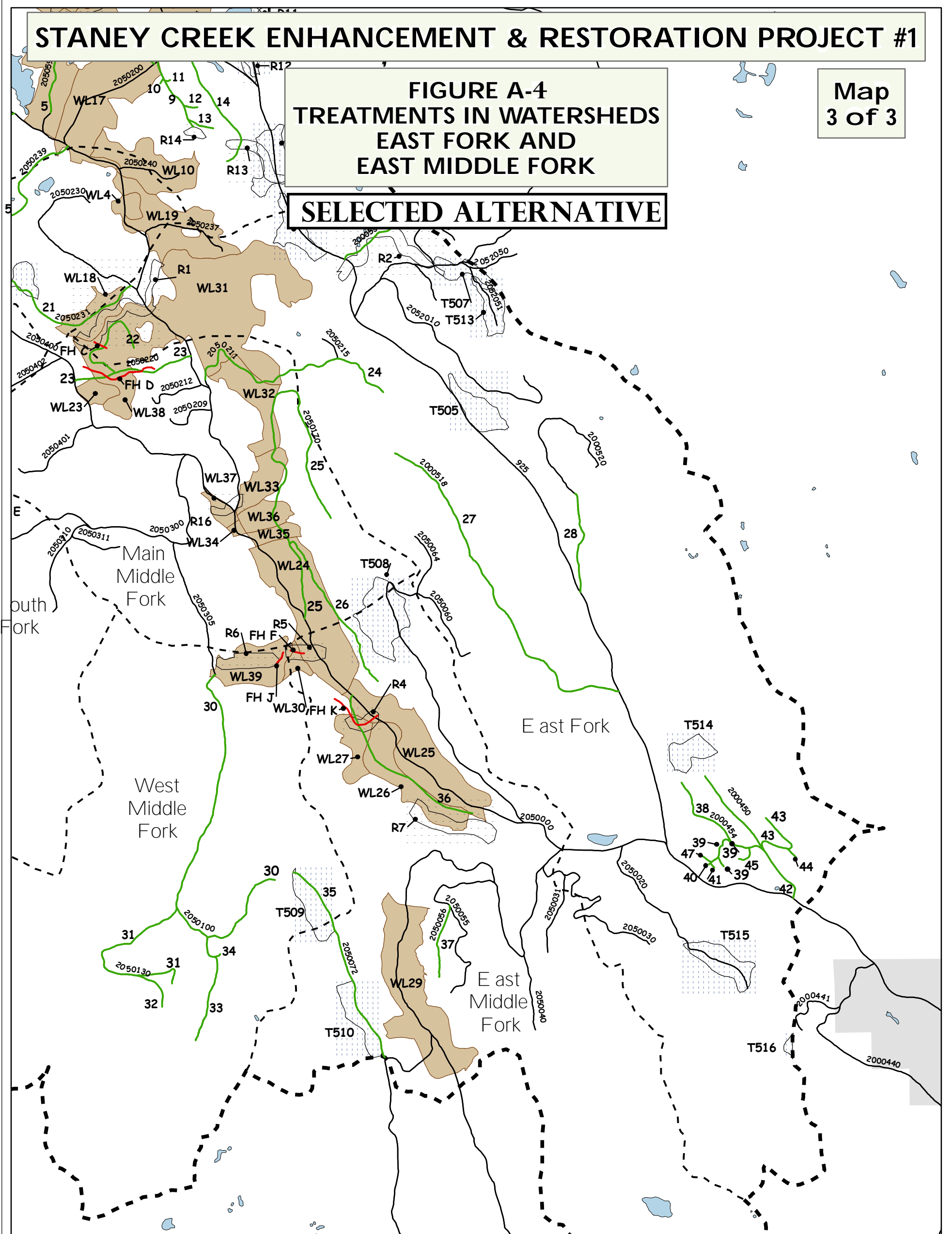
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STANEY CREEK ENHANCEMENT & RESTORATION PROJECT #1

FIGURE A-4 TREATMENTS IN WATERSHEDS EAST FORK AND EAST MIDDLE FORK

Map
3 of 3

SELECTED ALTERNATIVE



Project Boundary	Aquatic Treatments	Vegetation Treatments
Saltwater	Road Storage	Timber Thinning
Lakes	In-Stream	Riparian Thinning
NonNFS Lands		Wildlife Gaps
System Roads		Wildlife Precommercial Thinning
Streams - Class I		
Watershed Boundary		

Miles

S. Burch, 3/4/2009, staneyER_treatments_map3_03042009.mxd

Table A-1 . Selected Alternative Road Storage & In-Stream Projects.

Road Number	Map Label	Sub-basin	Project Type	Priority	Restored mi/ac
2054330	1	North Fork	road storage	H	0.6
2054210	2	North Fork	road storage	H	0.7
2054200	3	North Fork	road storage	H	2.9
2050000_9.05L	4	North Fork	road storage	h	0.1
2050590	5	North Fork	road storage	H	0.7
2050200_0.9	6	North Fork	road storage	L	0.3
2050592	7	North Fork	road storage	M	0.5
2050510	8	Mainstem	road storage	L	1.9
2050200_	9	North Fork	road storage		0.5
2050200_	10	North Fork	road storage		<0.1
2050200_	11	North Fork	road storage		<0.1
2050200_	12	North Fork	road storage		0.1
2050200_	13	North Fork	road storage		0.2
2054000_0.49L	14	North Fork	road storage		0.9
2050239	15	Mainstem	road storage/red pipe C-II	L	1.1
2000530	16	East Fork	road storage/red pipe C-II	H	0.5
2050601	17	Mainstem	road storage/red pipe C-I/C-II	H	0.8
2050600	18	Mainstem	road storage	M	1.0
2050610	19	Mainstem	road storage/red pipe C-II	H	0.7
2050610	20	Mainstem	road storage	H	0.4
2050231	21	Mainstem	road storage	L	1.3
2050220_0.55R	22	East Fork	road storage	H	0.3
2050220	23	Main Middle	road storage/red pipe C-I	H	0.8
2050211	24	East, Main	road storage/red pipe C-II	H	1.7
2050170	25	Main Middle	road storage	H	2.8
2050170_.54R	26	Middle Fork	road storage	H	1.2
2000518	27	East Fork	road storage	M	2.5
2000520	28	East Fork	road storage	M	1.9
2050380	29	South Fork	road storage/red pipe C-I	H	0.4
2050100	30	West Middle	road storage	H	2.7
2050130	31	West Middle	road storage	H	1.6
2050130	32	West Middle	road storage	H	0.3
2050135	33	West Middle	road storage	H	0.8
2050130	34	West Middle	road storage	H	<0.1

2050072	35	East, West, Middle	road storage	M	1.5
Middle Fork Skid Rd	36	East Middle	road storage	M	1.3
2050056	37	East Middle	road storage	M	0.5
2000454	38	East Fork	road storage/red pipe C-II	H	0.5
2000454	39	East Fork	road storage	H	0.5
2000454	40	East Fork	road storage	H	<0.1
2000454	41	East Fork	road storage	H	0.1
2000450	42	East Fork	road storage	M	0.9
2000450	43	East Fork	road storage	M	0.5
2000450	44	East Fork	road storage	M	0.1
2000454	45	East Fork	road storage	M	0.1
2050300	46	South Fork	road storage/red pipe C-II (2)	H	1.2
MS_a	FH A	Mainstem	in-stream	H	0.6
MS_b	FH B	Mainstem	in-stream	H	0.5
NF_a	FH C	Northern	in-stream	M	0.25
SF_d	FH D	South Fork	in-stream	H	0.5
SF_b	FH E	South Fork	in-stream	M	0.2
MF_d	FH F	Middle Fork	in-stream	M	0.5
EF_a	FH G	North Fork	in-stream	H	0.1
EMF_d	FH H	Middle Fork	in-stream	H	0.4
WMF_a	FH I	Middle Fork	in-stream	M	0.1
EMF_b	FH J	Middle Fork	in-stream	M	0.1
SF_e	FH K	South Fork	in-stream	M	2

Table A-2. Selected Alternative Timber Enhancement Thinning.

Map Label	Stand Number	Acres
T500	5880200505	56
T501	5880200505	1
T502	5880100520 5880100530 5880100531	112
T503	5770400506 5880100533	20
T504	5880100543	45
T505	5880300547 5880300553	39
T506	5880100552	38
T507	5880300551	23
T508	5900300542	76
T509	5900200512	38
T510	5900200513	32
T511	5880100534	31
T512	5880100533	46
T513	5880300568	27
T514	5900300511	30
T515	5900300520	45
T516	5900300534	4
T517	5880400509	46
T518	5880400506	32
T519	5880400507	86
T520	5880100530	2
T521	5880100530 5880100531	25

Table A-3. Selected Alternative Riparian Thinning.

Map Label	Road Number	Sub-basin	Project Type	Priority	Acres
R1	5880100037 5880100038 5880100519 5880100525 5880300511 5880300563	Northern	riparian thin	H	45
R2	5880100027 5880100042 5880100523 5880100532 5880100541 5880100582 5880300143 5880300533 5880300551 5880300590	Northern	riparian thin	M	41
R3	5880300189 5880300191 5880300507 5880300552	South Fork	riparian thin	M	20
R4	5900300504 5900300505 5900300506	Middle Fork	riparian thin	M	13
R5	5900100080 5900100502 5900200511 5900300501	Middle Fork	riparian thin	H	17
R6	5900100068 5900100502	Middle Fork	riparian thin	H	24
R7	5900200046 5900200110 5900200502 5900200503 5900200505 5900300086 5900300136 5900300502 5900300505	Middle Fork	riparian thin	H	40
R8	5880200030 5880200506	South Fork	riparian thin	M	12
R9	5880100025 5880100152 5880100516	Northern	riparian thin	M	20

R10	5880100015 5880100016 5880100017 5880100150 5880100537	Northern	riparian thin	H	42
R11	5770400506 5880100125 5880100185 5880100533	Northern	riparian thin	L	3
R12	5880100035 5880100125 5880100533	Northern	riparian thin	M	6

Table A-4. Selected Alternative Wildlife Habitat Enhancement Treatments.

Map Label	Stand Number	Acres	Map Label	Stand Number	Acres
WL1	5880200502	38	WL21	5880100537	46
WL2	5880100015	135	WL22	5880100538	77
WL3	5880100017	104	WL23	5880300025	21
WL4	5880100021	20	WL24	5900300501	214
WL5	5880100022	70	WL25	5900300504	169
WL6	5880100023	135	WL26	5900300505	98
WL7	5880100024	28	WL27	5900300506	45
WL8	5880100025	152	WL28	5880300507	62
WL9	5880100026	99	WL29	5900200510	215
WL10	5880100036	98	WL30	5900200511	14
WL11	5880100504	259	WL31	5880300511	343
WL12	5880100510	132.1	WL32	5880300512	74
WL13	5880100511	178	WL33	5880300513	49
WL14	5880100513	44	WL34	5880300514	5
WL15	5880100514	133	WL35	5880300515	21
WL16	5880100516	221	WL36	5880300537	36
WL17	5880100517	189	WL37	5880300539	17
WL18	5880100525	51	WL38	5880300563	146
WL19	5880100527	127	WL39	5900100502	78
WL20	5880100536	130			