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# Catamount Trail East Branch Somerset Relocation Project

## Decision Memo

**USDA Forest Service, Eastern Region  
Green Mountain National Forest  
Manchester Ranger District  
Town of Dover, Windham County, Vermont**

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Manchester Ranger District  
Town of Somerset, Windham County, Vermont

**I. SUMMARY**

As District Ranger for the Manchester Ranger District of the Green Mountain National Forest (GMNF), I am authorizing the re-routing (relocation) of a portion of the Catamount cross-country ski trail in an area of the trail known as Section 3, CTA trail number 430. This project involves the construction of approximately one mile of new cross-country trail to replace approximately the same distance of existing trail. About ½ mile of the relocation will be on National Forest System (NFS) lands, while the remainder will lie on lands managed by Trans Canada, a power company. The existing trail lies in a low streambed area; relocating it to nearby higher ground will provide a better recreation experience while minimizing stream, wetland and soil and water impacts.

**II. DECISION TO BE IMPLEMENTED**

**A. Background and Project Area**

The project area is located in the Town of Somerset, Windham County, on the Manchester Ranger District of the GMNF (see attached map). CTA trail 430 serves as part of the well established Catamount cross-country ski trail network. It is a single purpose, winter use trail.

The section of CTA 430 that requires a re-route passes through a low-lying streambed. In the winter, water and ice collect in various locations. This makes for difficult traveling on skis and requires skiers to find their way through wet spots and across open water to reach the height of land. Permission has been acquired from Trans Canada to relocate a portion of the trail to their lands. The activities needed for this portion of the relocation would be the same as those for the portion of the trail on NFS lands.

**B. Purpose and Need**

The purpose for re-routing this portion of CTA 430 is to provide a more enjoyable skiing experience, and to minimize the trail's impacts to soil and water resources. If action is not taken, further unacceptable impacts to the soil and water resources and safety hazards associated with skiing in the streambed could occur. Relocating the trail out of the drainage is needed to reduce soil and water resource impacts, and improve the skiing experience.

The project meets Forest Plan Goal 12 which is to "provide a diverse range of high-quality, sustainable recreation opportunities that complement those provided off National Forest System

lands” (Forest Plan, page 15). The proposed trail relocation is within the Remote Wildlife Habitat (MA 6.3), which emphasizes a variety of forest uses. Forest Service system trails in this MA are intended be managed primarily for access on foot or by other non-motorized means such as skis and snowshoes (Forest Plan, page 60). The Forest Service works closely in partnership with many organizations, including the Catamount Trail Association, to provide high quality recreation opportunities for the public (Forest Plan, page 9).

### **C. Description of Decision**

The Forest Service will work cooperatively with CTA to relocate the trail out of the streambed onto nearby higher ground. There will little or no ground disturbance. Only small saplings (less than 4 inches) and brush will be cut using hand tools and chain saws to allow skier passage. Though not anticipated, any needed drainage features will be constructed. The existing trail in the streambed will be obliterated to the extent possible.

This decision includes implementation of the following Mitigation Measures:

1. Do not cut butternut trees.
2. No NNIS are known from the area. NNIS are only a concern in this project if wheeled or tracked equipment will be brought in, in which case, equipment should be cleaned prior to accessing the site, and again before leaving.

This decision is based upon an environmental analysis conducted by Forest Service personnel. This information is located in the project planning record at the GMNF Manchester Ranger District Office in Manchester Center, VT.

## **III. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION**

Decisions may be categorically excluded from documentation in an environmental impact statement or an environmental assessment when they are within one of the categories found at 36 CFR 220.6, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

### **A. Category of Exclusion**

Based upon the environmental analysis contained in the Project Record and on experience with similar activities on the GMNF and other NFS lands, I have determined that the selected action is a routine activity within the following category of exclusion found at 36 CFR 220.6(e)(1), “construction and reconstruction of trails.” All environmental and social impacts of the selected action will fall within the range of effects anticipated by this category.

### **B. Relationship to Extraordinary Circumstances**

The list of extraordinary circumstances that were examined for this analysis may be found at 36 CFR 220.6(b). The mere presence of one or more of these resource conditions does not preclude use of a categorical exclusion. It is the degree of the potential effects of a proposed action on

these resource conditions that determines whether extraordinary circumstances exist. A thorough analysis of the resource conditions in the project area was conducted by resource specialists, including review of the project details at the May 15, 2009 Small Projects Day. I have considered the feedback and conclusions from these resource specialists and find there are no extraordinary circumstances that may result in any significant individual or cumulative environmental effects. My conclusion is based on information presented in this document and the entirety of the Project Record. A summary of the project's potential effects on each resource condition is as follows:

1. Federally Listed Threatened or Endangered Species or Designated Critical Habitat, Species Proposed for Federal Listing or Proposed Critical Habitat, or Forest Service Sensitive Species

The GMNF has historic occurrence records of three threatened and endangered (T&E) species (gray wolf, eastern cougar, and Canada lynx), and current occurrence records for one endangered species (Indiana bat). Gray wolf, eastern cougar, and Canada lynx are unlikely to occur on the GMNF in the foreseeable future. Indiana bats are unlikely to occur near the Project site because of its distance from known hibernacula, its location east of the Green Mountain spine, and its high elevation (1,900 to 2,200 feet). There is no critical habitat within the project area. Consequently, the actions included in the Catamount Trail East Branch Somerset Relocation Project will have "No Effect" on federally-listed TE species.

Although several of the animal Regional Foresters Sensitive Species (RFSS) could occur in the general Project area, the likelihood of occurrence for most RFSS in the immediate Project area is low due to the lack of specialized habitat conditions and relatively high elevation. More importantly, the lack of soil or vegetation disturbance associated with this Project and negligible changes to existing habitat conditions indicate that Project actions will have negligible impact on RFSS, on other wildlife, and on wildlife habitat in general. Consequently, the actions included in the Catamount Trail East Branch Somerset Relocation Project will have "No Impact" on any of the Regional Foresters Sensitive Species (RFSS) or their preferred habitats.

No mitigation on behalf of TE or RFSS animal species is recommended at this time. This review assumes that all Forest Plan Standards and Guidelines will be followed during implementation of the Project. Given the lack of impact to terrestrial habitats associated with this Project, emerging issues associated with bats and White Nose Syndrome will not be affected by the proposed actions.

There are no federally listed T&E plant species on the GMNF. No plants on the RFSS list are known from the area, and since little or no ground disturbance is expected, there will be no impact to RFSS species. There is potential rare plant habitat for five species (see Plant Biological Evaluation). The amount of vegetation manipulation to relocate the trail is small enough that it is not likely to change the potential habitat for any of these species.

Therefore, it has been determined that implementation of this decision would have 'no effect' on federally listed animal or plant species or their critical habitats. There would also be no significant impact to any plant or animal RFSS (Wildlife Biological Evaluation, Project Record; Plant Biological Evaluation, Project Record).

2. Floodplains, Wetlands, or Municipal Watersheds

There is no Water Source Protection Areas (WSPA) in the project area. Snowtree Condos WSPA is 1.5 miles northeast of northern portion of reroute and Wilmington Water District WSPA is 2.0 miles southeast of southern portion of reroute. A possible floodplain and small wetland may exist at northern portion of reroute where it joins existing trail. Given that little or no ground disturbance will occur, Forest Plan standards and guidelines should prevent or minimize adverse impacts. Therefore, there would be no significant impact to WSPAs, floodplains or wetlands (Small Projects Day report; Hydrologist report, Project Record).

3. Congressionally Designated Areas, such as Wilderness, Wilderness Study Areas, or National Recreation Areas

Wilderness:

The project area does not lie within or close to any Wilderness area. Wilderness is defined in the Forest Plan as Management Area 5.1. This decision, with impacts limited to the immediate area of activity, would not affect any Wilderness area (Small Projects Day report, Project Record).

Wilderness Study Areas:

There are no Wilderness Study Areas within the project area. This decision would not affect Wilderness Study Areas (Small Projects Day report, Project Record).

National Recreation Areas:

The project area does not lie within or close to any designated National Recreation Areas (NRA). This decision, with impacts limited to the immediate area of activity, would have no effect on National Recreation Areas (Small Projects Day report, Project Record).

Wild and Scenic Rivers:

Although the GMNF does not contain any Congressionally designated Wild and Scenic Rivers, there are many river segments that are eligible to be further considered for addition to the National Wild and Scenic River System. These river segments and their associated corridors would lie within the eligible Wild, Scenic, and Recreational Rivers Management Area (MA 9.4). The project area does not lie within any eligible Wild, Scenic, or Recreation river corridor (Small Projects Day report, Project Record).

4. Inventoried Roadless Areas or Potential Wilderness Areas

The project area does not lie within any inventoried roadless areas (Roadless Area Conservation Rule or Forest Plan Inventoried Roadless Areas). This decision will not affect inventoried roadless areas (Small Projects Day report, Project Record).

5. Existing and Candidate Research Natural Areas

There are no Research Natural Areas in the project area. This decision, with impacts limited to the immediate area of activity, would not affect Research Natural Areas (Small Projects Day report, Project Record).

6. American Indian and Alaska Native Religious or Cultural Sites

See Item 7 below.

7. Archaeological Sites, or Historic Properties or Areas

This decision complies with the National Historic Preservation Act, the Archaeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act. Sensitive sites do exist nearby. Since there will be little or ground disturbance, there will be no adverse effect on any historic properties or archaeological sites (Small Projects Day report; Project Record).

8. Other Resources

In addition to the above resource conditions that could lead to extraordinary circumstances, I also have considered the direct, indirect, and cumulative effects to other resources such as soil/water, fisheries, visuals, recreation, and non-native invasive species. It has been determined that there are no important ecological features or concerns. The project would not result in significant impacts to these resources, particularly because all applicable Forest Plan Standards and Guidelines will be implemented.

All Specialist review comments and findings related to extraordinary circumstances may be found in the Project Record.

#### **IV. PUBLIC INVOLVEMENT**

This project was listed in the quarterly *Green Mountain National Forest Schedule of Proposed Actions* (SOPA) in January, 2009 and will remain in the SOPA until the project is authorized for implementation.

Public involvement included contacts with the local Catamount Trail Association and representatives from Trans Canada. CTA is informing its constituency and other interested publics. There are no other nearby private landowners or residences.

#### **V. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS**

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

National Environmental Policy Act - This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

Forest Plan Consistency (National Forest Management Act) –The National Forest Management Act (NFMA) requires the development of long-range land and resource management plans, and that all site-specific project activities be consistent with direction in the plans. Revision of the GMNF Land and Resource Management Plan (Forest Plan) was completed and approved in 2006. The Forest Plan provides direction for all management activities on the GMNF.

The project area lies within the Remote Wildlife Habitat Management Area (MA 6.3) as described in the 2006 Green Mountain National Forest Land & Resource Management Plan. As

required by NFMA Section 1604(i), I find this project to be consistent with the Forest Plan including goals, objectives, desired future conditions, and Forest-wide and Management Area Standards and Guidelines.

Endangered Species Act - The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. In accordance with Section 7(c) of this Act, a report of the listed and proposed, threatened, or endangered species that may be present in the project area was reviewed. See Section III, Item B.1 of this document.

Clean Water Act – The intent of the Act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through Forest Plan Standards and Guidelines, specific project design criteria, and/or mitigation measures to ensure protection of soil and water resources.

Wetlands (Executive Order 11990) - Executive Order 11990 directs the agency to avoid to the extent possible the adverse impacts associated with the destruction or modification of wetlands, and to avoid support of new construction in wetlands wherever there is a practical alternative. See Section III, Item B2 of this document.

Floodplains (Executive Order 11988) - Executive Order 11988 directs the agency to avoid to the extent possible the adverse impacts associated with the occupancy and modification of floodplains, and to avoid support of floodplain development wherever there is a practical alternative. See Section III, Item B2 of this document.

National Historic Preservation Act - Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. It also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. See Section III, Item B.7 of this document.

Archaeological Resources Protection Act - The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. See Section III, Item B.7 of this document.

Native American Graves Protection and Repatriation Act - The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through “in situ” preservation, but may encompass other actions to preserve these remains and items. See Section III, Item B.6 of this document.

Wild and Scenic Rivers Act - See Section III, Item B.3 of this document.

Federal Noxious Weed Act of 1974 and Executive Order 11312 (Non-Native Invasive Species) – The Federal Noxious Weed Act requires cooperation with State, local, and other federal agencies

in the management and control of non-native invasive species (NNIS); Executive Order (EO) 11312 requires all pertinent federal agencies (subject to budgetary appropriations) to prevent the introduction of NNIS. This decision meets the intent of this law and EO by incorporating all pertinent Forest Plan Standards and Guidelines to ensure the management and control of NNIS. Additional mitigation measures for NNIS are also listed above.

Environmental Justice (Executive Order 12898) - This order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this order. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

## **VI. ADMINISTRATIVE REVIEW OR APPEAL and IMPLEMENTATION DATE**

This decision is not subject to an administrative review or appeal pursuant to 36 CFR 215 and the Earth Island Institute v. Ruthenbeck Ruling of October 19, 2005. This decision may be implemented immediately. Implementation is scheduled to begin in the spring/summer of 2009.

## **VII. CONTACT PERSON**

Further information about this decision can be obtained from Joan McCloud during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.) at the Manchester Ranger District at 2538 Depot Street, Manchester Center, Vt. 05255; Phone: (802) 362-2307 x229; Fax: (802) 362-1251 or e-mail: [jmcccloud@fs.fed.us](mailto:jmcccloud@fs.fed.us)

## **SIGNATURE AND DATE**

*Alex Sienkiewicz*

*June 30, 2009*

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ALEX SIENKIEWICZ  
District Ranger, Manchester Ranger District  
Green Mountain National Forest  
Responsible Official

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DATE