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Emerald Creek Garnet Area Improvement Project Environmental Assessment

St. Joe Ranger District, Idaho Panhandle National Forest
Latah County, Idaho



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Introduction

The Idaho Panhandle National Forest (IPNF), St. Joe Ranger District, has prepared this environmental assessment (EA) in compliance with the Forest Service National Environmental Policy Act (NEPA) Regulations at 36 CFR 220, and Forest Service Manual direction at 1909.15, 41.2. This EA discloses the environmental consequences of two alternatives; the Proposed Action and No Action.

In 2006, the Forest Service completed the Emerald Creek Garnet Area Final Environmental Impact Statement (2006 FEIS) and Record of Decision (2006 ROD) to address issues of safety and water quality related to the public garnet digging operations. As stated in the 2006 ROD, the public garnet sluicing operations would be moved to Garnet Gulch when the garnet source in 281 Gulch is depleted. When the 2006 ROD was signed, it was estimated the garnet sources in 281 Gulch would be exhausted in two to four years. As it turns out, the garnet supply is lasting much longer than anticipated.

During this time, the approved plan for the garnet area has been reviewed and a number of potential site modifications have been identified that would improve operations and enhance the Forest Service's ability to serve the public. This proposal would keep the public sluicing operations at the current location in 281 Gulch and garnet gravels would be trucked from Garnet Gulch to the public sifting and sluicing site in 281 Gulch.

This EA incorporates by reference the 2015 Idaho Panhandle National Forests Land Management Plan (Forest Plan), and the 2006 FEIS and ROD to avoid repetition and to allow this description to focus on the site-specific effects that would result from implementation of the proposed action and alternatives.

Location

The Emerald Creek Garnet Area Improvement Project is located on National Forest System lands in Latah County, Idaho. The project area covers approximately 780 acres in Latah County, Idaho. It includes 281 Gulch, Garnet Gulch, and a portion of the East Fork of Emerald Creek drainages in T42N, R1E, Boise Meridian (figure 1).

Purpose and Need for Action

The purpose of this project is to continue to provide a public recreational area for collecting gem-quality star garnets at the current 281 Gulch site, while providing for public safety and protecting water quality and aquatic habitats. Instead of moving the site to Garnet Gulch, as stated in the 2006 ROD, it is proposed to truck garnet gravels from Garnet Gulch to the public site in 281 Gulch. This would require improving specific areas at the current site.

Construct a road from 281 Gulch to Garnet Gulch: The approved decision in the 2006 ROD required a road to be constructed from Road 447 up Garnet Gulch to the public sluicing site which would be located in the Garnet Gulch Drainage. This road would be located on a very steep slope as it leaves Road 447 resulting in very large, obvious cut banks with grades up to 12%. The 12% pitch would drain right into Garnet Gulch itself. There is a need to construct a new, non-public road, approximately .9 miles in length, and only used by authorized vehicles, to facilitate trucking garnet gravels from Garnet Gulch to the current 281 Gulch site and administering the work.

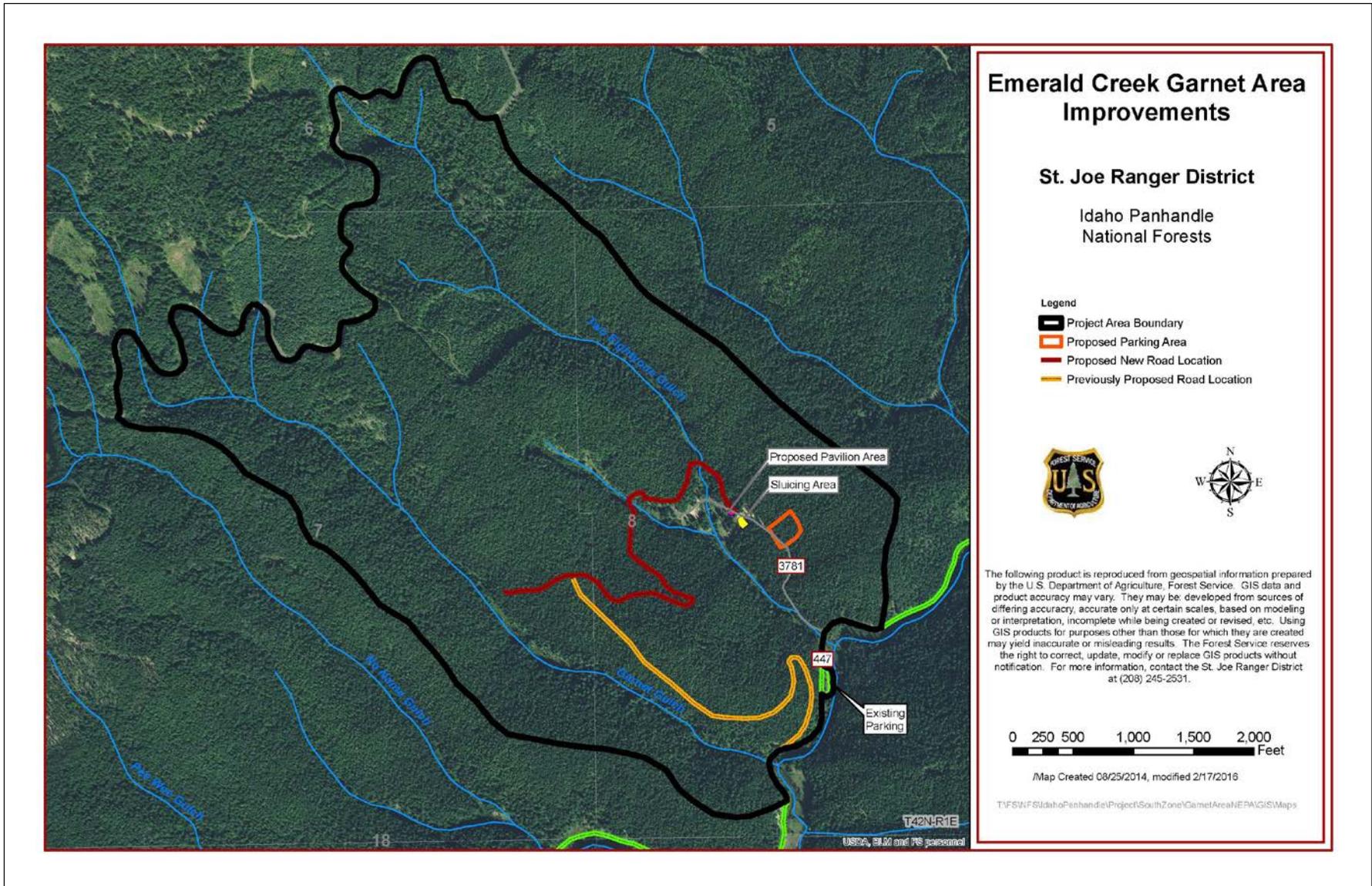


Figure 1. Emerald Creek Garnet Area Improvement Project

Improve 281 Gulch Road 3781: The public currently walks up a steep, gated road to reach the public sifting and sluicing site. This arrangement is not conducive to accommodating people with disabilities. There is a need to widen or construct inter-visible turnouts on the current road that goes up 281 Gulch from the main road, East Fork Emerald Creek Road (Road 447) to allow vehicles to travel both directions at the same time to access the proposed parking area.

Construct a Parking Lot: The existing parking area is located on Road 447, approximately ¼-mile below the operations area and has limited parking spaces. There is a need to construct a new parking lot nearer to the sluicing area to accommodate approximately 60 vehicles, yet still be visibly screened from the site.

Sifting Area: The area where the public sifts the stockpile material is too small to accommodate the average 90 visitors per day and also gets muddy and holds water. There is a need to expand this area and pour a concrete pad, and facilitate drainage.

Pavilion Area: Currently there is a flat area located across from the sifting area with a make- shift tent. This area is used for a shady resting place for the public. There is a need to pour a concrete pad and construct a permanent roof to provide the public a more enjoyable place to rest and wait for a turn at the sluicing area.

Vault Toilet: We currently provide a temporary portable commercial toilet at the operations site. There is a need to install a concrete pad and a permanent vault toilet in the same area.

Permit Sales Building: The current permit sales building is placed on temporary blocks and there is a need install a concrete foundation. It would remain in its current location.

Proposed Action

In order to meet the needs described above, the Forest Service is proposing to construct a road from 281 Gulch to Garnet Gulch, improve 281 Gulch Road (Road 3781), and build a parking lot and other ancillary activities. Specific details of the proposed action can be found in the section titled Description of Alternatives.

Forest Plan Direction

The 2006 FEIS and ROD tiered to the 1987 Idaho Panhandle National Forest Land and Resource Management Plan. In 2015, the IPNF adopted a new Land and Resource Management Plan (Forest Plan).

The Forest Plan established the Emerald Creek Garnet area as a Recreational Area (Forest Plan, pg. 61). Desired conditions, standards, and guidelines specific to the Emerald Creek Recreational Area are:

Desired conditions

GA-DC-AR-SJ-03: The Emerald Creek Garnet Area is managed for public recreational opportunities. Public access is maintained while reducing effects to water resources and quality.

MA3-DC-AR-04: Botanical, Geological, Scenic, and Pioneer areas emphasize non-motorized recreation experiences and access, with the exception of the Northwest Peaks Scenic Area, which allows over-snow motorized use. Visitors stay on routes within Botanical Areas to protect sensitive resources. Winter and summer motorized use occurs in the Emerald Creek Recreational Area.

Standards

MA3-STD-TBR-01: Timber harvest is not allowed in all MA3 areas except the Emerald Creek Recreational Area.

MA3-STD-MIN-01: Removal of mineral materials is not allowed except within the Emerald Creek Recreational Area.

Guidelines

MA3-GDL-AR-01: Motor vehicle use is allowed in Recreational Areas (Emerald Creek). Over-snow vehicle use is allowed within the Northwest Peaks Scenic Area.

MA3-GDL-AR-02: Road construction is allowed in Recreational Areas.

MA3-GDL-AR-06: Management activities in the Emerald Creek Recreational Area should be consistent with the Scenic Integrity Objective of High to Moderate.

MA3-GDL-TBR-02: Timber harvest is allowed to meet specific resource objectives other than timber growth and yield within the Emerald Creek Recreational Area. Timber harvest is not scheduled and does not contribute towards the allowable sale quantity.

MA3-GDL-MIN-01: Removal of mineral materials is allowed within the Emerald Creek Recreational Area.

Where applicable to the project, the Forest Plan's desired conditions, standards, and guidelines for specific resources can be found in each resource specialist reports located in the project file.

Public Involvement

This project was first posted on the Idaho Panhandle National Forests website on September 24, 2014 and was first listed in the Idaho Panhandle National Forest Schedule of Proposed Actions on October 1, 2014. To begin the formal comment period, a legal notice was advertised in the paper of record, the Coeur d'Alene Press, on September 22, 2014. Public scoping comments were accepted 30 days after this publication. In addition, a scoping letter was mailed to 30 interested individuals and organization on September 15, 2014. Two comment letters were received, all supporting the project. One commenter requested that the new parking lot at the site should be surfaced with gravel, not pavement. In addition, two meetings were held with the Coeur d'Alene Tribe. They expressed no concerns about the project (see project record, meeting notes dated April 17, 2014 and November 12, 2015).

Issue and Alternative Development

An Interdisciplinary Team (IDT) and the Responsible Official reviewed all public comments to identify issues for this proposal. No issues or unresolved conflicts were identified through scoping that would indicate a need for additional action alternatives.

Description of Alternatives

Two alternatives were considered for this analysis; the Proposed Action and No Action.

Alternative 1 - No Action

Alternative B, as described in the 2006 FEIS and ROD, is the no action alternative.

Alternative 2 - Proposed Action

The proposed action would:

Construct a Road from 281 Gulch to Garnet Gulch

A new road would be constructed, approximately 0.9 miles in length with an average grade of 5 percent. Only authorized vehicles would be allowed a few weeks in the year to facilitate trucking garnet gravels from Garnet Gulch to the current 281 Gulch site and administering the work. Corrugated metal pipe cross drains would be installed in four drainages. Only one crossing is a perennial stream.

Improve 281 Gulch Road (Road 3781)

The existing 281 Gulch Road that begins at Road 447 would be widened to accommodate two lanes of traffic, where feasible, or maintain a single lane of traffic with inter-visible turnouts.

Construct a parking lot

A new parking lot would be constructed nearer to the sluicing area, yet still be visibly screened from it. It would have a gravel bed and would accommodate approximately 60 vehicles. The lower parking lot would remain for over-flow parking and large vehicles (RVs and buses).

Sifting Area

Enlarge the existing area and install a concrete floor and retaining wall to facilitate drainage and periodic removal of the screened material.

Pavilion Area

Pour a concrete pad and construct a permanent roof to provide the public a more enjoyable place to rest.

Vault Toilet

Install a concrete pad and a permanent vault toilet at, or near, the same site as the temporary, portable toilet.

Permit Sales Building

The permit sales building would be placed on a concrete foundation. It would remain in its current location.

Design Features

This EA tiers to the design features and mitigation measures described in the 2006 ROD. The proposed action would also utilize the following relevant project-specific design features and mitigation measures:

Hydrology

- Proposed widening on FS Road 3781 would be cut into the existing slope and away from the East Fork Emerald Creek to limit effects on riparian areas and sedimentation.
- Proposed parking lot would be designed to drain away from the adjacent ephemeral stream to limit sedimentation.

Heritage

- No soil or debris would be allowed on the downslope side of the garnet area access road.
- No equipment would be allowed within the stream bottom or downslope from the existing road.

Botany and Non-Native Plants

If Threatened, Endangered, Sensitive, and/or Forest Species of Concern (FSOC) plant species are discovered during project implementation, an agency botanist will be notified so that appropriate site specific measures would be taken to maintain population viability. Measures to protect population viability and habitat for occurrences could include, but are not limited to:

- Modifying activity methods to protect rare plants and their habitats or otherwise modifying the proposed activity
- Implementing buffers around plant occurrences.
- Areas requiring restoration, for example road margins, would use native plant materials as required in FSM 2070.3, Amendment 2008. Locally-obtained materials are preferred, but if unavailable or economically unfeasible, appropriate materials may be substituted that meet Region 1 guidelines.

The following preventive measures will be taken to reduce the risk of weed introduction and spread in accordance with the St. Joe Noxious Weed Project ROD:

- All tools and equipment will be cleaned prior to entering the project area to remove dirt, plant parts, and material that may carry weed seeds.
- After implementation, project areas will be examined for new populations of weeds. If new populations are found, more intensive surveys would be conducted, sites would be mapped, and treatment would be scheduled.
- If new populations of weeds are found, treatment would be implemented in accordance with priorities set by the St. Joe Ranger District noxious weed program. New invader species will be slated for eradication immediately upon discovery. Other weed infestations will be treated according to the St. Joe Noxious Weed Project ROD and district priorities.
- All weed treatments will be monitored for effectiveness.

Roads

- The Region 1 and 4 Soil and Water Conservation Handbook and the State of Idaho Best Management Practices Manual will be followed in locating, constructing, operating and reclaiming mineral access roads with the objective of minimum resource damage (www2.state.id.us/lands/bureau/Minerals/bmp_manual1992/bmp_index.htm on 1/12/06).
- The new road proposed in Garnet Gulch would be designed to minimum standards (14 feet wide plus curve and fill widening with turnouts) to accommodate maintenance equipment. Portions of this road would be graveled to maintain a stable base and minimize sediment yield.
- Large equipment would be unloaded at the 281 Gulch parking area and be driven to the site.
- The proposed Garnet Gulch road location, alignment, width, grades, and drainage were reviewed by a qualified engineer (PF: T-3); and designs would be utilized to minimize risks from unstable soils and slopes, surface water damage, and groundwater seepage.

Tree Clearing and Slash Handling

- Trees will be cut only to the extent necessary for the newly constructed road. Associated slash and large wood will be used for reclamation as needed.

Wildlife

- Riparian disturbance will be kept to the smallest area practicable in any one year of operation.

Monitoring

In addition to the monitoring protocols described in this document, this project will adhere to the Monitoring Plan as described on pages 18-21 of the 2006 FEIS and Appendix C.

Environmental Consequences of the No Action and the Proposed Action

This section provides the necessary information to determine whether or not to prepare and Environmental Impact Statement. The associated Finding of No Significant Impact discusses whether this project has significant effects.

Hydrology

A detailed discussion of the effects of the no-action alternative for hydrology can be found in the 2006 FEIS (alternative B). The hydrologist specialist report (Arias, 2015) summarizes the no-action alternative and analyzes the effects of the proposed action.

Introduction

The proposed actions would take place within the East Fork Emerald Creek sub-watershed. Stream banks observed were stable and well-vegetated. Refer to the 2006 FEIS for a complete description of the 281 Gulch and East Fork Emerald Creek drainages including watershed condition, stream flow, and water quality. Field observations showed that the proposed parking lot area appears to be hydrologically stable.

Emerald Creek is an Undesignated Surface Waters (IDAPA 58.01.02.101.01); existing beneficial uses are aquatic life (cold water biota), and primary or secondary contact recreation (IDAPA 58.01.02.101.01.a). The main stem of Emerald Creek below its forks is listed as not supporting beneficial uses. The main stem of Emerald Creek is listed as impaired from sediment, habitat alteration and temperature modification. A Total Maximum Daily Load (TMDL) was determined for temperature which calls for increasing shade on East Fork Emerald Creek to 100%. The tributary drainages are not identified in this temperature TMDL (ID DEQ, 2003). There is currently no sediment reduction required for Emerald Creek (IDEQ, 2003, p. 68); however, water quality standards require maintenance of existing uses (aquatic life and recreation). Previous or concomitant sediment reductions are required if sediment is generated by proposed activities.

Spatial and Temporal Context for Effects Analysis

Detectable changes from the proposed action are analyzed at the sub-watershed (HUC 7th) scale and would be considered direct/indirect effects from a single activity. The short-term timeframe is between 1 to 2 years after road construction. As roads are permanent features in the landscape, the long-term effects would remain through the life of the road. The East Fork Emerald Creek was determined to be the cumulative effects area because it contains all potential project activities and defines the largest watershed area that allows for the greatest level of resolution at various geographic and temporal scales.

Effects to Water Quality from the No Action

As part of the 2006 FEIS decision, a road would be constructed along the Garnet Gulch from Road 447. Potential effects from this action in terms of sediment delivery can be found in the 2006 FEIS Project Record (SW-74, Page 2) and are summarized in table 1.

Table 1. Resource indicators and measures for No Action

Resource Element	Resource Indicator	Measure	No Action
Water quality	Sediment delivery	Tons/yr	0.02

The 2006 EIS estimated an overall watershed sediment reduction of 29 tons/year after project implementation within Forest Service lands. These sediment reductions come from road decommissioning and crossing removal. Additional sediment from roads constructed on private land would contribute about 4.9 tons/year. This would cumulatively mean that sediment would be reduced by about 24.1 tons/year within this watershed (2006 FEIS, pg. 158).

Effects to Water Quality from the Proposed Action

Roads intercept both surface and ground water through hillslope cuts. Water running down and off road surfaces can enter directly into a creek or through associated road ditches emptying into streams. These factors can result in increased sediment delivery to streams. The introduction of additional sediment can impact water quality indicators such as turbidity and stream temperature.

Reconstruction of Road 3781 would take place on the existing road prism and would require some widening to accommodate vehicles going in both directions. The East Fork Emerald Creek runs along this existing road. Implementing project design features would result in negligible effects from these actions.

WEPP: Road (Elliot et al, 1999) was used to more accurately estimate sediment delivery from the new road construction. WEPP: Road analysis predicted 0.1 tons of sediment delivery to adjacent streams annually from the road construction. Most of the predicted sediment would enter the streams at road crossings or 0.07 tons/yr. New construction would cross only ephemeral draws except for one perennial crossing. The road would not be placed on any sensitive land types. Culverts would be designed to meet State’s standards. Cross drains, water bars or similar water drainage features may be included during the final road design process. Sediment reduction would be expected from these features as they would direct runoff to the surrounding area in a way that minimizes effects to the watershed (Copstead et al, 1998). No compromise to stream channel integrity is expected. Potential changes in turbidity or stream temperature are expected to be minimal and short term. Shade canopy removal would be minimal, limited to stream crossings and would not be expected to result in short- or long-term effects. The new road and crossing would incorporate design features described in the 2006 FEIS (pg. 17).

Table 2. Resource indicators and measures for the Proposed Action

Resource Element	Resource Indicator	Measure	Proposed Action
Water quality	Sediment delivery	Tons/yr	0.1

Sediment would be cumulatively reduced by about 24.02 tons/year. The proposed action alternative would result in a cumulative sediment reduction, meeting TMDL state objectives for the previous or non-concomitant sediment reductions if sediment is generated by proposed activities.

Adherence to the Forest Plan and Laws and Regulations

Forest Plan

The proposed activity would not affect long-term productivity of the water resource because there would be an overall sediment reduction in Emerald Creek. Design features and best management practices would be applied to the proposed activities. The proposed activities would not occur near a public water system or in a municipal watershed. Stream channel integrity, as discussed above, would not be compromised by the proposed activities in Garnet Gulch, 281 Gulch, or downstream.

Executive Order 11988 (Protection of Floodplains)

The rules for protecting floodplains are incorporated as BMPs in the Idaho Water Quality Standards. Floodplain size, elevation and function will not be altered because culverts will be designed to accommodate a variety of flows while allowing flow to access floodplains.

Executive Order 11990 (Protection of Wetlands)

The rules for protecting floodplains are incorporated as BMPs in the Idaho Water Quality Standards. There would not be any effects to floodplains, wetlands or municipal watersheds as these are not present where activities are proposed (Arias, 2015).

Inland Native Fish Strategy (INFS)

With incorporation of design features listed in Chapter 2 and criteria established in the 2006 ROD, Riparian Habitat Conservation Area Management Objectives would not be compromised.

Clean Water Act and Idaho Water Quality Law

With incorporation of design features listed in Chapter 2, the project will comply with the Clean Water Act and Idaho Water Quality Law, because the pollutant sediment has been reduced and no consequential increase in temperature is expected.

Recreation

A detailed discussion of the effects of the no-action alternative for recreation can be found in the 2006 FEIS (alternative B). The recreation specialist report (Gravelle, 2015) summarizes the no-action alternative and analyzes the effects of the proposed action.

Introduction

The recreation experience changed after the 2006 ROD was implemented. Visitors no longer dig for garnets. They fill buckets from garnet gravel piles and then sluice for gemstones. Since the collecting method is less physical, the number of visitors has increased, 100 visitors per day is quite common. There are about 6,000 visitors to the site each season (Memorial Day weekend through Labor Day).

Spatial and Temporal Context for Effects Analysis

The analysis area/spatial effects boundary for recreation resources consists of the project area (approximately 780 acres) and includes recreational garnet digging and associated development in the 281

Gulch and Garnet Gulch which are tributaries of the East Fork of Emerald Creek. The temporal boundaries range from implementation until a future proposal for change.

Effects to Recreation from the No Action

Visitors will have to hike a longer, steeper and less shaded hike of 3590 feet (0.68 miles). The hike into Garnet Gulch would likely prohibit some people from being physically able to visit the Garnet area. Disabled individuals would be allowed to drive to the site where there would be limited parking. Personnel employed at the garnet area have noticed that most people do not bring their lunches and refreshments up to the existing site due to the long hike. The common practice is to sluice then leave and eat their lunches back at the parking lot.

Effects to Recreation from the Proposed Action

The recreation experience is likely to be more pleasant with parking next to the site. Hiking to the site would be eliminated for most people (except those parked at the overflow site on Road 447) and visitors will be able to eat their lunches and relax at their cars while waiting for space at the sluice. This change is an improvement to the existing condition. Cumulatively, recreational activities are expected to remain relatively constant, with gradual increases over time.

Adherence to the Forest Plan and Laws and Regulations

Forest Plan

The proposed action complies with the Forest Plan by managing for public recreational opportunities. Emerald Creek Garnet Area is administratively designated as a special place, managed for public use and enjoyment and to protect and conserve the values for which they were identified.

Wildlife

A detailed discussion of the effects of the no-action alternative for wildlife can be found in the 2006 FEIS (alternative B). The wildlife specialist report (Malengo, 2015) summarizes the no-action alternative and analyzes the effects of the proposed action.

Introduction

Threatened and Endangered species

The revised U.S. Fish and Wildlife Service (FWS) list, dated October 22, 2013, lists threatened and endangered species and critical habitats that may be present on the Idaho Panhandle National Forest. All species and critical habitats have a **No Effect** determination because there are no species or habitat present within the project area. Therefore, no further discussion is necessary for threatened and endangered species.

Gray wolves were delisted on May 5, 2011 (USDI Fish and Wildlife Service 2011) and added to the R1 Sensitive Species list. This species is discussed in the sensitive species section.

Sensitive Species

The following list of sensitive species identified by the Regional Forester on May 27, 2011, lists sensitive species for which population viability is a concern. The following species have a **No Impact** determination because there are either no species or habitat present within the project area. Therefore, no further discussion concerning these species is necessary.

- Northern Bog Lemming (*Synaptomys borealis*)
- North American Wolverine (*Gulo gulo*)
- Fringed Myotis (*Myotis thysanodes*)
- Townsend's Big-eared Bat (*Corynorhynchus townsendii*)
- American Peregrine Falcon (*Falco peregrinus anatum*)
- Bald Eagle (*Haliaeetus leucocephalus*)
- Black Swift (*Cypseloides niger*)
- Coeur d'Alene Salamander (*Plethodon idahoensis*)
- Common Loon (*Gavia immer*)
- Flammulated Owl (*Otus flammeolus*)
- Harlequin Duck (*Histrionicus histrionicus*)
- Pygmy Nuthatch (*Sitta pygmaea*)

Management Indicator Species (MIS)

The Northern goshawk and marten were listed as a sensitive species and the pileated woodpecker was listed as a MIS in the 2006 FEIS, however, the 2015 Forest Plan, page 215-217 state:

Pileated woodpecker, marten and northern goshawk are not TES or MIS species for the forest, nor are they solely dependent on old growth.....”

Based on the rationale within the 2015 LRMP, these species are not discussed further.

Spatial and Temporal Context for Effects Analysis

Since the 2006 FEIS Wildlife Analysis Area (WAA) includes the proposed road location, proposed parking area, sifting area, vault toilets, and permit sales building, the same 6,950-acre analysis area is sufficient for this analysis and cumulative effects.

Effects to Wildlife from the No Action

Sensitive species

Gray Wolf (*Canis lupus*): The nearest known gray wolf territory is approximately 18+ miles from the project area and human disturbance levels make it unlikely that wolves would occur in the area. Under this alternative, habitat relationships, the scope of the project, and the location of the project would result in a low potential for effects to gray wolves (e.g. disturbance of transient individuals) and determined that any effects on individuals that may happen would be inconsequential (2006 FEIS, pg. 187).

Fisher (*Martes pennanti*): The proposed road location and adjacent area does not contain suitable fisher habitat. Therefore, an increase in trapping vulnerability risk to fisher is not expected. Potential impacts in and adjacent to riparian habitat along with disturbance associated with the mining in Garnet Gulch (see western toad discussion below) may affect fisher use in that drainage. Riparian restoration would result in long term improvements in riparian habitat. Therefore, based on potential impacts to riparian connectivity habitat, the Garnet project *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species* (2006 FEIS, Appendix G).

Black-backed Woodpecker (*Picoides arcticus*): Based on the amount of old growth, mature forest structure, and immature sawtimber size class available in the analysis area, the area is expected to continue to provide habitat for black-backed woodpeckers at existing levels (2006 FEIS pg. 189). Impacts to cavity habitat were projected to be negligible. However, there was potential for short-term, noise

disturbance to individual black-backed woodpeckers that may utilize the area. The Garnet project *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species* (2006 FEIS, Appendix G).

Western Toad (*Bufo boreas*): A total of approximately 3.2 acres of riparian habitat in 281 Gulch and Garnet Gulch (1 acre in 281 Gulch and 2.2 acres in Garnet Gulch) would be impacted until the garnet source at 281 Gulch is restored, and alteration of habitat would likely impact potential western toad breeding habitat and result in some short-term displacement and unavoidable direct mortality of individuals. However, reclamations would be designed to restore, as much as possible, breeding habitat for western toads. Use of upland habitats would be expected to be an avenue of escape from direct mortality. Design features would be expected to keep riparian disturbance to the smallest area practicable in any one year of operation. Complete restoration of habitat would likely take a number of years and may never return to a “natural” state. Therefore, the Garnet project *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species* (2006 FEIS, Appendix G).

Management Indicator Species

Rocky Mountain Elk (*Cervus elaphus nelsoni*): Road construction and the movement of mining disturbance from 281 Gulch to Garnet Gulch would seasonally disturb elk in the vicinity of the activity. However, it’s anticipated that elk in the area would make greater use of adjacent drainages. Any direct and indirect effects on elk would be minor and seasonal. The potential displacement of elk or change in elk use would be negligible, inconsequential, and would not appreciably affect populations (2006 FEIS pgs. 184-185).

Landbird Assemblage (Insectivores): The 2006 FEIS did not consider Landbirds a MIS at the time. According to the 2006 FEIS, page 171, it states “Forest land birds are being addressed at a state and regional level. No further analysis specifically for this group of species will be conducted.” Species does not apply or is not appropriate for the Project.”

Effects to Wildlife from the Proposed Action

Sensitive species

Gray Wolf (*Canis lupus*): There is no evidence of den or rendezvous sites within the project WAA. New sources of human disturbance within the project area and WAA would be limited to periods of road construction and associated tree removal and road maintenance. There would be no change in open road densities resulting from the proposed action and use along the 0.9-mile piece of newly-constructed road would be limited to administrative use for approximately three weeks per year. For these reasons, the Emerald Creek Garnet Area Improvement project *may impact individual wolves or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species*.

Fisher (*Martes pennanti*): The proposed action would not directly or indirectly affect old growth or mature sawtimber size forest structure. Direct and indirect effects on immature sawtimber size forest structure associated with vegetation removal would have no appreciable impacts on fisher habitat attributes. Road construction would result in a very minor impact on riparian habitat where a small amount of riparian vegetation would be removed within the perennial drainage at the road crossing and culvert installation location. This drainage is very narrow and would not be expected to be used as a travel corridor by fisher. However, potential impacts in, and adjacent to, riparian habitat along with disturbance associated with the mining in Garnet Gulch may affect fisher use in that drainage. Riparian restoration would result in long term improvements in riparian habitat. Therefore, based on potential impacts to

riparian connectivity habitat, the Garnet project *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.*

Black-backed Woodpecker (*Picoides arcticus*): Trees would be cut only to the extent necessary for road construction operations. As a result, impacts to cavity habitat would be expected to be negligible, similar to the no action alternative, and the analysis area would continue to provide habitat for black-backed woodpeckers at roughly existing levels despite tree removal for new road construction, new parking lot construction, and widening of the existing road. Like the no-action alternative, there may be potential for short-term, noise disturbance associated with road maintenance. Therefore, the Garnet project *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.*

Western Toad (*Bufo boreas*): Species and suitable habitat are present in WAA. Possible impacts to western toads would be the same as the no action alternative and design features intended to protect riparian areas would remain the same. Because western toads have been observed at the existing site, there is the potential for individuals to be injured, displaced, or killed due to operations. It is also possible for habitat to be degraded and for breeding at the site to be negatively impacted. Therefore, the Garnet project *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.*

Management Indicator Species

Rocky Mountain Elk (*Cervus elaphus nelsoni*): The proposed road location has little available elk forage and, therefore, would have little use by elk. Existing levels of elk security would be maintained because the road is not in a location that provides security. Therefore, the seasonal use road and the associated removal of trees would have negligible effect on security, cover or forage in the project area. The potential displacement of big game or change in elk use would be negligible, inconsequential, and would not appreciably affect populations. Therefore, the Garnet project *may impact elk at a local level, but would not likely indicate a local or regional change in habitat quality or population status.*

Landbird Assemblage (Insectivores): Habitat association varies by species, but includes open forest structures, mature forests, and snags. The impact of limited tree removal on the insectivore landbird assemblage from new road construction, road improvement, and new parking lot construction would be negligible, although it would favor an early-seral condition and resiliency in a limited area. Therefore, the Garnet project *may impact landbird assemblage at a local level, but would not likely indicate a local or regional change in habitat quality or population status.*

Adherence to the Forest Plan and Laws and Regulations

Forest Plan

For reasons stated above, the project is consistent with Forest Plan wildlife habitat and species populations, goals, desired conditions, standards, and guidelines.

Endangered Species Act

Biological evaluations were completed for threatened, endangered, proposed, and sensitive animal species. No federally listed or proposed wildlife species would be affected by the Proposed Action.

Migratory Bird Treaty Act

Productive plant communities would be maintained, with a mosaic of successional stages, structures, and species to support nesting activities or use by neotropical and other migratory landbirds during bird migration across the Forest.

Fisheries

A detailed discussion of the effects of the no-action alternative for fisheries can be found in the 2006 FEIS (alternative B). The fisheries specialist report (DeVault, 2015) summarizes the no-action alternative and analyzes the effects of the proposed action.

Introduction

Threatened and Endangered species

The revised U.S. Fish and Wildlife Service (FWS) list, dated October 22, 2013, lists the threatened and endangered species that may be present on the Idaho Panhandle National Forests. All species have a **No Effect** determination because there are no threatened and endangered species or habitat present within the project area. Therefore, no further discussion is necessary.

Sensitive Species

The following sensitive species identified by the Regional Forester on May 27, 2011, lists sensitive species for which population viability is a concern. Two species are identified as having a determination of **May Impact Individuals or habitat but Will Not Likely contribute to a Trend towards Federal Listing or Loss of viability to the Population or species:**

- **Westslope cutthroat trout** (*Oncorhynchus clarki lewisi*)
- **Western pearlshell mussel** (*Margaritifera falcata*)

Management Indicator Species (MIS)

The MIS for aquatic species is an assemblage of aquatic macroinvertebrates that was chosen as an indicator of water quality. The revised Forest Plan (2015) for the Idaho Panhandle National Forests (IPNFs) directs forest-wide monitoring of the aquatic MIS (Chapter 5). Appendix D of the Forest Plan Final Environmental Impact Statement (FEIS Appendices, pages 208-209) discusses the use of PACFISH/INFISH Biological Opinion Effectiveness Monitoring (PIBO EM) data to assess aquatic habitat status, condition, and trend across the entire PACFISH/INFISH geographical area, which includes lands administered by the IPNFs. One component of the PIBO EM monitoring protocol is assessing the macroinvertebrate assemblage for most of their sample locations. Although there may be localized or site specific instances, current information from the data collected by PIBO EM indicates that overall, water quality across the IPNFs is of relatively high quality (FEIS, pgs. 192-193). The PIBO EM score for macroinvertebrates will continue to be evaluated every five years and reported out in the Forest Plan monitoring report.

As stated in the MIS selection paper (USDA 2014), which was developed during Forest Plan revision, MIS in the revised Forest Plan were chosen because they represented an issue or a concern. They were not chosen because of a viability concern. Additionally, it states that viability of the MIS will not be analyzed in future projects, nor will they be monitored at the project level. Because MIS species is not analyzed for at the project level, further analysis of this species will not be conducted in this document.

Spatial and Temporal Context for Effects Analysis

The original analysis area (cumulative effects area) for fisheries in the 2006 biological assessment and evaluation was the East Fork of Emerald Creek drainage. This was selected because all proposed activities are located within tributaries to the East Fork Emerald. Also, beyond the confluence with Emerald Creek, the conditions within Emerald Creek, a 303d listed stream, would mask any influence from this project proposal (USDA Forest Service 2006). Therefore, the same 6,950-acre analysis area is sufficient for this analysis and cumulative effects would be the same as those in the original analysis.

Effects to Fisheries from the No Action

Sensitive species

Westslope cutthroat trout (WCT) (*Oncorhynchus clarki lewisi*): 281 Gulch would be altered during the mining of the panels, which include the stream channels. Annually, approximately 150' of stream could be disturbed; this is approximately 3% of the fish bearing stream length of 281 Gulch. In some years the excavation would not occur within the channel.

Annually between 0.2 and 0.4 acres of RHCA would be affected to allow mining of the garnet bearing gravels. This amount would shift downstream yearly. The sites would be replanted immediately with grasses, forbs and trees. These plantings would reduce the potential for sediment input from overland flow. It is estimated that it would take approximately three years for riparian vegetation to become reestablished. In addition to this annual affect there would be 1 acre of disturbance within 281 Gulch for the overburden and garnet bearing gravels stockpiles, the sluice and the settling pond. There will be sediment control features between these sites and the stream which would reduce the potential for sediment introduction to the channel. The effects of the disturbance to the riparian zone are expected to have a minor influence on temperature because of the orientation of the drainage and the minor amount of length of stream affected. In the 2006 FEIS (pg. 74), it was discussed that culverts, which are migration barriers or causing hydrologic concerns, would be replaced. Since that time, these culverts have been replaced.

281 Gulch: The combination of past and proposed RHCA disturbance equals approximately 5 percent of the RHCA vegetation of 281 Gulch. Approximately 80% of the past activity has received various amounts of riparian planting and currently has complete ground cover however, trees are still not large enough to provide shading.

Garnet Gulch: Over the life of the project 1,700 feet (40%) of Garnet Gulch fish-bearing water would be affected. The segment of Garnet Gulch which would be altered would be reclaimed immediately following disturbance thus reducing the time that the stream is altered. There are approximately 85 acres of RHCA within Garnet Gulch. Over the life of the project about eight percent of the RHCA vegetation of Garnet Gulch would be disturbed for this project.

East Fork Emerald Creek: Several design features were developed to reduce the potential for sediment transport to East Fork Emerald Creek which, in turn, would greatly reduce the potential for impacts to fish habitat. Cumulatively there would be disturbance to 15 percent of the spawning and early rearing stream habitat and five percent alteration of any type of fish-bearing waters within the East Fork Emerald Creek drainage.

Determination for this species under the no-action alternative is *may impact individuals or habitat, but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species* (2006 FEIS, pg. 77).

Western pearlshell mussell (WPM) (*Margaritifera falcata*): WPM was not a sensitive species when the original BAE was completed in 2006, however, reproduction of this species relies on the distribution, densities and dynamics of its specific host fish. The WPM has evolved with WCT and has a host preference to salmonids of the genus *Oncorhynchus*. Therefore, the analysis of effects for WCT, a species that WPM uses as a host, would also apply to WPM. Because of the relationship between WCT and WPM the determination for WPM is the same for this alternative.

Effects to Fisheries from the Proposed Action

Sensitive species

Westslope cutthroat trout (*Oncorhynchus clarki lewisi*): The proposed road would not be placed on any sensitive landtypes. Culverts will be designed to meet State's standards. Cross drains, water bars or similar water drainage features would be included, if necessary, during the final road design process. Sediment reduction would be expected from these features as they would direct runoff to the surrounding area in a way that minimizes effects to the watershed (Copstead et al, 1998). No compromise to stream channel integrity is expected. The new road and crossing would incorporate design features described in the 2006 FEIS and the design features listed above. Additionally any culverts placed within fish-bearing waters would be fish passable. There would be changes to WCT habitat in the short-term from an increase in sediment, however, cumulatively in the long term there would be a reduction in sediment by 24.1 tons per year (Arias 2015) and therefore improved habitat. For these reasons, the Garnet project has a determination of ***may impact individuals or habitat, but will not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.***

Western pearlshell mussell (*Margaritifera falcata*): A survey on August 10, 2015 found two WPM in the East Fork of Emerald Creek, therefore, presence is assumed in East Fork Emerald Creek within the analysis area (WPS Mussel Survey 2014). The effects to WPM would be the same as WCT.

Adherence to the Forest Plan and Laws and Regulations

Forest Plan

The project is consistent with 2015 Idaho Panhandle National Forests Land Management Plan (USDA Forest Service 2015) fisheries habitat and species populations, goals, desired conditions, standards, and guidelines based on the rationale discussed above.

Endangered Species Act

Biological assessments were completed for threatened, endangered, and proposed fish species. No federally listed or proposed fish species would be affected by the proposed action.

Inland Native Fish Strategy (INFISH) standards (IPNF Forest Plan 2015)

The implementation of the alternatives would comply with INFISH standards as set by the 2015 Forest Plan Rationale is discussed in the Fisheries BAE (DeVault, 2015).

Botany and Non-Native Invasive Plants

A detailed discussion of the effects of the no-action alternative for botany can be found in the 2006 FEIS (alternative B). The botany specialist report (Davidson, 2015) summarizes the no-action alternative and analyzes the effects of the proposed action.

Introduction

Plant surveys were conducted in 2005 and 2014 for much of the project area where ground disturbance may occur, and several adjacent areas. All plant species that were found during surveys were recorded, in addition to the targeted threatened, endangered, proposed, Forest Service Region 1 sensitive (TEPS), Forest Species of Concern (FSOC), and non-native invasive plants. No threatened, endangered, or proposed plant species or habitats are known to occur on the IPNF.

Spatial and Temporal Context for Effects Analysis

The analysis area/spatial effects boundary for direct and indirect effects on botanical resources includes the footprint of disturbances described in the proposed action, plus a buffer of 100 feet to account for possible indirect effects. Temporal effects in the short term range from implementation to five to eight years depending on the implementation schedule for the actions.

The spatial boundary for analyzing cumulative effects to TESP and FSOC plants is the project area boundary because the direct and indirect effects of the proposed activities would interact with those of past, present and reasonably foreseeable future actions only in this area, and the project area is an appropriate scale to determine effects to the local viability of populations.

The spatial boundary for analyzing the cumulative effects from weeds is the project area and the local access route (Emerald Creek road) because this area would be most likely to affect weed introductions due to seed transport within and into the area of proposed activity.

The temporal boundaries for short term cumulative effects range from implementation to five to eight years depending on the implementation schedule for the actions. After this time, most short-term effects would be diminished. Long-term effects may still be apparent ten or more years after implementation. While effects from the proposed activities may still be apparent after 50 or more years, predicting effects beyond this time frame for botanical resources becomes too speculative for reliable analysis.

Effects to Threatened, Endangered, Proposed Plants from No Action

There would be no effect (direct or indirect) to federally listed plants because there is no habitat or presence of federally listed plants within the project area (2006 FEIS, pgs. 119). Because no direct or indirect effects are expected for TEP plants from the proposed project implementation, there would be no cumulative effects for these species.

Effects to Sensitive and FSOC Plants from the No Action

There are two known sensitive species (*Rhizomnium nudum* and *Blechnum spicant*) within the project area. Removal of panels may pose a threat to *R. Nudum*. A determination for this species is ***May impact individuals or habitat but would not likely contribute to a trend towards Federal listing or cause a loss of viability to the population or species.*** For *B. spicant* this alternative would have a determination of ***no effect*** (2006 FEIS, pg. 119).

There are no known sites of FSOC plants within the project area.

Effects to Weeds from the No Action

Weed populations are not expected to rapidly expand into the area. The greatest risk from weeds under this alternative is from the introduction of new weed species by way of existing administrative vehicle access and visitor access. This risk was analyzed and control measures specified in the 2006 FEIS (pgs. 108-109).

Effects to Threatened, Endangered, Proposed (TEP) Plants from the Proposed Action

Effects are the same as the No-action alternative.

Effects to Sensitive Plants and FSOC Plants from the Proposed Action

Twenty sensitive plants have suitable habitat in areas of proposed activities due to the presence of wet and moist forest habitats. These species are discussed in the Botany Report (Davidson, 2015) located in the project record. Five of these plants are more likely to occur because they are documented within five miles of the project area:

- *Blechnum spicant* (deer fern) occurs in neighboring No Name Gulch as well as several other locations surrounding the project area.
- *Botrychium simplex* (least moonwort) is documented in one location about one mile northeast of the project area.
- *Buxbaumia viridis* (green bug-on-a-stick moss) occurs at one location within 2 miles south of the project area.
- *Hookeria lucens* (clear moss) is documented in one location about 3 miles east of the project area.
- *Rhizomnium nudum* (naked mniium moss) is documented, with one occurrence in the area of proposed activity and three others within the project area. In addition, several other locations are within 5 miles, mostly to the east of the project area, but also occurring in neighboring drainages to the west.

A single new occurrence of naked mniium moss was discovered in 2014 along the flagged route of the proposed new road. However, due to the presence of additional undisturbed occurrences in the project area and numerous other occurrences within 5 miles that are considered secure, and the high likelihood that additional occurrences exist and would be unaffected, the loss of this small occurrence would not decrease the viability of naked mniium moss in the project area. Thus, no measures are warranted to prevent impacts from the new road.

Because wet forest and moist forest habitat guilds are present in areas of proposed activity, habitat for many sensitive plant species may be affected. Therefore it is determined that the Garnet Project ***may impact individuals or habitat but will not likely contribute to a trend towards Federal listing or cause a loss of viability*** for deerfern, upswept moonwort, dainty moonwort, triangle moonwort, slender moonwort, Mingan moonwort, western goblin, paradox moonwort, stalked moonwort, northwestern moonwort, least moonwort, leafless bug-on-a-stick, green bug-on-a-stick, Constance's bittercress, clustered lady's slipper, greater yellow lady's slipper, clear moss, naked mniium moss, Sierra woodfern, and Idaho barren strawberry.

Also, the US Fish and Wildlife Service lists' whitebark pine (*Pinus albicaulis*) as a candidate for listing. Whitebark pine does occur in the higher elevations of St. Joe Ranger District. Due to its standing as a Candidate species, the regional Forester has designated whitebark pine as a sensitive species, and it is addressed as a Sensitive species in this analysis. Whitebark pine is not known to occur within or adjacent to the project area, as well as, potential habitat. Because no suitable habitat is present in or near the project area, the Emerald Creek Garnet Area Improvement Project would have **no impact** on this species.

Phantom orchid (FSOC) is documented adjacent to, but not within the project area. Because proposed activities would not occur within 100 feet of this occurrence, no direct or indirect effects are expected. Because no direct or indirect effects are expected for FSOC plants from the proposed project implementation, there would be no cumulative effects for these species.

Effects to Weeds from the Proposed Action

Meadow hawkweed (*Hieracium caespitosum*), Spotted knapweed (*Centaurea stoebe*), Canada thistle (*Cirsium arvense*), Oxeye daisy (*Leucanthemum vulgare*) are present in the project area, and in the area of proposed activity. Weeds would likely increase in the short term after project implementation, but would be reduced in the long term if full implementation of prevention and control measures described in the proposed project design features occurs.

Adherence to the Forest Plan and Laws and Regulations

Forest Plan

Both alternatives would maintain viable populations of all native and desired nonnative plants, and the proposed activities were reviewed for potential effects on rare species, and thus would be compliant with Forest Service Manual direction. The proposed action would also comply with the Forest Plan because federally listed plant habitats would be unaffected, and ecological conditions and processes that sustain the habitats currently or potentially occupied by sensitive plant species would be retained. In addition, the geographic distributions of sensitive plant species in the Forest Plan area would be maintained.

Endangered Species Act

The proposed action complies with the Endangered Species Act because no federally listed or proposed species would be affected.

Executive Order 13112 (Invasive Species)

With the evaluation of project effects, risk of weed spread, and implementation of design features for invasive species, populations of weeds will have little potential to spread in the project area.

Heritage

A detailed discussion of the effects of the no-action alternative for heritage can be found in the 2006 FEIS (alternative B). The heritage specialist report (Gibson, 2015) summarizes the no-action alternative and analyzes the effects of the proposed action.

Introduction

A total of three (3) previous Heritage analyses were conducted in the vicinity of the Emerald Creek Garnet Area Improvement Project. One (1) site containing evidence for historic period activities has been identified to date in the Area of Potential Effect (APE) for the Emerald Creek Garnet Area Improvement Project. The archaeological site located in the APE has been assessed for National Register of Historic Places eligibility against the significance criteria found in 36 CFR 60. Overall, the site meets National Register significance criteria, and, therefore, is considered to be eligible for inclusion in the National Register. Portions of the site, however, that lack integrity are considered non-contributing (Gibson 2015).

As required by Section 106 of the NHPA, a Section 106 survey was completed in October 2014 and a SHPO concurrence letter was received on June 15, 2015.

Spatial and Temporal Context for Effects Analysis

The heritage resources effects analysis is based on the Area of Potential Effect (APE); those geographic areas in which the ground is disturbed during project implementation.

Effects to Heritage Resources from No Action

The No Action alternative, as discussed in the 2006 FEIS (pgs. 78-79), will have no expected direct, indirect or cumulative effects to significant heritage resources.

Effects to Heritage Resources from the Proposed Action

Direct effects on the cultural resources of the various activities that are proposed for this project are expected to be as follows:

- In those project areas where no historic properties (archaeological sites meeting National Register criteria) are present, the proposed project activities have **No Potential to Affect** cultural resources.
- In those project areas in which ground disturbing activities would be carried out, where historic and/or unevaluated properties are present, and where site avoidance is feasible and is implemented, the proposed project activities are expected to have **No Effect** on cultural resources.

Because there are not expected to be any adverse effects to historic properties, there are not expected to be any cumulative adverse effects to cultural resources.

Adherence to the Forest Plan and Laws and Regulations

Forest Plan

The proposed action adheres to the Forest Plan which calls for the preservation of significant cultural resources in place whenever possible. All significant cultural resources in the project area will be preserved in accordance with the Forest Plan.

National Historic Preservation Act (NHPA) of 1966 (amended and expanded in 1976, 1980 and again in 1992)

All other cultural resource management laws and regulations support, clarify, or expand on the NHPA. Federal Regulations 36 CFR 800, 36 CFR 63, and Forest Service Manual 2360 (FSM 2360) contain the basis of specific Forest Service heritage resource management practices. All of these laws, regulations, and direction, guide the Forest Service in identifying, evaluating, and protecting cultural resources on NFS lands. The Forest Service is required to take into account the effect agency actions have on cultural resources that are either determined to be eligible for inclusion in the National Register of Historic Places (NRHP) or cultural resources that are not yet evaluated for eligibility. Eligible cultural resources are termed "historic properties." Specific locations of cultural properties are exempt from disclosure under the Freedom of Information Act pursuant to 5 U.S.C. 552(b)(5). In the 1992 amendment it more explicitly incorporated tribal involvement into the Section 106 consultation process and clarified that traditional use sites without physical remains may be eligible for listing in the National Register of Historic Places. As required by Section 106 of the NHPA, a Section 106 survey was completed and consultation has been completed with the Idaho State Historic Preservation Office.

American Indian Religious Freedom Act 1978, as amended. 42 U.S.C. 1996 and 1996a
Federal policy will safeguard the free exercise of traditional American Indian religion.

Archaeological Resources Protection Act of 1979

Requires tribal notification and consultation where requested in regard to proposed removal of artifacts by permit from public lands. Meetings were held with the Coeur d'Alene Tribe on April 17, 2014 and November 12, 2015. They expressed no concerns about the project.

Native American Graves Protection and Repatriation Act of 1990

This Act recognizes Native Americans rights regarding Native American human remains and certain cultural objects found on public lands; requiring consultation prior to authorize removal of such items.

Compliance with Other Laws and Regulations

National Forest Management Act

The proposed action is consistent with all Forest Plan standards and guidelines, and all proposed activities are allowable under Management Area 3. No Forest Plan amendments would be required.

National Forest Management Act

Pursuant to NFMA, the project would incorporate design features that ensure compliance with all Forest Plan standards and guidelines (EA pgs. 5-7)

Clean Air Act

The project does not entail burning, and will not affect air quality. It is therefore consistent with the Clean Air Act.

Executive Order 12898 (Environmental Justice)

Implementation of this project is not anticipated to cause disproportionate adverse human health or environmental effect to minority or low-income populations because the proposed activities are not expected to cause any affects to human health or result in meaningful adverse environmental consequences.

Agencies and Persons Consulted

Benewah County Commissioners
Bennett Lumber Products Inc.
Coeur d'Alene Tribe
Defenders of Wildlife
Dick Artley
Friends of the Clearwater
Idaho Department Fish and Game
Idaho Department of Parks and Recreation
Idaho Conservation League
Kootenai Environmental Alliance
Shoshone Co. Commissioners
Stimson Lumber Co.

Finding of No Significant Impact

As the responsible official, I am responsible for evaluating the effects of the project relative to the definition of significance established by the Council for Environmental Quality (CEQ) Regulations (40 CFR 1508.13). I have reviewed and considered the EA and documentation included in the project record, and I have determined that the Emerald Creek Garnet Improvement Project Proposed Action would not have a significant effect on the quality of the human environment. As a result, no environmental impact statement will be prepared. My rationale for this finding is as follows, organized by sub-section of the CEQ definition of significance cited above.

Context

Disclosures of direct, indirect, and cumulative effects in this EA demonstrate analysis of the proposed action primarily in the context of the analysis area (i.e., effects within the Emerald Creek Garnet Improvement Project area) and the locality (e.g., effects beyond the boundaries of the project area). Effects to the geographic region (e.g., IPNF National Forest, extent of specific animal and plant populations) were also considered. Both short-term and long-term effects of the Proposed Action were found to be of limited extent and are not expected to affect national resources or the human environment.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the 10 factors identified in 40 CFR 1508.27(b).

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 interdisciplinary team analyzed the direct, indirect, and cumulative effects of the proposed action on biological, physical, and cultural resources in and around the Emerald Creek Garnet Improvement Project area. The analyses documented in the Environmental Consequences section of the EA (pgs. 7-21) state that some direct, indirect, and cumulative effects are expected in the short term in the context of the analysis area. However, beneficial effects are expected in the long term and in the broader context of the Emerald Creek Garnet Improvement Project and the St. Joe Ranger District. Design features have been agreed upon by the interdisciplinary team to ensure that even short-term impacts to these resources will not be significant. Although not described in detail in the EA, the 2006 FEIS, alternative B (no-action alternative) and the specialist reports located in the project record also includes detailed analyses of the effects of the alternatives to soil, hydrology, wildlife, fisheries, recreation, botanical and heritage resources. These analyses contribute to my understanding of the effects of the alternatives and confirm that there will be no significant impacts to those resources.

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

Components of the purpose and need of the project is to address safety and health concerns at the current administrative site (i.e. improve 281 Gulch Road 3781, construct a parking lot, pavilion area and vault toilet). This project would accommodate people with disabilities, increase public safety on the current road that goes up 281 Gulch from the main road, increase shade to provide a resting place for the public and provide permanent public facilities.

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The analysis area does not include parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. A survey of cultural resources has been completed in accordance with the programmatic agreement with Idaho State Historic Preservation Office and Section 106 of the National Historic Preservation Act to ensure that any cultural resources found within proposed treatment areas will be protected (EA, pg. 19). No other unique characteristics have been identified within the proposed treatment areas.

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

Most of the activities proposed in the alternatives (e.g., road re-construction, parking lot construction, installing concrete pads and foundations) are currently within the current administrative site for which watershed conservation practices, best management practices, and Forest Plan standards and guidelines exist to provide resource protections (EA pgs. 3, 5-21). It is not anticipated that the land proposed for Garnet mining would negatively impact adjacent residential property values. The configuration and type of facilities envisioned for the land proposed for use would be consistent with what exists on the administrative site today. The facilities envisioned for the land would be situated over four miles from any residential development, and each residential property currently bordering forest lands would still have this buffer. The interdisciplinary team has reviewed public comments and confirmed that no unresolved conflicts remain related to the proposed action (EA page 4).

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

The effects analyses documented in the EA and in the project record incorporated accepted techniques and methods, the best available scientific literature, reliable data, field review, and the judgment of qualified professional resource specialists (EA pages 7-21). Neither these analyses nor public comments identified highly uncertain effects or unique or unknown risks associated with the alternatives.

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

Activities proposed in this project are site specific to this project (EA, pgs. 1-3). The activities are within the scope of the Forest Plan and are not expected to establish a precedent for future actions.

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.

The analysis completed for the EA demonstrates that there are no significant cumulative effects on the environment, either when combined with the effects created by past and reasonably foreseeable future projects or the effects from natural changes taking place in the environment (EA pages 7-21).

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.

The Forest Service used a combination of historic research and systematic cultural resource surveys to identify historic properties in the project area. The Forest Service is required to inventory and assess effects to historic properties in accordance with the Programmatic Agreement with the Idaho State Historic Preservation Officer. As required by the Programmatic Agreement, the EA project record includes a heritage specialist summary report which does not disclose sensitive site information. Standard avoidance procedures will be used to ensure sites that are eligible for, or listed on, the National Register of Historic Places will not be impacted by project activities. If an eligible site cannot be avoided, the Forest Service, in consultation with the Idaho State Historic Preservation Officer, will develop site-specific mitigation measures to avoid adversely affecting the historic property. Design Features have been incorporated into project design to protect heritage resources (EA pages 5–7).

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.

Biological Assessments were prepared for botanical, fisheries and wildlife resources in compliance with the Endangered Species Act. The project will have “no effect” on any threatened or endangered species because there are no threatened and endangered species or habitat present within the project area. (EA pages 10, 14, and 17).

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

The Emerald Creek Garnet Improvement Project proposed action complies with Federal, State, and local laws and requirements imposed for the protection of the environment. These include the Clean water Act (EA pg. 21), the Endangered Species Act (EA pgs. 13, 16, 19), the National Historic Preservation Act (EA g. 20), the National Environmental Policy Act (EA pg. 21), and the National Forest Management Act (EA pg. 21).