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Department of  
Agriculture



Forest Service

Mark Twain  
National Forest,  
Region 9

May 2015

# **Final Decision Notice and Finding of No Significant Impact (FONSI)**

## **NORTH FORK ACCESS PROJECT**

Project Number: 45310  
Ava/Cassville/Willow Springs Ranger District  
Mark Twain National Forest  
Ozark County, Missouri

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## **TABLE OF CONTENTS**

I. DECISION.....	3
II. REASONS FOR THE DECISION .....	5
III. PUBLIC INVOLVEMENT .....	7
IV. ENVIRONMENTAL JUSTICE .....	8
V. FINDING OF NO SIGNIFICANT IMPACT .....	8
VI. FINDINGS RELATED TO OTHER LAWS AND REGULATIONS.....	10
VII. IMPLEMENTATION DATE.....	10
VIII. CONTACT PERSON AND RESPONSIBLE OFFICIAL .....	10
IX. SIGNATURE AND DATE .....	11

## I. DECISION

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### INTRODUCTION

The Environmental Assessment (EA) for the North Fork Access Project is available for public review at the Ava/Cassville/Willow Springs Ranger District Office located at Route 6, Box 614110 (1103 S. Jefferson Avenue), Ava, Missouri. This project is needed to increase public safety and reduce conflicts among recreationists by separating watercraft and water play activities, while at the same time improving Ozark hellbender habitat and reducing site maintenance costs. The EA discusses, in depth, the reasons for considering these management activities and also analyzes and discusses the environmental effects of proposed activities. The direct, indirect, and cumulative effects of proposed activities on the North Fork Access Project area resources are described. The Environmental Assessment (EA) for the North Fork Access Project is available for public review at the Ava/Cassville/Willow Springs Ranger District Office located at 1103 South Jefferson Avenue, Ava, Missouri or on the Mark Twain National Forest Website at: [www.fs.usda.gov/goto/mtnf/projects](http://www.fs.usda.gov/goto/mtnf/projects). Scroll down to the North Fork Access Project. Copies of the EA are also available for review upon request.

The EA evaluates two alternatives for management activities on approximately 10 acres of National Forest land. The North Fork Recreation Area is located on the Willow Springs Unit of the Mark Twain National Forest along the east bank of the North Fork River, immediately downstream from the CC Highway Bridge. Access to the recreation area is off of Highway CC, approximately 7 miles east of Dora, Missouri and 16 miles west of West Plains, Missouri. The legal description for the area is T24N, R11W Section 15, Ozark County, Missouri. The project analysis area contains the day use area of the North Fork Recreation Area and the nearby surrounding areas affected by proposed activities.

The 2005 Forest Plan places the project area under Management Prescription (MP) 7.1, Developed Recreation Areas. Guidance for MP 7.1 provides management for developed recreation areas and emphasizes recreation activities such as camping, picnicking, group activities, and other recreation opportunities. It recognizes existing recreation facilities and future needs to provide sites for highly developed recreation intended to serve various user groups.

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### OBJECTION PROCESS

Regulations pursuant to 36 Code of Federal Regulations (CFR) 218 require that I prepare a Draft Decision for review as part of the pre-decisional, administrative review process that is now required for environmental assessments. This new process became effective on March 27, 2013, as part of the Department of Agriculture's final rule for replacing the Forest Service's appeals process (36 CFR 215) with an objections process as outlined in 36 CFR 218 (Federal Register, Volume 73, No. 59, pp. 18481 to 18504).

One primary difference of the objections process, which replaced the Forest Service's appeals process, is that eligible parties are able to seek resolution of their unresolved concerns. Objections could be filed based on unresolved concerns for the actions outlined in the March 2015 Draft Decision, prior to a final Decision being made. A legal notice was published on March 11, 2015 to announce the release of the Draft Decision and accompanying Environmental Assessment, which initiated a 45-day objection period. Letters announcing the availability of the

Draft Decision Notice for review and objection were sent to all those who commented. Anyone who submitted comments containing the required elements outlined in 36 CFR 218.8, were eligible to file an objection for this project.

This Final Decision has been prepared pursuant to 36 CFR 218.12, which states that a decision can only be signed once the project’s Reviewing Officer has responded in writing to all pending objections, and all concerns and instructions identified by the Reviewing Officer have been addressed. No objections were filed to the Draft Decision Notice for this project.

## **FINAL DECISION**

The EA for the North Fork Access Project analyzed two alternatives in detail. The two alternatives developed in detail included Alternative 1, the No Action Alternative, and Alternative 2, the Proposed Action. In my opinion, the analysis provided all the information I needed to make a reasonable, informed decision about managing this area in a way that complies with the 2005 Forest Plan. As the Responsible Official, I have considered several factors during my evaluation of this project. My evaluation included review of project file documentation, the purpose and need for action, the comments received during the project’s comment periods; issues that emerged during project scoping and comment periods, and management direction outlined in the 2005 Land and Resource Management Plan (Forest Plan).

As a result of this evaluation process, I have decided to implement Alternative 2 as described in the North Fork Access Project EA. This Final Decision Notice and Finding of No Significant Impact (herein referred to as the Final Decision) documents my decision to adopt the management activities described in Alternative 2. The attached project map in Appendix A is a part of this Final Decision document and illustrates the location of the proposed activities. I have also decided to implement the mitigation measures found in Appendix B of this document.

Under Alternative 2, the project area will undergo the management activities shown in Table 1 (below) and on the maps in Appendix A. Opportunities for project area improvement will occur regarding the watercraft launch site, vehicle access, parking areas, pedestrian and accessible access, site stabilization, river and gravel bar stabilization, and wildlife habitat.

**Table 1. Summary of activities to be implemented by this decision (Alternative 2).**

<b>Construct New Boat Ramp</b>	<b>Measures (Estimated)</b>
Watercraft launch and retrieve ramp	40 feet wide
Walking path	10 feet wide
Vehicle access to new boat ramp with traffic loop	0.25 miles
Gated access from FR 805	24 feet wide
New parking area for vehicles with trailers	4 pull-through and 5 back-up
Vegetative plantings and barriers	As needed

<b>Redesign Existing River Access</b>	<b>Measures (Estimated)</b>
Reconstruct streambank, beach area, and water play area	80 x 40 feet
Enlarge existing parking area	6-8 additional vehicles
Install barrier to prevent motorized vehicle access to river	1 gate/fence section
Construct a Forest Service Outdoor Recreation Accessibility Guidelines (FSORAG) pedestrian walkway	up to 15 feet wide
Vegetative plantings and barriers	as needed
<b>Connected Actions</b>	<b>Measures (Estimated)</b>
Widen entrance from Highway CC to FR 805	To 24 feet total
Placement of large wood structures in the river (4 as mitigation and 2 as restoration)	approximately 6 structures
Construct an engineered floodplain overflow channel	approximately 500 feet
Gravel bar stabilization	as needed

## II. REASONS FOR THE DECISION

### SUMMARY OF REASONS

I have chosen Alternative 2 because the analysis shows that it is the best alternative for addressing the major issues identified during the scoping and analysis phases of the project, namely: safety and sustainability of the river accesses; protection of the Ozark hellbender and its habitat; and protection of the North Fork River. Additionally, this alternative best meets the purpose and need for the project while incorporating public and agency concerns.

Specifically, my reasons for choosing Alternative 2 are as follows:

1. The analysis and project record effectively demonstrates that Alternative 2 best meets the issues addressed by the Interdisciplinary Team while moving the area toward meeting the project's purpose and need, and the future desired conditions for the MP 7.1 (EA, pp. 9-10).
2. The analysis demonstrates that Alternative 2 best meets the goals and desired conditions of Management Prescription 7.1 (EA, p. 5-6).
3. Visual quality of the North Fork Recreation Area will be improved by the addition of vegetative plantings, barriers, and walkways (EA, pp. 12-14 and 36-39).
4. Alternative 2 will provide goods and services to the local economy in the form of tourism and guided recreation activities (EA, pp. 33-36).
5. Opportunities for improved river access, public safety, and enjoyment of public lands in

the river corridor will be increased by providing separate watercraft launch and water play areas (EA, pp. 12-14 and 33-36).

6. Alternative 2 will reduce user conflicts and facilitate site management and control through a well-designed river access (EA, pp. 12-14 and 21-25).
7. Alternative 2 will improve stream morphology and water quality (EA, pp. 12-14 and 21-25).
8. Ozark hellbender habitat will be protected by reducing sediment inputs into the river (EA, pp. 12-14, 21-25, and 25-33).
9. Alternative 2 will reduce deferred maintenance backlog and annual operation and maintenance costs (EA, pp. 8, 12-14, and 33-36).

This decision provides opportunities to perform recreation area enhancement, wildlife habitat improvement, and stream corridor restoration in response to challenges noted during the scoping process. I am confident based on my review of the EA that Alternative 2 provides the best solution for addressing the project's purpose and need, as well as issues brought forward during project scoping.

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## SUMMARY OF ENVIRONMENTAL ISSUES AND CONCERNS

An issue is defined as a point of disagreement, debate, or dispute about the proposed action based on effects identified through scoping. Preliminary issues and concerns were raised and three key issues were identified. The alternatives developed by the Interdisciplinary Team (IDT) demonstrate that efforts were made to be responsive to the variety of issues and concerns identified during scoping. Specifically these issues and concerns were:

**Issue 1: Location, safety, and sustainability of the river access and recreation area.** During summer months, congestion is becoming a safety concern for users engaged in launching watercraft and those recreating in the North Fork River at the existing boat launch.

Under Alternative 2, traffic congestion and conflicts among users would be reduced. Sustainability introduced by the new design would decrease maintenance costs of the launch site and water play area (EA, pp. 8, 12-14, and 33-36).

**Issue 2: Protection of the Ozark hellbender.** The Ozark hellbender is listed on the Endangered Species List by U.S. Fish and Wildlife Service (October 2011). The North Fork River is habitat for the Ozark hellbender.

Alternative 2 would improve hellbender habitat by reducing sediment inputs to the river and stabilizing gravel bars (EA, pp. 12-14, 17-21, 21-25, and 25-33).

**Issue 3: Protection of the North Fork River.** The day use area within the North Fork Recreation Area is located along the North Fork River, a water protection zone (WPZ). The area is prone to flooding. According to the 2005 Mark Twain Forest Plan, where no other suitable locations are available, a recreation facility should be low-cost or flood resistant in order to endure occasional flooding.

Alternative 2 would offer engineered flood protection to the launch site, provide for river bank and gravel bar stabilization, improve stream morphology and water quality, and enhance wildlife habitat within the river corridor (EA, pp. 12-14, 17-21, 21-25, and 25-33).

## **OTHER ALTERNATIVES CONSIDERED AND REASONS WHY THEY WERE NOT SELECTED**

Two alternatives were considered in detail during the analysis. A description of Alternative 1 and rationale for not selecting this alternative is provided below.

### **Alternative 1**

This alternative provided a baseline or reference point against which to describe environmental effects of Alternative 2. This was a viable alternative and responded to concerns of those who would not want activities associated with the project to be implemented. If this alternative had been selected, it would not have foreclosed options for future management on the area.

If Alternative 1 had been selected, current and on-going management activities would have continued, but no new federal activities would have been initiated without additional National Environmental Policy Act (NEPA) analyses. Changes such as road maintenance might have occurred through current management direction, natural processes, or future management direction. Continued maintenance of the current launch site would have been subjected to permitted action to remain in compliance with the Endangered Species Act (ESA) with regard to Ozark hellbender protection.

**Rationale** –Alternative 1 was not selected for the following reasons:

1. It would not improve the location, safety, and sustainability of the watercraft launch and water play recreation areas.
2. It would not reduce user conflicts.
3. It would not provide protection for the Ozark hellbender nor provide opportunities for improving its habitat.
4. It would not offer protection of the North Fork River from continued bank erosion, sedimentation, and gravel loading associated with the current recreation site.
5. It would not improve stream morphology and water quality.

## **III. PUBLIC INVOLVEMENT**

Letters of notification announcing the availability of the project proposal for 30-Day Comment were mailed on October 22, 2014 to a total of 102 interested and affected parties to invite comment on the proposed action. These included the District mailing list, tribal governments, and North Fork River Outfitter/Guides. There were no adjacent landowners identified nearby the North Fork Recreation Area. The scoping and 30-Day Comment periods, required by 36 CFR 218, ran concurrently since the nature of this project is low in complexity and the environmental effects are highly predictable. A legal notice advertising the availability of the project proposal and comment package was published in the Springfield News-Leader on October 24, 2014, notifying the public of the opportunity to comment on the North Fork Access Project. Project documents, including the Public Comment Package, have been posted on the Mark Twain National Forest web-site since October 2014 and the project is listed on the Forest-wide Schedule of Proposed Actions (SOPA).

The District received fourteen comments during to the public comment period. All comments received were reviewed by the District Ranger and the Interdisciplinary Team. A primary

concern of many of the respondents was the proposed new watercraft launch ramp would be too narrow. Another concern was that the new traffic loop to provide access to the launch would cause traffic congestion rather than alleviate that concern. Responses to these comments are located in the project record and also are provided in Appendix E of the EA.

The IDT developed the issues and alternatives analyzed in the Environmental Assessment (EA) based on comments received during the 30-Day Comment period and internal and external issues brought forward during scoping. No new issues were identified during the 30-Day Comment period and no new alternatives were developed as a result. This project was subject to a pre-decisional administrative review process (objections period) as described in 36 CFR 218, subparts A and B (published in the Federal Register, Volume 73, No. 59, pp. 18481 to 18504). No objections were filed during the objections period which closed on April 27, 2015.

#### **IV. ENVIRONMENTAL JUSTICE**

I have determined that this project is being conducted in a manner that does not exclude persons from participation in, deny the benefits of, or subject persons to discrimination because of their racial, ethnic, or economic status. The activities carried out by this decision will not have disproportionately high and adverse health or environmental effects on minority or low-income populations.

Based on the review of demographic racial characteristics of the population of the counties' communities and how they compare with suggested threshold levels of concern, there is little reason to suspect that these communities might fall under the provisions of Executive Order 12898. This project will have no direct or cumulative effects on minorities and low-income populations. Neither of the two alternatives poses a disproportionately high nor adverse environmental, human health, economic, or social effect on populations in Ozark County and the vicinity (EA, pp. 39-42).

#### **V. FINDING OF NO SIGNIFICANT IMPACT**

I have determined, based on the discussion of effects in the Environmental Analysis, and from experience with similar activities, that these actions are not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. No additional analysis or studies need to be conducted for me to make a determination. Therefore, an environmental impact statement is not needed. This determination is based on the following factors:

1. There will be no significant effects, beneficial or adverse, resulting from this project. The environmental effects are discussed in the Environmental Assessment. The beneficial effects include: a) enhanced condition of natural resources; b) reduced recreational user conflicts; c) improved stream morphology, hydrology, and ecology; d) reduced soils erosion risk; and e) a safe and efficient transportation system with river access. There were no significant adverse effects to the environment identified in the environmental analysis. There were no known significant irremediable commitments of resources such as loss of soil productivity, water quality, wildlife habitat, or recreational opportunities. Beneficial effects of the action do not bias my finding of no significant effects.

## North Fork Access Project Final Decision Notice and FONSI

2. Public health and safety will be improved by the proposed actions. The separation of watercraft launch and water play areas will reduce the potential for injury from conflicts among users (EA, pp. 33-36).
3. There will be no significant adverse effects to prime farmlands, floodplains, wetlands, historic or cultural resources, wild and scenic rivers, ecologically critical areas, civil rights, women, or minority groups. The Environmental Assessment discusses the anticipated effects of implementing these actions (EA, Chapter 3).
4. Based on public participation and the involvement of resource specialists, I believe effects on the quality of the human environment are not likely to be highly controversial. This does not mean that the decision to proceed with the project will be acceptable to all people, as some may possibly find that their needs and interests are not served by the selected alternative. However, it is my professional judgment that physical, biological, social, and economic issues have been addressed well enough for me to make an informed decision. The proposed actions are similar to other management activities recently implemented on the Mark Twain National Forest; therefore the results are reasonably predictable (EA, Chapter 3).
5. There are no known effects on the human environment that are highly uncertain, or involve unique or unknown risks. Similar projects have occurred in the general area; and more specifically, on the Mark Twain National Forest. Environmental effects described in the assessment have been analyzed in enough detail to determine predictable results.
6. These actions are similar to other management activities previously implemented and do not set a precedent for other projects that may be proposed to meet the goals and objectives of the 2005 Forest Plan.
7. There are no known significant cumulative effects between this project and other projects implemented or planned on areas separated from the affected area of this project beyond those evaluated in the Final Environmental Impact Statement for the 2005 Mark Twain Forest Plan. Cumulative effects are evaluated for each resource in Chapter 3 of the EA.
8. This decision takes into account both known and unknown historic properties [as defined in 36 CFR Part 800.16(1)] within the project area. Cultural resources investigations were carried out using the methodology outlined in 36 CFR Part 800.4. A letter of concurrence was issued by the State Historic Preservation Officer on December 26, 2014 (Project Record) that concurred with the survey adequacy and “no potential to affect” determinations made with regard to project effects on historic properties, provided that mitigation measures as described in the case report are implemented as described. This concurrence was in response to review of Archeological Report No. R2015-09-05-25-198. Mitigation measures for this project are provided in Appendix B to this document. This project should not cause significant impacts to cultural resources.
9. Based on the Biological Evaluation for the North Fork Access Project (EA, Appendix B), which analyzed impacts to federally-listed threatened and endangered species, the MTNF had a determination of “May Affect – Not Likely to Adversely Affect” for Indiana bats; a determination of “May Affect – Not Likely to Adversely Affect” for gray bats; a determination of “May Affect – Not Likely to Jeopardize” for northern bats; and a determination of “May Affect – Not Likely to Adversely Affect” for Ozark hellbenders.

On February 23, 2015, the U.S. Fish and Wildlife Service concurred with this determination.

10. The actions do not threaten a violation of federal, state, or local law, or requirements imposed for the protection of the environment. The EA complies with the Forest Plan, Environmental Protection Agency, Missouri Department of Natural Resources, Missouri State and National Historic Preservation Acts, and the Endangered Species Act.

The best available and most current scientific information was taken into account and appropriately evaluated and applied in this analysis.

## **VI. FINDINGS RELATED TO OTHER LAWS AND REGULATIONS**

I find that the actions of this decision comply with the requirements of the National Forest Management Act of 1976 and the 2005 Forest Plan. This decision is consistent with the Forest Plan's goals and objectives, management direction for Management Prescription 7.1, and the Forest-wide Standards and Guidelines. I have also reviewed Chapter 3 of the Final Environmental Impact Statement (FEIS) for the 2005 MTNF Forest Plan titled "Affected Environment and Environmental Effects," and have concluded that the environmental effects associated with the project are consistent with those described in the FEIS. This decision is subject to the 2005 Planning Rule and Forest Service Manuals (FSM) 1920 and 1922.

My decision is based on a review of the record that shows consideration of relevant scientific information, including responsible opposing views; and as appropriate, the acknowledgement of incomplete or unavailable information, scientific uncertainty, and risk. My decision implements the 2005 Mark Twain National Forest Plan. As required by NFMA Section 1604(i), I find this project to be consistent with the Plan.

## **VII. IMPLEMENTATION DATE**

Pursuant to 36 CFR 218.12, this Final Decision may be implemented immediately.

## **VIII. CONTACT PERSON AND RESPONSIBLE OFFICIAL**

Joseph Koloski, Ava/Cassville/Willow Springs District Ranger, is the responsible official for the North Fork Access Project EA. Further information about this Final Decision can be obtained several ways:

1. In person, or by telephone: Contact Allen Weathersbee at the Mark Twain National Forest, Ava/Cassville/Willow Springs District Office, 1103 South Jefferson Avenue, Ava, Missouri 65608 during business hours (8:00 a. m. – 4:30 p.m. CST), or at 417-683-4428 ext. 131.
2. In writing: Contact Joseph Koloski – District Ranger, Ava/Cassville/Willow Springs Ranger District, Rt. 6, Box 614110, Ava, Missouri 65608. Attention: North Fork Access Project.
3. Facsimile request: Address to Joseph Koloski – District Ranger at 417-683-5722. Please specify North Fork Access Project on the subject line.

North Fork Access Project Final Decision Notice and FONSI

4. E-mail requests: [aaweathersbee@fs.fed.us](mailto:aaweathersbee@fs.fed.us). Please specify North Fork Access Project on the subject line.
5. Web site viewing: This Final Decision Notice will be available on the Internet at: <http://www.fs.usda.gov/goto/mtnf/projects>. Scroll down to the North Fork Access Project.

## IX. SIGNATURE AND DATE

*/s/ Joseph Koloski*

JOSEPH KOLOSKI

District Ranger

Ava/Cassville/Willow Springs Ranger District

*05/06/2015*

Date

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