



DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT (FONSI)

BRIDGE REPLACEMENT AND REHABILITATION ON NFSR 150

U.S. FOREST SERVICE

GILA NATIONAL FOREST

WILDERNESS AND BLACK RANGE RANGER DISTRICTS

CATRON AND GRANT COUNTIES, NM

DECISION

Based upon my review of the Bridge Replacement and Rehabilitation on National Forest System Road (NFSR) 150 Environmental Assessment (EA), I have decided to implement Alternative 2, which will allow for replacement and rehabilitation of eight structures on NFSR 150. This work will entail:

- Replacing three (3) bridges in Terry Canyon with pipe arch culverts
- Rerouting NFSR 150 and replacing two (2) bridges in Terry Canyon with two pipe arch culverts
- Preserving two bridges in Terry Canyon for interpretation and preservation of these CCC era construction bridges
- Replacing one (1) bridge in Indian Creek
- Replacing one (1) bridge in a tributary to Black Canyon
- Rehabilitating one (1) bridge in Black Canyon

It is also my decision to amend the Gila National Forest Plan for this specific project to allow for an adverse effect to cultural resources.

DECISION RATIONALE

The primary need for this project is to ensure that the bridges on NFSR 150 are safe for vehicular travel in the long term. I have made my decision based on this need. Inspections of the bridges have identified deficiencies that are contributing to unsafe conditions on these bridges. These deficiencies will only worsen over time. (See Transportation Report, Project Record # 60). By addressing the safety and structural concerns, the bridges will remain safe for vehicular travel for the foreseeable future and at a lower cost for operation and maintenance.

I recognize that these structures were built during the CCC era and have considered the historical nature of these structures in my decision. The MOA with SHPO will adequately address concerns over the loss of some of the structures and ensure that the structures that are preserved are interpreted. It also ensures interpretation of the historical nature of the entire NFSR 150

road. I believe this will enhance our understanding of the CCC era construction techniques and give the public a better understanding of the historical nature of this road. The one time Forest Plan amendment will ensure compliance with the Forest Plan for cultural resources. Although there will be an adverse effect on cultural resources, as defined by 36 CFR 800.5, it is my determination that this is not significant, based on the above rationale.

No significant effects were identified for any resource in the Environmental Assessment. I believe Alternative 2 provides the best combination of actions to address safety concerns, operation and maintenance costs, and environmental protection. I did not select Alternative 1 as it would not address safety concerns, and would be more expensive to maintain over time. Although no historical structures would be affected directly, there would be no interpretation of these structures with this alternative. I believe this to be an acceptable tradeoff.

The Bridge Replacement and Rehabilitation on NFSR 150 EA documents the environmental analysis and conclusions upon which this decision is based.

PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Gila National Forest Schedule of Proposed Actions and updated periodically during the analysis. People were invited to review and comment on the proposal through scoping and 30 day notice and comment periods. Scoping for this project began in September 2011 with publication of the proposed action on the Gila National Forest website as well as through the mailing of 62 letters to tribes, affected land owners, organizations and individuals. The EA was circulated to 22 individuals, organizations, and tribes for 30 day notice and comment beginning February 1, 2013. The 30 day notice and comment period ended on March 4, 2013. It was also available on the Gila National Forest website and a legal notice announcing its availability for comment was published in the Silver City Daily Press on February 1, 2013. The EA lists agencies and people consulted on pages 66-67.

Comments from scoping were used to determine any key issues or alternatives to analyze during the analysis of environmental effects. Though no comments were received within the 30 day notice and comment period, two comments were submitted after the conclusion of the comment period and were considered prior to the Decision. Neither of those comments raised any new concerns.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

This decision is consistent with the Gila National Forest Land Management Plan. The project was designed in conformance with transportation goals found on Page 12. A one-time Forest Plan amendment is in effect for this project. Cultural resource findings are consistent with this amendment.

A Finding of No Significant Impact (FONSI) and EA were considered. I determined these actions will not have a significant effect on the quality of the human environment, and an Environmental Impact Statement (EIS) will not be prepared.



ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

During the 30 day notice and comment period, no comments were received by the close of the comment period, therefore, this decision is not subject to appeal pursuant to 36 CFR 215.12.

IMPLEMENTATION DATE

Implementation may begin immediately after this notice is published in the Silver City Daily Press.

CONTACT

For additional information concerning this decision, contact: Rex Null, Engineer, Forest Supervisor's Office, Gila National Forest, 3005 E. Camino del Bosque, Silver City, NM 88061, 575 388-8389.

KELLY M. RUSSELL
Forest Supervisor

Date

FINDING OF NO SIGNIFICANT IMPACT

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact. (40 CFR 1508.27)

CONTEXT

This project will take place along NFSR 150 on the Gila National Forest. The road is located on the Black Range and Wilderness Ranger Districts in Catron and Grant Counties, NM. Effects would occur within the road footprint and construction zones, and for short distances downstream. Environmental effects will not be long term or permanent.

INTENSITY

The intensity of effects was considered in terms of the following:

1. **Impacts 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.** Consideration of the intensity of environmental effects is not biased by beneficial effects of the action. The project was designed to mitigate effects and to ensure that all federal, state and local laws, including the acquisition of appropriate permits, would be implemented.
2. **The degree to which the proposed action affects public health or safety.** There will be no significant effects on public health and safety because the project is designed to improve safety for motorized traffic on NFSR 150. It also provides for measures to ensure that erosion and any other downstream effects during construction are minimized and will not affect any municipal water supplies. (See EA page 11-12, 41)
3. **Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There will be no significant effects on unique characteristics of the area, because there are no park lands, prime farmlands, wetland, wild and scenic rivers or ecologically critical areas.

The project will affect several bridges that have been identified as historic bridges constructed during the CCC era. The Forest has worked extensively with the State Historic Preservation Office (SHPO) to develop a Memorandum of Agreement (MOA) that will ensure that two of the bridges are preserved and interpreted for their historic significance. Other measures included in the MOA will help reduce or compensate the adverse effects to the cultural resource. There are several examples of this type of bridge

construction within the Forest boundaries administered under mixed County/Forest jurisdiction.

4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial. There is no known credible scientific controversy over the impacts of the proposed action. No comments expressing concern about the effects of this project were received.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Agency has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk (See EA page 11-12)
6. **The degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** The action is not likely to establish a precedent for future actions with significant effects, because the project does not propose to conduct activities that are unique or unusual or that have significant effects. A Forest Plan amendment will allow for an adverse effect to several historical bridges, however the amendment applies only to this project and does not set a precedent for future actions. (See EA pages 6-7)
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** The cumulative impacts are not significant. Cumulative effects are described in the EA for transportation (EA – pg 19), cultural resources (EA- pgs 23-25), watershed and soils (EA pgs. – 29, 32, 37, 41), and biological resources (EA – pgs. 42-64). There are no long term significant cumulative effects identified.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed , 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 action will have an adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places. The MOA with the State Historic Preservation Office outlines several measures that will reduce or compensate for impacts to historic features. As noted in item 3 above, several historic 1930s CCC structures that will be replaced or rehabilitated are considered to be eligible for the National Register. Two structures will be preserved and interpreted. In addition, one bridge will be dismantled and recorded to see if there is any evidence of military or CCC activities, buried road alignment, or construction techniques. Any information gathered will be used in the interpretation of the structures left in place. (EA – 24). These actions ensure that examples of the historic structures are retained and interpreted for the public and that the degree of adverse effects is not significant.
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.** The action will not significantly adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973, because the project has incorporated mitigations and

BMPs to avoid or minimize impacts to any TES species. The EA identifies the threatened and endangered species that could potentially be affected by the project.

10. **The EA does not identify any significant effects to any resources as described above.** Conclusions regarding effects are found in the EA and summarized on pgs 11-13.
11. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA pages 24, 25, 27, 32, 38, 41-42, 44-52, 58-64). Consultation with the USFWS was initiated on March 6, 2013, as required by Section 7 of the Threatened and Endangered Species Act (Project Record # 62). The Forest Service has submitted a Biological Assessment and an amendment to the assessment, providing additional information requested by USFWS. Consultation is ongoing and implementation of this project will not begin until the Biological Opinion is received. All terms and conditions of the Biological Opinion will be adhered to when the project is implemented. Section 106 of the Historical Preservation Action consultation with SHPO was initiated and an MOA was signed on March 29, 2013. The action is consistent with the Gila National Forest Land and Resource Management Plan.
12. **After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment.** Therefore, an environmental impact statement will not be prepared.

KELLY M. RUSSELL

Date

Forest Supervisor

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