

Fraser Flat Bridge Replacement (40552) Decision Notice and Finding of No Significant Impact

Stanislaus National Forest
Mi-Wok Ranger District
Tuolumne County, California

Decision and Reasons for the Decision

The Forest Service prepared an Environmental Assessment (EA) for the Fraser Flat Bridge Replacement project in compliance with the National Environmental Policy Act (NEPA) and other relevant laws and regulations. The EA discloses the direct, indirect and cumulative environmental impacts that would result from the alternatives. Additional documentation, including more detailed analyses of project-area resources, may be found in the project record located at the Mi-Wok Ranger District Office in Mi Wuk Village, CA.

The EA (p. 1-2) explains the Purpose and Need for Action. In short, the purpose of this project is to provide a safe and efficient transportation system for public and administrative use, which includes passenger vehicles, permitted commercial use, and Federal Energy Regulatory Commission (FERC) licensees. In order to meet the Purpose and Need, Alternative 1 (Proposed Action) includes:

- Removing the current bridge and constructing a new two-lane bridge that meets current design standards and the desired uses outlined in the Purpose and Need for Action.
- Additional paving of up to 200 feet of the approaches on both sides of the bridge as well as any finish grading or earthwork needed to accommodate vehicles on the approach curves.

This document contains a Decision Notice and Finding of No Significant Impact (FONSI). The Decision Notice identifies the decision and the rationale for selecting or modifying an alternative from the EA. The FONSI shows that the decision does not cause significant impacts on the human environment and explains why an environmental impact statement is not necessary.

Decision

Based upon my review of Alternative 1 (Proposed Action), the analysis in the EA, and the information contained in the planning record and input from interested parties, I decided to implement Alternative 1 (Proposed Action) as described in the EA (p. 3). Specific engineering design plans for the new bridge will be developed upon the completion of this analysis. When this project is funded, construction, which includes removal and reconstruction, is expected to occur over a 60-90 day period beginning as early as September 2014.

Reasons for the Decision

I made my decision to implement Alternative 1 (Proposed Action) for the following reasons:

1. Alternative 1 (Proposed Action) provides a safe and efficient transportation system for public and administrative use, which includes passenger vehicles, permitted commercial use, and Federal Energy Regulatory Commission (FERC) licensees.
2. Alternative 1 (Proposed Action) provides access to various locations and for multiple activities; safely accommodates both vehicles and pedestrians; and, meets present-day vehicle requirements.

3. Alternative 1 (Proposed Action) responds to the goals and objectives outlined in the Stanislaus National Forest Land and Resource Management Plan (Forest Plan)¹.

Public Involvement

In October 2012, the Forest Service listed the Fraser Flat Bridge Replacement project online in the Stanislaus National Forest Schedule of Proposed Actions (SOPA). The project first appeared in the published quarterly SOPA in January 2013. The Forest distributes the SOPA to about 160 parties and it is available on the internet [<http://www.fs.fed.us/sopa/forest-level.php?110516>].

On November 16, 2012 the Forest sent 19 scoping packages to individuals, permittees, organizations, agencies, and Tribes interested in this project. The package included a letter requesting comments on the Proposed Action by December 3, 2012. Two interested parties submitted letters, e-mails or verbal comments.

A legal notice, announcing the 30-day Opportunity to Comment on the EA appeared in the Union Democrat on February 27, 2013. The Forest mailed copies of the EA to those parties who commented during scoping. The 30-day comment period ended on March 29, 2013. During the comment period, one interested party submitted a letter supporting the proposal. A summary of comments and responses may be found in the project record and is available upon request.

After considering public comments, the EA, Biological Evaluations (BE), and other specialist reports, I believe that the project record reflects a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

Finding of No Significant Impact

After considering the environmental effects described in the EA (p. 7-11), I determined that these actions will not have a significant effect on the quality of the human environment, considering the context and intensity of impacts (40 CFR 1508.27); therefore, an environmental impact statement will not be prepared. I incorporate, by reference, the EA and project record, in making this determination. I base this finding on the following.

Context

This is a site-specific project that by itself does not have international, national, regional or statewide importance. Project activities will occur where 04N01 (Fraser Flat Road) crosses the South Fork Stanislaus River. The project area is part of the Forest transportation system that provides access to multiple uses identified in the Purpose and Need for Action (EA, p. 1-2).

Intensity

I considered the following ten elements of impact intensity (40 CFR 1508.27b) in assessing the potential significance of project effects.

1. **Impacts that may be both beneficial and adverse.**

My finding of no significant environmental effects is not biased by the beneficial effects of the action. All practical means to avoid or minimize environmental harm have been adopted (Design Elements, EA, p. 3-7). Biological Evaluations (BE), Biological Assessments (BA) and specialist reports

¹ USDA 2010. Forest Plan Direction. April 2010. Forest Service, Stanislaus National Forest, Sonora, CA.

prepared for this project are available in the project record, and unless otherwise noted are available upon request. Those documents provide the basis for the following determinations.

- a. The existing Fraser Flat Bridge was found ineligible for the National Register of Historic Places. Additionally, project design elements have been identified for the two segments of the Sugar Pine Railway located within the Area of Potential Effect (APE). Therefore, the district archaeologist has determined that there are no concerns for cultural resources within the APE (Cultural Resource Management Report 05-16-1340 p. 1-2; EA, p. 7-8).
- b. Implementing design elements and Best Management Practices (BMPs) identified in the EA (p. 4-6) will minimize temporary effects during construction and prevent any permanent effects from project activities (Hydrology Report p. 11-12; EA, p. 8).
- c. Implementing design elements identified in the EA (p. 6) minimizes the risk of introducing or spreading invasive plants (Invasive Plant Risk Assessment p. 4-5; EA, p. 8).
- d. Alternative 1 (Proposed Action) would not affect migratory birds and there would be no change to Management Indicator Species (MIS) habitat (MIS and MBTA Report p. 1; EA, p. 9).
- e. Alternative 1 (Proposed Action), including all Project Design Elements (EA, p. 3-7), will improve public vehicular and pedestrian safety and access to various recreational sites (Recreation Report p. 1; EA, p. 9).
- f. Alternative 1 (Proposed Action) will not affect any Forest Service sensitive plant species (Sensitive Plant BE p. 2; EA, p. 9).
- g. Alternative 1 (Proposed Action) may affect individual Forest Service sensitive terrestrial wildlife, but is not likely to contribute to the need for or result in a trend toward Federal listing or result in loss of viability for those species; (Wildlife BA/BE p. 4-5; EA, p. 9-10). This project poses no aquatic wildlife concerns (Aquatics Input p. 2-3; EA, p. 7).

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

Alternative 1 (Proposed Action) will improve public health and safety by meeting present-day vehicle requirements and providing additional space for pedestrians (EA, p. 10).

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.

This project does not contain nor would it adversely affect any parklands, prime farmlands, wild and scenic rivers, ecologically critical areas, or wetlands (EA, p. 10). The EA (p. 3) identifies project design elements that relate to proximity of the Proposed Action to historic or cultural resources.

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

Alternative 1 (Proposed Action) is consistent with all laws, regulations and policy including the Forest Plan as amended. In addition, the public raised no issues indicating that the degree to which this project may affect the human environment is likely to be highly controversial (EA, p. 10).

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

Resource specialists do not expect that the project will involve uncertain, unique, or unknown risks. Additionally, they have reviewed the Proposed Action and determined that it is not likely to affect individual Forest Service sensitive species or lead to a trend toward federal listing (EA, p. 7-10).

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.

Alternative 1 (Proposed Action) is not likely to establish a precedent for future actions with significant effects because it conforms to all existing Forest Plan direction and is applicable only to this project (EA, p. 10).

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The cumulative impacts are not significant (EA, p. 10).

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.

Alternative 1 (Proposed Action) will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or on any other cultural or historical resources because project design elements have been incorporated to protect these features sufficiently, as determined by the district archeologist (Cultural Resource Management Report 05-16-1340 p. 1-2; EA, p. 7).

There are no scientific research sites that may be affected by Alternative 1 (Proposed Action), nor is there any indication that this project would affect any scientific resource (EA, p. 11).

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.

Alternative 1 (Proposed Action) will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973 (EA, p. 11).

No Federally listed threatened or endangered wildlife species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, exist within or adjacent to the project area. Forest Service sensitive species may occur within or near the project area; however, the degree of potential effect of the proposed action would not result in extraordinary circumstances (Wildlife BA/BE p. 3-5, EA, p. 11).

There are no known federally threatened or endangered plants on the Stanislaus National Forest (Sensitive Plant BE p. 1) and the project poses no aquatic wildlife concerns (Aquatics Input p. 2-3; EA, p. 7).

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

Alternative 1 (Proposed Action) will not violate applicable laws and regulations for the protection of the environment (EA, p. 11).

Findings Required by Other Laws and Regulations

This decision to implement Alternative 1 (Proposed Action) is consistent with the long term goals and objectives of the Forest Plan (USDA 2010, p. 5-16). The project conforms to the Forest Plan by incorporating appropriate standards, guidelines and desired conditions (Design Elements, EA, p. 3-7). This action is consistent with the National Historic Preservation Act and all other applicable laws and regulations (see Finding of No Significant Impact).

Implementation Date

Implementation of the decision may begin immediately following the publication date of the legal notice of this decision in the Union Democrat, the newspaper of record [36 CFR 215.9(c)].

Administrative Review or Appeal Opportunities

Since no comments or only supportive comments were received during the 30-day comment period (36 CFR 215.6), this decision is not subject to appeal (36 CFR 215.12).

Contact Person

For additional information concerning this decision contact: Josh Merrill-Exton, Layout Forester; Mi-Wuk Ranger District; 24695 Highway 108; Mi Wuk Village, CA 95346; or, phone (209) 586-3234 ext. 633.

Signature and Date


for **CHRISTINA M. WELCH**
Acting Forest Supervisor
Stanislaus National Forest

April 18, 2013

Date