DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT (FONSI)
USDA Forest Service

1501 Flood Repair Project

Okanogan – Wenatchee National Forest
Naches Ranger District
Yakima, WA

HISTORY OF THE PROPOSED ACTION

Forest Service managers and other stakeholders have been working together for multiple years to solve flood damage and access concerns in the Little Rattlesnake Creek drainage. The Little Rattlesnake Road, Forest System Road (FSR) 1501, has experienced severe flood damage dating back to 1996, 2009, and 2011. The road has been closed since 2009 and those traveling in the area have been using alternate routes to get around the damaged road.

In June 2011, the Okanogan-Wenatchee National Forest was granted Federal Lands Highway funding after a 100-year flood event that spring. The Emergency Relief for Federally Owned Roads, known as ERFO, has made it possible for the Naches Ranger District to plan and implement multiple flood repair projects. The intent of the ERFO program is to pay the unusually heavy expenses in addressing damage sustained by a natural disaster over a wide area or by a catastrophic failure on Federal roads (Federal Highway Administration, 2013). The Naches District in July 2012 proposed to address flood damage along multiple Forest System Roads (FSR) including FSR1501 known as Little Rattlesnake Road.

The range of proposed actions presented in the Environmental Assessment (EA) included repairing the road at mile post 0.5 and 2.0 and decommissioning the first five miles of FSR 1501. The ERFO program funding is eligible for site-decommissioning roads where flood damage has occurred (Federal Highway Administration, 2011). In order to analyze the five miles of road decommissioning, not just at the two damaged sites, additional Forest Service funding was secured for project planning.

The project area (first five miles of FSR 1501) is within Washington State Department of Natural Resources (DNR) land ownership and FSR 1501 is managed by the Naches Ranger District. The project is located in Township 15N, Range 15E, Sections 9, 10, 16, 17, 19, and 20 W.M. all within Yakima County, Washington. The Little Rattlesnake Road is located off Bethel Ridge Road (FSR 1500) which connects to WA State Highway 410.

A proposed action was developed and sent to the public in July 2012. These particular sites on FSR 1501 sustained damage in 2009 and 2011, but an analysis was only completed after the most recent proposal in 2011. The 2012 scoping letter it its entirety can be found in Appendix A of the EA and page DN-5 further describes the Public Involvement and Scoping for this project. There are no unresolved conflicts concerning alternative uses of available resources, therefore, no additional alternatives are required (36 CFR Part 220, Section 220.7 (b) (2) (i)).

This decision incorporates the completed 1501 Flood Repair Project EA by reference. The EA documents the development of the two action alternatives and discloses known environmental impacts. The EA is available at the Naches Ranger District or can be found on the Forest's projects and plans website under "Okanogan-Wenatchee National Forest Current and Recent Projects":

http://www.fs.usda.gov/projects/okawen/landmanagement/projects

PURPOSE AND NEED

The purpose and need of the 1501 Flood Repair Project is described in Table 1 below.

Table 1: Purpose and Need of Project.

Need	Purpose
Address roads with serious damaged caused by a natural disaster or catastrophic failure (Federal Highway Administration, 2013). Damaged was sustained by May 2011 100-year flood event.	The project will address the damage on FSR 1501.
Reduce road and stream interactions.	The project will limit or completely remove the road and stream interactions. The project will minimize the release of sediment from the exposed damage areas.
Maintain aquatic and wildlife habitat standards in respect to the Forest Plan and national direction.	The project will minimize the release of sediment from the exposed damage areas. The project will meet aquatic and wildlife standards during project implementation.

Refer to page I-14 of the EA for more information on the Desired Future Condition and the Purpose and Need for Action.

DECISION AND RATIONALE

Decision

This Decision Notice and Finding of No Significant Issues (FONSI) documents my decision regarding the implementation of the 1501 Flood Repair Project. I have decided to implement Alternative A as presented in the 1501 Flood Repair EA. Management actions are necessary to accomplish the purpose and need for the project area. In summary Alternative A entails decommissioning approximately five miles of FSR 1501 from its beginning at FSR 1500 to its junction with FSR 1503 near the National Forest boundary. This portion of road is entirely on WA DNR land and the Forest Service has been collaborating with the DNR to make the best decision for the landscape.

The road will be decommissioned first starting at mile post (mp) 5.0, working down the road to its junction with FSR 1500. Decommissioning will include:

- The removal of all asphalt surfacing for recycling off site
- The removal of aggregate base and road fill material from sections within the floodplain. The Forest Service would use the material to partially fill road cuts not adjacent to the stream, shaping them to allow for drainage and revegetation. The remaining roadbed would be de-compacted to a minimum depth of 18"
- The removal of two wood bridges and concrete headwalls
- The removal of all (approximately 13) culverts and cross-drains along the road
- The construction of multiple log and rock structures (approximately 20) in the former road prism to prevent the stream from cutting into the newly disturbed soil. Specific location and design of these structures will be determined during the design process if this action is selected
- The revegetation of newly exposed areas
- Road closures barricades and turn-around areas at both ends of the decommissioned road.

Rationale

I have determined that this project will achieve the desired future conditions by addressing the serious damage on FSR 1501 caused by the May 2011 flood event, reducing road and stream interactions, and maintaining aquatic and wildlife habitat standards. My conclusion is based on a review of the record that shows 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. Refer to page II-4 of the EA for a summary of Alternative Accomplishment of Purpose and Need and Chapter III for the effects of the proposed actions.

The decision to decommission FSR 1501 is based on being able to maintain adequate road access where necessary while minimizing impacts to natural resources. These resources in the Little Rattlesnake drainage include important habitat for Columbia River bull trout, for Middle Columbia River steelhead, and the overall function of the stream

and riparian area. Removing the road would also improve water quality and create more wood recruitment in the drainage. I worked with WA DNR land managers to determine that this portion of FSR 1501 can be closed to protect these valuable resources while still maintaining adequate access in the area. Other partners including NOAA Fisheries, US Fish and Wildlife, and Yakama Nation have also been working to improve the valuable riparian habitat in the Little Rattlesnake Drainage for multiple years. This drainage is recognized as a valued resource within the greater Tapash collaborative landscape.

Recognizing the long history of road and stream interactions in the Little Rattlesnake Drainage, removing the road surface and fill will greatly increase the aquatic habitat potential of the Little Rattlesnake. The road is located adjacent to the creek channel migration zone in several areas; this means the road confines the stream channel and reduces the channel's ability to function as a riparian zone. As a responsible land manager, the Forest Service recognizes that by eliminating the constant road and stream interaction, the Forest Service will no longer need to continue to temporarily fix the road.

Based on the project design in Chapter II of the EA and the associated effects analysis in Chapter III of the EA, this project meets the identified Purpose and Need as follows:

- Alternative A will permanently close the first 5 miles of FSR 1501, removing it from the FSR system. Alternative access to the other end of FSR 1501 is accessible by FSR 1503. Impacts of Alternative A in relation to this Purpose and Need element are disclosed in the Fire and Public Safety and Recreation resource sections in Chapter III of the EA. Additionally, the WA DNR proposed connector road R5220TIE will provide for needed access to state managed land.
- The decommissioning of the road and removal of road fill will result in no further road and stream interactions. Impacts of Alternative A in relation to this Purpose and Need element are disclosed in the Hydrology and Fisheries resources sections in Chapter III of the EA.
- Decommissioning the road will increase the potential floodplain for the Little Rattlesnake Creek and enhance the aquatic habitat. Closing the road would also reduce human disturbance and allow the system to return to its natural state.

OTHER ALTERNATIVES CONSIDERED

Alternative B

Alternative B, analyzed in the EA, proposed to repair and reopen the road at mp 0.5 and 2.0. At mp 0.5, Alternative B proposed the road to be shifted west approximately 10 ft. for approximately 800 ft. away from the stream. The new road surface would be raised approximately 2 feet. The reconstructed road and stream interface would be hardened with rock and large wood. The portion of the ditch that is currently occupied by the stream would be modified to produce a stream channel that can exist adjacent to the road. Reconstruction would include shaping the ditch into a stream channel with large rocks, woody debris, and live vegetation. At mp 2.0 Alternative B would shift the road south away from the stream (10 to 20 feet) for approximately 200 feet centered on the damaged area. Material removed from the old roadbed would be used to construct the new

roadbed. A floodplain would be constructed along the repaired section with rock, large wood, and live vegetation providing stabilization.

Alternative B also meets all of the project's Purpose and Need elements; however, Alternative A provides for greater improvements in riparian areas. The road and stream interaction will continue to occur within the drainage and future flood damage could be predicted (EA III-2-6). The site repair in Alternative B would provide improved habitat at the damaged site in the short term, but would not have all of the long term benefits associated with removing the road (EA III-6-22).

Unresolved Conflicts

With the two action alternatives, there were no unresolved conflicts concerning alternative uses of available resources. (42 USC § 4331, Section 102 (2) (E)).

No Action

The 1501 Flood Repair Project EA includes a No Action alternative, as per 36 CFR Part 220, Section 220.7 (b) (2) (ii). The No Action Alternative considered effects to the project area if no management action were taken. I did not choose the No Action alternative because the existing condition would continue and it would not meet this project's Purpose and Need.

No Action would result in the first 5 miles of FSR 1501 remaining blocked with cement barricades. The road would continue to be eroded and the travel-way width would continue to be reduced. Illegal motorized use around the barriers and on the first 5 miles of road would likely continue. No action would leave the damaged road, road shoulders, and ditches exposed and highly susceptible to more damage in the next flood season. The road would continue to erode into the channel contributing fine sediment along 800 feet of road/stream interface leading to detrimental effects on downstream aquatic habitat and water quality. Additional erosion above and below the currently affected sites could be anticipated as well. For more information, reference the Fisheries Specialist Report in the project file.

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

Members of the public that recreationally use the Little Rattlesnake area proposed during scoping that if the first 5 miles of FSR 1501 were to be closed to vehicular traffic, the road should be made into a Forest Service trail. This would still allow for non-motorized access and recreational use in the drainage. For typical recreational uses of this area, see the Recreational specialist report in the project file.

The Naches Ranger District determined to eliminate this alternative from detailed study for the following reasons:

- The first 5 miles of FSR 1501 is located on Washington State Department of Natural Resources land. The Forest Service does not build or maintain trails on WA DNR land
- At this time, the Washington DNR has no current proposal to create a trail along or near the existing FSR 1501

PUBLIC INVOLVEMENT AND SCOPING

The Project Initiation Letter (PIL) on October 5, 2011 directed the IDT to include a compilation of specialists and planners from the Cle Elum and Naches Ranger districts. For a full list of persons consulted, see Chapter V.

The 2013 Flood Repair Project Proposals (scoping letter in Appendix A of EA) contained the proposal for the 1501 road. The tribal scoping letter was sent to the Yakama Nation on July 10, 2012 and on July 20, 2012 the public scoping letter was sent to over 1,000 recipients. Public input received during the first round of scoping (2011) was included in this analysis.

Additional public outreach included but is not limited to presentations and available information at:

- Forest Service Schedule of Proposed Actions (SOPA)
- 2012 & 2013 Central Washington Sportsmen Show
- Multiple (2011-2013) Trails and Wilderness Interest Group Meetings (TWIG)
- 2012 Central Washington State Fair
- Pacific Northwest 4-Wheel Drive Association meetings, both local and regional
- Dust Dodger Motorcycle Club meetings
- Cascade Quad Squad Club meetings
- Naches Ranger District foyer

The IDT received 59 comments total on the 1501 Flood Repair project during the 2011 and 2012 scoping period. For a complete list of commenters, see the project file. Topics within the comments included aquatic habitat improvement, wildlife habitat improvement, safety concerns, firefighting access, travel access, illegal use, recreational access, hunting access, capital improvement retention, economics, access for allotment operations, and access for the elderly. During the scoping period the Forest Service also worked closely with NOAA Fisheries and US Fish and Wildlife Service to look at potential habitat impacts in the area.

The Interdisciplinary Team leader notified all individuals and agencies that expressed interest including, but not limited to, Pacific Northwest 4-Wheel Drive Association (PNW4WD), Washington State Department of Fish and Wildlife, NOAA Fisheries, S. Martinez Livestock Inc., Washington State Parks and Recreation Commission, Nile Cliffdell Fire Department, Washington State Department of Transportation, Washington

State Department of Ecology, and the Environmental Protection Agency. Those that specifically asked received a full copy of the EA and the others were notified that the EA was available for viewing online. A public notice appeared in The Wenatchee World (newspaper of record) on May 24, 2013 beginning the 30-day comment period.

Comment Analysis

Twenty-nine individuals along with PNW4WD, Mid-Columbia Fisheries, WA Department of Ecology, WA Department of Transportation, WA Department of Fish and Wildlife, WA Department of Natural Resources, NOAA Fisheries, S. Martinez Livestock Inc., and the Yakama Nation supplied separate responses during the EA comment period. Similar issues and topics from the comment period are organized and responded to below. To view each individual comment and a more detailed Forest Service response, please see the project file.

- **Topic 1:** FSR 1501 provides valuable recreational opportunities including hunting, walking, driving (the loop) for pleasure, dispersed camping and quick access to the Little Rattlesnake 4x4 trail. Area was also previously utilized for winter recreation including cross country skiing and as a groomed snowmobile route.
  Response: In general, recreationalists who prefer motorized access will lose access to the first five miles of FSR 1501 when it is decommissioned. No access to system or known user-built trails will be lost; however, it will take longer for those travelling to the Little Rattlesnake 4x4 trail, which will continue to use the FSR 1500-1503 reroute. WA State Parks and Recreation has no current plans to have FSR 1501 become a groomed snowmobile route after project implementation. Other impacts to recreation can be found on page III-43 of the EA. The Naches R.D. continues to balance public access with resource protection. This decision allows for continued access through the reroute to the upper portion of the Little Rattlesnake drainage while greatly enhancing the aquatic habitat. As land managers, the Naches R.D. must balance public access with resource protection and an effective use of funding. By removing this road that has sustained flood damage for multiple years, the District can focus efforts to maintain roads in other areas.

- **Topic 2:** If the road remains closed (Alternative A), there is a concern for wildland fire-fighting access and other emergency ingress and egress needs.
  Response: Vehicle access is limited in many areas on National Forest lands for fire suppression and emergency apparatus. If in the event of limited access, standard fire-fighting and emergency equipment and techniques allow for safe and timely responses to emergency situations. FSR 1501 was not deemed critical for emergency access. For more information, see Fire and Public Safety effects on page III-41 of the EA.

- **Topic 3:** FSR 1501 has a long history of negatively interacting with the Little Rattlesnake Creek. Existence of the first five miles of FSR 1501 will continue to degrade the riparian area and not provide suitable habitat for ESA listed species.

Response: Both Alternatives A and B meet the Aquatic Conservation Strategy with their specific design criteria (EA page III-18). The cumulative effects of obliterating the first five miles of FSR 1501 (Alternative A) would be beneficial for the sub-watershed and would remedy long-term issues for aquatic resources.

- **Topic 4:** Damage on FSR 1501 was caused by lack of road maintenance.
  Response: A 100-year flood was recorded in this area causing extensive damage to a variety of roads, including FSR 1501. A lack of maintenance can contribute to road erosion. The Forest Service maintains road systems to the best of their ability with the resources available. See the Hydrology specialist report within the project file for more information on peak and base flows.

- **Topic 5:** Alternative A better supports long term water quality and water temperature goals.
  Response: Implementation of Alternative A and B with best management practices and specific design features would ensure compliance with water quality standards and would not exacerbate Washington state 303(d) listings (page III-6 of EA). The improved floodplain capacity and stabilization associated with the design of Alternative A would result in an incremental benefit to the overall watershed condition and would improve water quality.

- **Topic 6:** Roads on the Naches Ranger District were built for a reason and that reason has not changed.
  Response: A large portion of roads on the Naches Ranger District were constructed for logging operations and maintained by those contractors. Logging practices have dramatically changed since the construction of these roads (see Fuels and Vegetation Management page III-37 of the EA). The Forest Service continues to conduct road maintenance to the best of our ability within the confines of the available road maintenance budget.

- **Topic 7:** The Chinook Pass Cabin Owners Association (CPCOA) appears to be omitted. Overall unhappy regarding the way the public was notified and contacted, specifically over the use of The Wenatchee World as the newspaper of record.
  Response: Although Chapter IV of the EA does not specifically list CPCOA, they were contacted during scoping. For a complete list of individuals and agencies contacted, please see the project file. Over 1,000 recipients were notified in July 2012 of the proposed actions and were informed to contact the Naches R.D. to be included in more information on the flood repair project. The Wenatchee World is the newspaper of record for all projects on the Naches Ranger District. This was presented in the original scoping letter and all individuals interested in receiving further information were asked to contact the project lead (see Appendix A of EA). The Naches Ranger District is pursuing the use of the Yakima Herald as the newspaper of record and is awaiting approval. The Naches Ranger District appreciates feedback on public outreach and continues to improve its communication with the public, both locally and nationally.

- **Topic 8:** Since the closure of FSR 1501, there has been more illegal use in the area. Users are making motorized trails to access the upper portion of the drainage.
  Response: The Naches Ranger District has recognized illegal motorized-use around the road barricades throughout the closure period. Recreational specialists have not documented non-system trail creation since the road was closed. Decommissioning the road, instead of simply blocking it, will reduce the ability of new trail construction. The Forest Service continues to mitigate and prevent illegal use with the resources available.

- **Topic 9:** FSR1500 is undesirable with lots of turns. If FSR 1501 remains closed, there will be increased traffic in this area. FSR 1500 is not as safe as FSR 1501.
  Response: FSR 1500, 1501 and 1503 are all Maintenance Level III Roads (USDA Guidelines for Road Maintenance Levels, 2005) where driver comfort is not a consideration under road management. Visitors in the area, including land managers, have been driving around FSR 1501 since flood damage in 2009. FSR 1500 and 1503 both meet safety standards for Maintenance Level III roads. It is anticipated that vehicle traffic will continue to be rerouted on FSR 1500 and 1503 or those individuals will discontinue traveling in the area.

- **Topic 10:** Suggests the Forest Service leave the bridges and/or portion of a trail in the Little Rattlesnake drainage. Without bridges, foot traffic isn't possible through this drainage.
  Response: The goal of decommissioning the road would be to allow the stream to function naturally, uninhibited by the road or other structures. More importantly, if the bridges were not removed at the time of decommissioning, there would be no way to remove them in the future. The existing bridges are heavy structure creosote bridges; creosote is a hazardous material that is no longer used because it leaks into the creek overtime. This is not an acceptable practice in managing the riparian area. Furthermore, foot travel will still be possible in many places within the drainage without bridges.

- **Topic 11:** Cost efficiency of repairing the two damaged site verse decommissioning the first five miles.
  Response: This portion of the Little Rattlesnake drainage has had several documented incidents of stream and road interactions. Removing five miles of road would greatly increase the aquatic habitat and stream function in the area and no further road maintenance or repairs would need to occur in the area. As mentioned on DN-1, ERFO funds were not used in the planning analysis for the decommissioning of five miles of road. Additionally, this project was ranked number one for Salmon Recovery Grant Proposals by the Yakima Basin Fish and Wildlife Recovery Board. If secured, grant money could be used to remove the road and reconnect the floodplain in the Little Rattlesnake drainage. The Naches Ranger District is continually analyzing their road system and its interaction with sensitive riparian areas. Protecting the riparian habitat and the sensitive or federally listed species that inhabit it is outlined as a leading principal for the Okanogan-Wenatchee National Forest. For

more information, see the Aquatic Conservation Strategy (Wenatchee Forest Plan, as amended by the Northwest Forest Plan, USDA 1994).

- **Topic 12:** FSR 1501 provides shorter access to a portion of the Rattlesnake sheep allotment. This access previously allowed managers to take off lambs before the ewes. With the current limited access, both ewes and lambs must be trailed out to an alternative load out location off the allotment (due to access for semi-trucks). When the lambs are trailed out, they lose weight.
  Response: The Naches Ranger District acknowledges the potential impact to S. Martinez Livestock. Alternative A will increase travel distance to the allotment by approximately 10 miles. Furthermore, once FSR 1501 is decommissioned, the sheep will not be able to be trailed out this route. For more information on the impacts to range management, see page III-38-40 in the EA.

None of these comments describe "Unresolved conflicts concerning alternate uses of available resources" (42 USC § 4331, Section 102 (2) (E), and 36 CFR Part 220, Section 220.7 (b) (2) (i)) that would merit the development of additional action alternatives.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

My responsibility as the Line Officer with authority to make this decision is to review the EA and determine whether the proposed action may have a significant effect on the quality of the human environment. In compliance with 40 CFR 1508.13 and 1508.25, the following findings support my determination that there will not be a significant effect on the human environment and an environmental impact statement will, therefore, an Environmental Impact Statement will not be prepared.

SIGNIFICANCE

From 40 CFR 1508.27:

"Significantly" as used in NEPA requires considerations of both context and intensity:

> *(a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant.*
>
> *(b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action.*

Context

This project is a site-specific action that by itself does not have international, national, region-wide, or statewide importance. The discussion of the significance criteria that follows applies to the intended action and is within the context of local importance in the area associated with the 1501 Flood Repair project area.

Intensity

The following discussion is organized around the 10 Significance Criteria described in NEPA regulations (40 CFR 1508.27).

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. A thorough effects analysis (direct, indirect, and cumulative) is available in Chapter III of the EA and in the Biological Evaluations and Biological Assessment (in the project file). The beneficial effects of the action as disclosed in Chapter III do not bias my finding of no significant environmental effects, nor do beneficial effects mask adverse effects.

2. The degree to which the proposed action affects public health or safety. With the road currently closed, decommissioning the road will continue the existing condition of not being able to use the first five miles of FSR 1501. This will continue the increased amount of vehicle traffic on FSR 1500 and 1503. The first five miles of FSR 1501 was not deemed critical for wildland fire-fighting access or emergency access. In the event of limited access, standard firefighting and emergency equipment and techniques allow for safe and timely response to emergency situations. More detailed effects to fire fighting and public safety can be found on page III-41 of the EA. Alternative A proposes no prescribed burning or invasive species treatment and is consistent with the Clean Air Act (EA, page III-48).

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, ecologically critical areas, critical habitat, Inventoried Roadless Areas, or Potential Wilderness Areas. There will be no significant effects on the unique characteristics of the area. No Inventoried Roadless Ares, Potential Wilderness Areas, park lands, prime farmlands or prime forest lands are found in the project area (EA, page III-48). This project complies with regulations of Wild and Scenic Rivers and will have no impact on designated Wild and Scenic Rivers (EA, page III-49). I base my determination on the effects discussion found in the EA Chapter III. Project design criteria and mitigations address and minimize possible effects to the scenic character.

   Best Management Practices and Mitigation Measures listed in Appendix B will limit or eliminate damage, or assure rehabilitation to the water and aquatic/riparian resources. Implementation of design features for Riparian Reserves will ensure compliance with floodplain management and wetland

protection. Design features are expected to improve and restore the function of this area (EA, page III-3). Impacts to critical habitat are summarized in Significant Criteria element #9 on page DN-12.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. The nature of potential effects on the human environment from Alternative A is well established and not likely to be highly controversial. The Forest Service has used best available science in guiding the effects of this project. The Forest Service also conducted far reaching scoping on this project (EA, page IV-1).

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The Forest Service has considerable experience with this type of action. The effects analysis (EA Chapter III) as well as science and monitoring shows the effects are not uncertain. Effects do not involve unique or unknown risk. There is no science differing on effects on the quality to the environment.

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. My decision to implement the actions included in Alternative A does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. I have made this decision based on the overall consistency of the proposed activities with the Amended Wenatchee Forest Plan standards and guidelines. The decisions made and analysis completed is site and temporal specific. The purpose and need are only relevant to the specific affected environment.

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 effects of implementing the actions included in Alternative A will not be significant, individually or cumulatively, when considered with the effects of other past and reasonably foreseeable future actions. See the cumulative effects analysis for each resource area in Chapter III of the EA.

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. I have determined that the actions described in Alternative A do not adversely affect or cause loss or destruction of significant scientific, cultural, or historical resources. Pages III-47 through III-48 of the EA describes the effects of the actions on heritage resources. No scientific, cultural, or historical resources are located within the project area.

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. A Biological Assessment and Biological Evaluation for threatened and endangered wildlife and aquatic species were completed and concluded the following for the implementation of Alternative A:
    a. This project will not affect species that do not occur and habitat this is not present within or adjacent to the project area, therefore, grizzly bear, Canada lynx, critical habitat for the northern spotted owl, North American wolverine, Pacific fisher, and Designated Critical Habitat for Canada Lynx will not be effected (EA page III-23)
    b. No risk factors were concluded for the shiny tightcoil (Sensitive species) (EA page III-20)
    c. This project "May affect, not likely to adversely affect" the grey wolf (EA page III-21)
    d. This project "May impact individual bald eagles but not lead towards trends of federal listing or loss of population viability" (EA page III-24)
    e. This project "May affect, not likely to adversely affect" the northern spotted owl (EA page III-26)
    f. This project will have no impact on the "Viability" of Rocky Mountain elk or mule deer (Management Indicator Species)
    g. This project "May impact individuals, but not likely to lead towards trends of federal listing or loss of population viability" on beaver, ruffed grouse, willow flycatchers and calliope humming bird (Management Indicator Species)
    h. This project will have "No impact" on primary cavity excavators
    i. This project "May affect, likely to adversely affect" Columbia River Bull Trout and Middle Columbia River steelhead (EA page III-18)
    j. This project will have "No effect" to any listed Botanical species (III-36)

    Concurrence with the wildlife Biological Assessment was received on March 13, 2013 by US Fish and Wildlife Service. Consultation for aquatic species is being completed through the Aquatic Restoration Biological Opinion II (ARBO II) process requiring pre-notification to US Fish and Wildlife and National Oceanic and Atmospheric Administration (NOAA) Fisheries 60 days before project implementation.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The actions described in the Alternative A do not threaten any violation of Federal, State, or local law or requirements imposed for the protection of the environment (see section on Findings Required By Other Laws below).

I find that implementing Alternative A does not constitute a major federal action that will significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both positive and negative effects, as well as direct, indirect, and cumulative effects of this action.

I have found that the context of the environmental impacts of this decision is limited to the local area and is not significant. I have also determined that the severity of these impacts is not significant based on the above.

I base my conclusion on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgment that there is not incomplete or unavailable information, scientific uncertainty, or risk associated with Alternative A. My basis includes the effects analysis contained in the EA in Chapter III, public comment, and consultation with interested environmental groups and government agencies (EA, Chapter IV and comment analysis in project file).

FINDINGS REQUIRED BY OTHER LAWS

Wenatchee National Land and Resource Management Plan as Amended by the Northwest Forest Plan (Amended Forest Plan)

This project is located entirely within Washington DNR land ownership; therefore, land allocations from the U.S. Forest Service direction and guidance are not directly applicable. The Inter-disciplinary team determined to classify the project area with the land management allocation of Riparian Reserve to better describe the effects of the project. This management allocation is suitable as the project area is adjacent to the stream and generally within the riparian zone.

The *Wenatchee National Forest Land and Resource Management Plan* (USDA Forest Service, 1990) as amended by the *Northwest Forest Pla*n (USDA Forest Service, 1994) describes Riparian Reserves as portions of the watershed where riparian-dependent resources receive primary emphasis and where special standards and guidelines apply. Projects within Riparian Reserves are consistent with Aquatic Conservation Strategy (ACS) standards and guidelines and contribute to maintaining or restoring watershed conditions over the long term, with only minor short term negative effects. This project is consistent with the Aquatic Conservation Strategy (ACS) objectives. The project will maintain all nine objectives of the ACS at the project and 5th field watershed levels (EA, pages III-16 through III-18). The project may involve some short term negative impacts associated with construction but this will be offset by long term riparian area improvements.

No management activities are planned in Administratively Withdrawn or Congressionally Withdrawn Areas. The project will not threaten viability of any Management Indicator Species (EA, page III-26)

This project has no impact on timber or other Forest resources and is consistent with the National Forest Management Act (NFMA) of 1976.

This project is consistent with the 2001 Record of Decision and Standards and Guidelines for Amendments to the Survey and Manage Protection buffer, and other Mitigation Measures Standards and Guidelines. The project will have "No impact" and Survey and Manage species (Wildlife species discussed on EA page III-34, Botany species discussed on page III-37).

This project is consistent with the 2005 Pacific Northwest Record of Decision for Invasive Plant Management (EA page III-37). All applicable prevention standards and guidelines from that document have been incorporated into the design criteria for the 1501 Flood Repair Project.

Roadless Area Conservation Rule
No management activities are proposed within or adjacent to any Inventoried Roadless Area.

Endangered Species Act
Alternative A is designed to promote the conservation of endangered species. See Significant Criteria #9 above and the Wildlife, Fisheries, and Botany reports within Chapter III of the EA.

Magnuson – Stevens Fishery Conservation and Management Act
All streams currently or historically occupied by spring Chinook and Coho salmon in the project area have been designated as essential fish habitat by the National Marine Fisheries Service (NMFS). No negative effects to occupied and critical habitat are predicted to occur with this action. The project is consistent with this act (EA page III-21).

Clean Air Act (CAA)
Alternative A does not include any burning or actions that will cause more than incidental dust. The project will not compromise air quality and therefore is consistent with the Clean Air Act (EA page III-48).

Clean Water Act
Implementation of this project along with Best Management Practices (BMPs) listed in Appendix B will meet water quality standards and the anti-degradation policy. Full implementation of the BMPs has shown to be an effective method in preventing and controlling nonpoint source water pollution. Monitoring will be conducted during the project in order to validate implementation and effectiveness of BMPS and assure compliance with the Clean Water Act and other WA state quality regulations (EA page III-6).

National Historic Preservation Act, Alaska Native Religious Sites, and Cultural Sites
The Forest Service program for compliance with the National Historic Preservation Act includes locating, inventorying, and nominating all cultural sites that may be directly or indirectly affected by scheduled activities. There are not cultural resources within or in close proximity to the project area. It was determined that the project will have "No effect" on cultural resources including historic properties or tribal customs or practices. National Historic Preservation Act (NHPA) Section 106 consultation for this project was completed in accordance with the terms of the programmatic agreement regarding management of cultural resources on Washington State National Forest. Yakama Nation was originally notified July 10, 2012 and the Nation raised no concerns regarding NHPA.

Floodplain Management (E.O. 11988), Protection of Wetlands (E.O. 11990), municipal watersheds
Floodplains are present in the analysis area and this project will restore and preserve the natural and beneficial values served by floodplains. This project will also minimize destruction, lose, or degradation of wetlands. Streamside Riparian Reserves, seeps and other wet habitats were assessed (EA page III-6 and III-22).

Recreational Fishing (E.O. 12962)
Recreational fishing is an identified use in the analysis area. This project will not result in any appreciable reduction in the fish population numbers or otherwise negatively affect the fishing opportunity (EA III-21).

Environmental Justice (E.O. 12898)
I have determined that in accordance with Executive Order 12898 this project does not have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. Refer to EA page III-49.

ADMINISTRATIVE REVIEW AND APPEAL OPPORTUNITIES

This Decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer.

Send appeals to:

ATTN: 1570 APPEALS
215 Melody Lane
Wenatchee, WA 98801

The Fax number is (509) 664-9280

The business hours for those submitting hand-delivered appeals are: 7:45 a.m. to 4:30 p.m. PDT, Monday through Friday, excluding holidays. Appeals may also be filed electronically and must be submitted in one of the following formats; as part of an email

message; rich text format (.rtf); portable document format (.pdf) or; Word (.doc or .docx) to **appeals-pacificnorthwest-okaqnogan-wenatchee@fs.fed.us**. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice for this decision in the Wenatchee World, the newspaper of record. The publication date in said newspaper of record is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source. It is the responsibility of all individuals and organizations to ensure their appeals are received in a timely manner. For electronically mailed appeals, the sender should normally receive an automated electronic acknowledgement from the agency as confirmation of receipt. If the sender does not receive an automated acknowledgement of the receipt of the appeal, it is the sender's responsibility to ensure timely receipt by other means.

Individuals or organizations who submitted comments by the close of the comment period on the EA, specified in 36 CFR 215.6 may appeal this Decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

IMPLEMENTATION OF DECISION

This project will likely be implemented in the summer of 2014. If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five business days from the close of the appeal-filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition, should my decision be upheld.

INFORMATION CONTACT PERSON

For additional information concerning this decision or the Forest Service appeal process, contact Michelle King, NEPA Planner, 10237 Highway 12, Naches, WA, 98937, at 509-653-1420, or via email at mdking02@fs.fed.us.

IRENE DAVIDSON

9/24/2013

Date

District Ranger
Naches Ranger District
Okanogan-Wenatchee National Forest

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