

Decision Notice & Finding of No Significant Impact Pole Creek Road Reroute

**USDA Forest Service
Sawtooth National Recreation Area, Sawtooth National Forest
Blaine County, Idaho
Prepared for this project 36 CFR 218 Objection Period**

Decision and Rationale

Background

The current alignment of the Pole Creek Road, although unimproved, has likely existed in its near present-day location since the early 1900s. The road's primary purpose during its "conception" was to access a number of mineral claims in the upper part of the Germania Creek watershed as well as several claims within the Pole Creek watershed. A 1924 memo from the US Forest Service suggested improving the route due to the watershed's "attractive nature as well as the prospect of large amounts of ore in the Germania basin". Later in the mid-1970s and 1980s the primary use of the route was for recreation purposes as well as to access several logging units. More recently dispersed camping, non-motorized, and motorized recreation and firewood cutting seem to be the primary activities occurring within the watershed.

As stated above, while the current alignment of Pole Creek Road has existed for a long period of time in its current location, it is considered a moderate/high risk for failure from a high water event and is likely a key limiting factor in ecological processes (temperature, sediment, and streamside shading) that occur within the Riparian Conservation Area (RCA) of Pole Creek and the stream itself. Since the travel routes inception in the early 1900s, Chinook salmon, steelhead, and bull trout have been listed for protection under the Endangered Species Act. All species are believed to have been historically present in Pole Creek and its tributaries which were subsequently listed as critical habitat.

The principal objectives of this project are to: relocate the Pole Creek Road outside the RCA; close and rehabilitate the portion of Pole Creek Road which has been relocated; and relocate and replace two culverts on Twin Creeks in order to facilitate the road relocation as well as allowing the passage of fish in all life stages. These changes are intended to address key limiting stream and streamside factors within the Pole Creek drainage, building on the earlier and on-going restoration efforts over the past few years.

Decision

Based on the analysis in the Environmental Assessment (EA), and comments received from the public, it is my decision to select Alternative 2, the proposed action.

Alternative 2 will directly address the project's purpose and need and contribute towards attainment of Forest Plan goals and objectives for streams, fish, and RCAs. As such, it would be consistent with the MPC 3.2 prescription, as well as with the goals and objectives, including the Aquatic Conservation Strategy (ACS) and Watershed and Aquatic Recovery Strategy (WARS) priority emphasis. Failure to take action to address a known chronic impact to RCAs would fail the stewardship commitments and emphasis prescribed for the watershed: Active Restoration and Maintenance of Aquatic, Terrestrial, and Hydrologic Resources. It would also fail to implement the specific Forest Plan objectives for Pole Creek described in 0249, 0252, and 0275.

Details of the selected alternative are as follows:

The primary Purpose and Need of this proposal is to improve riparian conditions and water quality in Pole and Twin Creeks by relocating and rehabilitating segments of the Pole Creek and Twin Creeks loop road. From road mile 1.6 to 2.9 of Pole Cr Rd. (FS #70197) this section of road is entirely within the RCA and at many areas along the route, Pole Creek and the road essentially act as "one". This section of road is at moderate/high risk for failure from a high water event, is interacting with stream and RCA processes and contributes a moderate amount of fine sediment to Pole Creek. This section of road would be relocated approximately 500-700 feet to the north on the valley floor, where it would be outside the RCA. Additionally, this proposal would close and rehabilitate approximately 0.25 miles of Twin Creek Loop Road (FS #70412) which will no longer be necessary due to the relocation of the Pole Creek Road. The former road template would be decommissioned and rehabilitated using an excavator or other similar equipment. All new road construction would occur outside the RCA except for a short section which would need to cross Twin Creeks. Standard and specific design and implementation practices would be implemented in order to minimize unintended effects from this activity.

This project also proposes to remove the two existing 3-foot wide culverts on Twin Creeks, excavate the road fill on both sides of the culvert to natural channel dimensions (e.g. bankfull stream width ≈ 10 feet), and then replace the culverts upstream in order to facilitate the Pole Creek road relocation. Replacement of the culvert to provide for fish passage would require installation of a larger culvert structure with a simulated natural stream bottom. This has been done successfully at many sites across the Forest in recent years. Prior to construction, electrofishing would take place to relocate any fish within a short distance of the crossing. The stream crossing would be dewatered and water routed around the construction site. The fill and culvert would then be removed. Once the instream work is completed, the streambank restoration activities would be completed from dry land outside of the stream channel. At the new upstream culvert sites, the fill will be removed from the streambank and a foundation would be set on both sides of the stream channel for support of the new squash culvert. A natural stream bottom with substrate sized to fit natural flow levels would be set into the channel through the culvert's full length. The culvert would be designed to accommodate a minimum of a 100-year flood event. The instream work would take approximately 8 workdays to complete during the low flow period of August 15th through October. Travel between lower Pole Creek and upper Pole Creek watershed would not be restricted at any time during the construction and the rehabilitation activities described above.

Other Alternatives Considered

The EA included one additional alternative, Alternative 1 (**No Action**). A comparison of the two alternatives can be found in Chapter Two of the EA.

Public Involvement

The proposed action has been listed in the quarterly Sawtooth National Forest Schedule of Proposed Actions (SOPA) since January, 2014. The SOPA provides the public a list of proposals that are undergoing environmental analysis. The SOPA is posted on the World Wide Web (<http://www.fs.fed.us/sopa/forest-level.php?110414>).

In November 2013, information letters were mailed to individuals, organizations, agencies, area landowners, and permittees, describing the action under consideration, and requesting comments. Feedback from staff and the public (9 individuals or organizations) was received and is included in the project record. On February 20th 2014, a legal notice of the proposed action was published in the paper of legal record, the Challis Messenger newspaper based in Challis, Idaho. No comments were received during this scoping period. The feedback received from all these efforts was reviewed and considered by the interdisciplinary team and myself (the deciding officer). As a result, the proposed action was further refined and clarified, alternatives to the proposed action were considered, and issues for the analysis were identified.

Finding of No Significant Impact

I have reviewed the environmental effects described in the EA and evaluated whether the selected Alternative constitutes a significant effect on the quality of the human environment or whether the environmental impacts will be significant based on their context and intensity as defined by the National Environmental Policy Act (NEPA), using the criteria in the implementing regulations (40 CFR 1508.27).

I have determined that the implementation of the Selected Alternative will not result in any anticipated effects that exceed the level at which a significant effect on the human, biological, or physical environment, in terms of context or intensity, will occur. The effects are not highly uncertain and do not involve unique and unknown risks. The action will not, in relation with other actions, cause cumulatively significant impacts. This determination is based on the environmental assessment process completed for this project and was made considering the following factors:

1. Context and Intensity

The setting of this project is in the Pole Creek area with implications for only that immediate area. Project implementation will affect the Pole Creek Reroute Area over a one-to-two year period. The public utilizing these areas will possibly be affected temporarily during project construction by things like noise or the change in camping areas within the RCA. Access will not be affected and other campsites will be available after implementation outside of the RCA. The short-or-long-term effects from this project are restricted to a local area and have no widespread importance.

2. Public Health and Safety

This action will not significantly affect public health and safety. The project activities will comply with all state and federal regulations protecting public health and safety.

3. Unique Characteristics of the Area

This action will not adversely affect unique characteristics such as historic or cultural resources, wetlands, or ecologically critical areas. My determination is based on the discussion of effects found in the EA, Chapter Three. There are no historic or cultural properties, wilderness or wild and scenic rivers associated with this action.

The project includes approximately 0.9 miles of actions within the Boulder White Clouds Inventoried Roadless Area (IRA). The Forest Plan Special Area theme of the IRA within the project area relates to the eligibility of the Salmon River for designation as a Wild and Scenic River. A single segment is defined within the Forest Plan from Headwaters to Sawtooth Forest boundary. The outstanding remarkable values to be protected include: scenic, recreation, geologic, hydrologic, fish, and heritage. With the river restoration focus of the proposal, and the maintenance of the core recreational opportunities in the area, it is anticipated the proposed actions would not affect the eligibility of river segment for Wild and Scenic River status.

As such, a similar conclusion extends to the conditions of the valued roadless characteristics within this Forest Plan Special Area. Soil and water conditions would be improved considerably, as would habitats for TES fish. The scenic qualities of the landscape would be rehabilitated while maintaining opportunities for motorized and non-motorized recreation. Native vegetation would be restored within the riparian corridor, though incidental alteration of forest vegetation would be necessary along the new route.

4. Controversy

All comments were considered in refinement of the project, and are documented in the project record. The comments and environmental analysis did not identify any substantiated scientific controversy over the effects as described.

5. Uncertainty

The action described in my decision will not involve effects that are highly uncertain or involve unique or unknown risks (40 CFR 1580.27).

Pertinent scientific literature has been reviewed and incorporated into the analysis process. The technical analyses conducted for the determination of impacts to the resources are supportable with use of accepted techniques, reliable data and professional judgment. Issues of public concern and possible environmental effects of the selected alternative have been adequately addressed in the analysis of this decision. Therefore, I conclude that there are no highly uncertain, unique or unknown risks.

6. Precedent

I find the implementation of the selected alternative does not establish a precedent for future actions with significant effects. These actions do not represent a decision in principle about a future consideration. Any future proposals to the designated routes on the Sawtooth Forest will

be evaluated through the National Environmental Policy Act process, consistent with current laws and regulations.

7. Cumulative Impacts

The Decision was evaluated in the context of other past, present, and reasonably foreseeable actions. When considering other activities within the affected area, the cumulative effects of implementing the selected alternative are anticipated to be minor or insignificant.

8. Properties On or Eligible for the National Register of Historic Places

The Selected Alternative will have no adverse effect on districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic places. The Idaho State Historic Preservation Office concurred with these findings. Concurrence from the Idaho SHPO on this action was obtained on 02/10/2014.

9. Endangered or Threatened Species or Their Critical Habitat

Based upon the analysis documented in the Biological Assessment and Biological Evaluations (Project Record), no known threatened or endangered species, or their habitats, are likely to be adversely affected by this decision. Consultation occurred with both the National Oceanic and Atmospheric Administration (NOAA) Fisheries and the US Fish and Wildlife Service, and they have concurred with our determinations.

10. Legal Requirements for Environmental Protection

The action will not violate Federal, or applicable State and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Sawtooth National Forest Land and Resource Management Plan.

Findings Required by Other Laws and Regulations

2003 Sawtooth National Forest Land Management Plan

This decision is consistent with the 2003 Sawtooth National Forest Land Management Plan. The project was designed in conformance with the plan, and to implement plan objectives.

Public Law 92-400

The Sawtooth NRA is directed by law to consider the impacts of agency actions on several key values that were intrinsic to the creation of the Recreation Area. Guidelines for evaluating impacts to each key area are contained in the Forest Plan, Appendix I. I agree with the resource specialists findings that the Decision will not substantially impair key Sawtooth NRA values, and is in compliance with Public Law 92-400.

Travel Management 36 CFR, Chapter 212 (2005)

Changes to the Motor Vehicle Use Map (MVUM) must consider general and specific criteria, and include an appropriate amount of public involvement. All criteria have been considered as required and public involvement was invited as part of the NEPA process. The travel management changes that will be implemented as a result of this decision are consistent with 36 CFR 212.

Migratory Bird Treaty Act (Executive Order 13186)

This Order requires federal agencies to avoid or minimize adverse impacts on migratory bird resources, and ensure that environmental analyses of federal actions required by the National Environmental Policy Act evaluate the effects of actions and agency plans on migratory birds. The project impacts were evaluated in a 2014 wildlife report included in the Project Record. The decision was found to be in compliance with direction to protect migratory birds.

Clean Water Act

This purpose of this act is to restore and maintain the integrity of waters. The Forest Service complies with this Act through the use of Best Management Practices. This decision incorporates Best Management Practices to ensure protection of soil and water resources. The proposed Federal action includes the authorization and issuance of any permits required under Section 404 of the Clean Water Act by the US Army Corp of Engineers, a cooperating agency.

Wetlands Executive Order 11990

This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result. Based on the analysis contained within the project record, implementing Alternative 2 complies with EO 11990 by maintaining and restoring wetland conditions.

Floodplains Executive Order 11988

This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by floodplains. The selected alternative complies with EO 11998 by maintaining and improving floodplain integrity.

Environmental Justice

The selected alternative will not disproportionately impact any minority or low income population in the immediate area or surrounding counties, nor will implementation negatively impact Americans with disabilities. These effects are expected to be similar for all human populations regardless of nationality, gender, race, or income level. None of the alternatives entails any known inequitable distribution of social or environmental consequences to a particular group or segment of society.

Implementation Date

Per §218.12 the responsible official may not sign a Decision Notice (DN) subject until the reviewing officer has responded in writing to all pending objections. Once the DN has been signed, it may be implemented immediately. It is anticipated implementation could occur in August 2014.

Contact

For additional information concerning this Decision, contact Barbara Garcia, Sawtooth NRA, HC 64 Box 9000 Stanley ID, 83278 or by phone at (208)744-3000.

6/25/2014

X Barbara A Garcia

Barbara Garcia 6/25/2014

Barbara A Garcia
Deputy Area Ranger Sawtooth National Recre...
Signed by: Department of Agriculture