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Seven Cabins Road Realignment Environmental Assessment



Forest Service

Lincoln
National Forest

Smokey Bear
Ranger District

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For More Information Contact:

David M. Warnack
Smokey Bear District Ranger
901 Mechem Drive
Ruidoso, NM 88345
Phone: 575-257-4095
Email: dwarnack@fs.fed.us
Fax: 575-257-6174

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Contents

Summary	3
Chapter 1 – Purpose and Need	4
1.1 Introduction	4
1.2 Purpose and Need	5
1.3 Proposed Action	5
1.4 Public Involvement	5
1.5 Issues	5
Chapter 2 – Alternatives	6
2.1 Alternatives Considered and Eliminated from Detailed Study	6
2.2 Alternatives Considered in Detail	6
2.3 Project Design Features that Ensure Environmental Protection	8
Chapter 3 –Environmental Consequences.....	11
3.1 Introduction	11
3.2 Land Uses	11
3.3 Roads and Transportation	11
3.4 Vegetation, Fuels, and Fire	12
3.5 Invasive Species	12
3.6 Heritage Resources	12
3.7 Social and Economic Effects Including Environmental Justice	13
3.8 Recreation.....	13
3.9 Threatened and Endangered Species	13
3.10 Forest Service Region 3 Sensitive Species	14
3.11 Management Indicator Species	14
3.12 Migratory Birds	14
3.13 Soils.....	15
3.14 Air Quality	16
3.15 Hydrology, Watersheds, and Riparian Habitat	16
3.16 Cumulative Effects.....	16
3.17 Conclusions.....	18
Chapter 4 – Consultation and Coordination	18
Chapter 5 – Literature Cited	19
Finding of No Significant Impact	20
Context	20
Intensity.....	20

List of Figures

Cover Photo. Photo by: Nancy Robledo.....	i
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Summary

The Seven Cabins Road Realignment project area is located in the eastern section of the Smokey Bear Ranger District, Lincoln National Forest in the North Capitans area of Lincoln County, New Mexico. The project area covers less than 3 acres.

Forest Road 256 (Seven Cabins Road) is open year-round to motorized travel. The road currently crosses approximately 900 feet of private land. The road provides access to National Forest System lands, including the Capitan Wilderness. Although the road receives moderate use, there is no public right-of-way across the private property. The lack of a public right-of-way across this property presents a challenge to continued public access to National Forest System lands.

The U.S. Department of Agriculture, Forest Service, Lincoln National Forest proposes to reroute Forest Road 256 across a recently-acquired easement and rejoin the existing road section on National Forest System lands. The project would impact approximately 0.84 acre of the easement and approximately 1.36 acres of National Forest System lands.

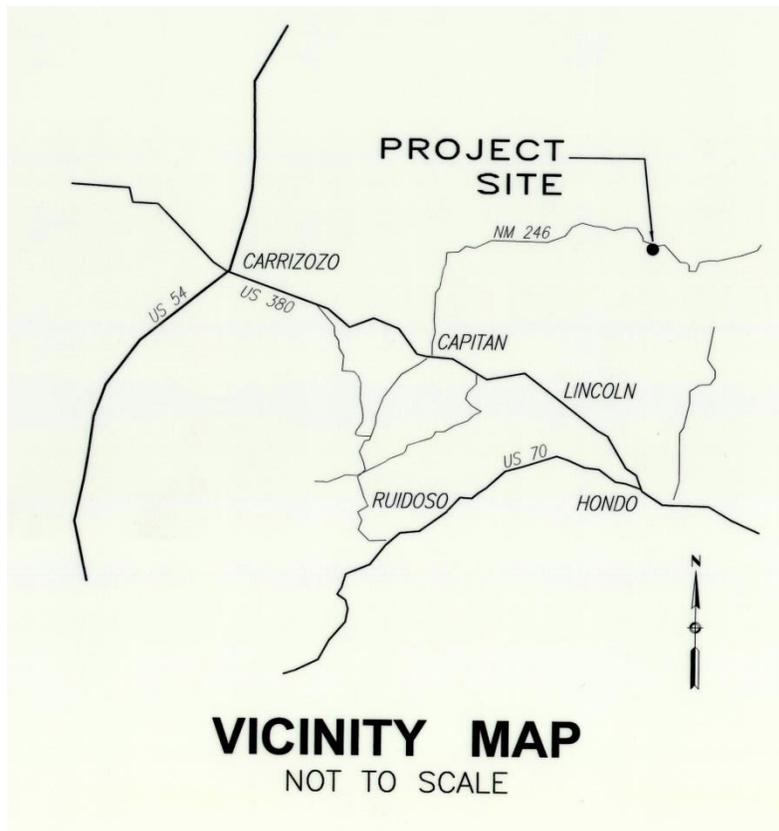
This environmental assessment summarizes the environmental consequences of two alternatives: 1) the proposed action to reroute Forest Road 256; and 2) no action where no road realignment would occur. Based on this analysis and comments submitted by the public, the responsible official (Smokey Bear District Ranger) will select the appropriate alternative from this analysis and issue a decision notice. If this analysis determines that the project will cause significant impacts to the environment, then the Forest Service will either prepare an environmental impact statement or cancel the project.

Chapter 1 – Purpose and Need

1.1 Introduction

The Seven Cabins Road Realignment project area is located on the Lincoln National Forest in the North Capitans area of Lincoln County, New Mexico (Figure 1). The Lincoln National Forest Motor Vehicle Use Map identifies this route as being open year-round to motorized travel.

Figure 1. Seven Cabins Road Realignment project vicinity map



Forest Road 256 crosses private property where it begins at Highway 246. The landowner desires to close public access to Forest Road 256 where it crosses the private parcel, which would eliminate public access to the Seven Cabins area. The Forest Service has acquired an easement from the landowner but in a different location than where Forest Road 256 currently crosses the property. The easement is located east of the current road. Rerouting the road to the easement will ensure continued legal public and agency access to the Seven Cabins area in the Capitan Mountains, Lincoln County, New Mexico.

Forest Road 256 currently crosses approximately 900 feet of private land. The new easement is approximately 50 feet by 735 feet and includes permission to build a road to provide continuous access to the Seven Cabins area.

The project area is level to gently sloped with elevation ranging from approximately 5,580 to 5,680 feet over 0.8 mile. The area is characterized by piñon-juniper (*Pinus spp.-Juniperus spp.*) woodlands interspersed with scrub oak (*Quercus spp.*), grasses, and forbs.

1.2 Purpose and Need

Forest Road 256 provides access to National Forest System lands, including the Capitan Wilderness. Although the road receives moderate use, there is no public right-of-way across the private property. The lack of a public right-of-way across this property presents a challenge to continued public access to National Forest System lands.

The project area is adjacent to and within Forest Plan Management Area 1B, North Capitans. The Lincoln National Forest Land and Resource Management Plan (hereafter referred to as Forest Plan), as amended over time, provides direction regarding the attainment of rights-of-way; providing a system of roads and trails for motorized recreational use, while protecting other resources; and operating and maintaining the transportation system to meet administrative, public, and resource needs (U.S. Forest Service 1986). To meet management goals for wildlife, recreation, fuelwood production, and other uses outlined by the Forest Plan, continued legal access to the Seven Cabins area is required.

The private landowner desires to close off access to Forest Road 256 in its current location. Thus, continued legal access to this area cannot be guaranteed without rerouting the section of road that connects Forest Road 256 with Highway 246 across private land. The project would ensure public and agency access to the Seven Cabins area and the Capitan Wilderness Area.

1.3 Proposed Action

This section briefly summarizes the proposed action, which is described in detail in Chapter 2.

The Smokey Bear Ranger District is proposing to reroute a segment of Forest Road 256 between Highway 246 and the forest boundary to an easement east of its existing location. The primary objective of the proposal is to provide continued public access to National Forest Service lands by realigning a road on both private property and National Forest System lands between Highway 246 and Forest Road 256. The reroute would involve construction of approximately 0.8 mile of road and would occur in two segments. The first segment includes construction of approximately 735 feet of new road on the donated easement south to the forest boundary. The second segment of new road would extend from the boundary to the southwest for approximately 0.7 mile and join Forest Road 256. The project would impact approximately 0.84 acres of the easement and approximately 1.36 acres of National Forest System lands.

1.4 Public Involvement

The Smokey Bear Ranger District involved interested parties throughout the project planning process. Public participation was encouraged through public scoping in the Ruidoso News as well as letters mailed directly to stakeholders and private land owners in the Seven Cabins area. Additionally, the project was listed under the Schedule of Proposed Actions, updated quarterly on the Lincoln National Forest website.

No public comments were received in response to the public scoping. Thus, no key issues were identified during initial public scoping. The interdisciplinary team considered potential issues and resources that should be carried forward through the EA analysis.

1.5 Issues

Issues are concerns about the potential effects of the proposed action to the environment. The interdisciplinary team used internal and external comments about the project to identify any potential issues. No substantial issues or concerns were identified by Forest Service subject matter experts or by the public. Potential impacts to resources considered are described in Chapter 3.

Chapter 2 – Alternatives

2.1 Alternatives Considered and Eliminated from Detailed Study

2.1.1 Alternative with Easement Donation and No Road Realignment

Smokey Bear Ranger District attempted to develop an alternative that would meet the purpose and need without road realignment. The private landowner rejected the proposal to grant a right-of-way where Forest Road 256 is currently located. It would be possible to pursue a prescriptive right for continued use of the road, but that right would be for road use only and not for road maintenance. Thus, while public access would continue, the road maintenance may be inadequate with drainage problems and potholes not corrected. In addition, the landowner would not be able to manage the land as he wishes.

Due to limitations for future road maintenance by the Forest Service and for future activities and management by the landowner, this alternative is not analyzed further in this assessment.

2.1.2 Alternatives with Alternate Road Locations

Other alternatives considered and later explored the feasibility of relocating Forest Road 256 in locations other than the location described in the proposed action (Alternative 2). Although these alternatives addressed the purpose and need of the project, they were not considered in detail because their locations would result in increased road length, which would cause greater levels of disturbance and increased costs.

Since these alternatives would incur costs well above estimated costs for executing the proposed action, they were not analyzed further.

2.2 Alternatives Considered in Detail

Two alternatives were considered in detail for this project:

- Alternative 1 – No Action; and
- Alternative 2 – Realign Road on a Donated Easement (Proposed Action)

Alternative 2 was designed to meet the project purpose and need specified in Chapter 1 of this EA and the management directions from the Forest Plan (U.S. Forest Service 1986). The most relevant Forest Plan management area direction for this project is to provide continued access to the North Capitans for wildlife habitat improvement activities and fuelwood production. Maintaining area access would also promote recreational opportunities in the Capitan Mountains and Capitan Wilderness.

2.2.1 Alternative 1—No Action

Under the No Action alternative scenario, no proposed roadwork or road decommissioning would be implemented. The private landowner would reserve the right to close public access to Forest Road 256 at any time.

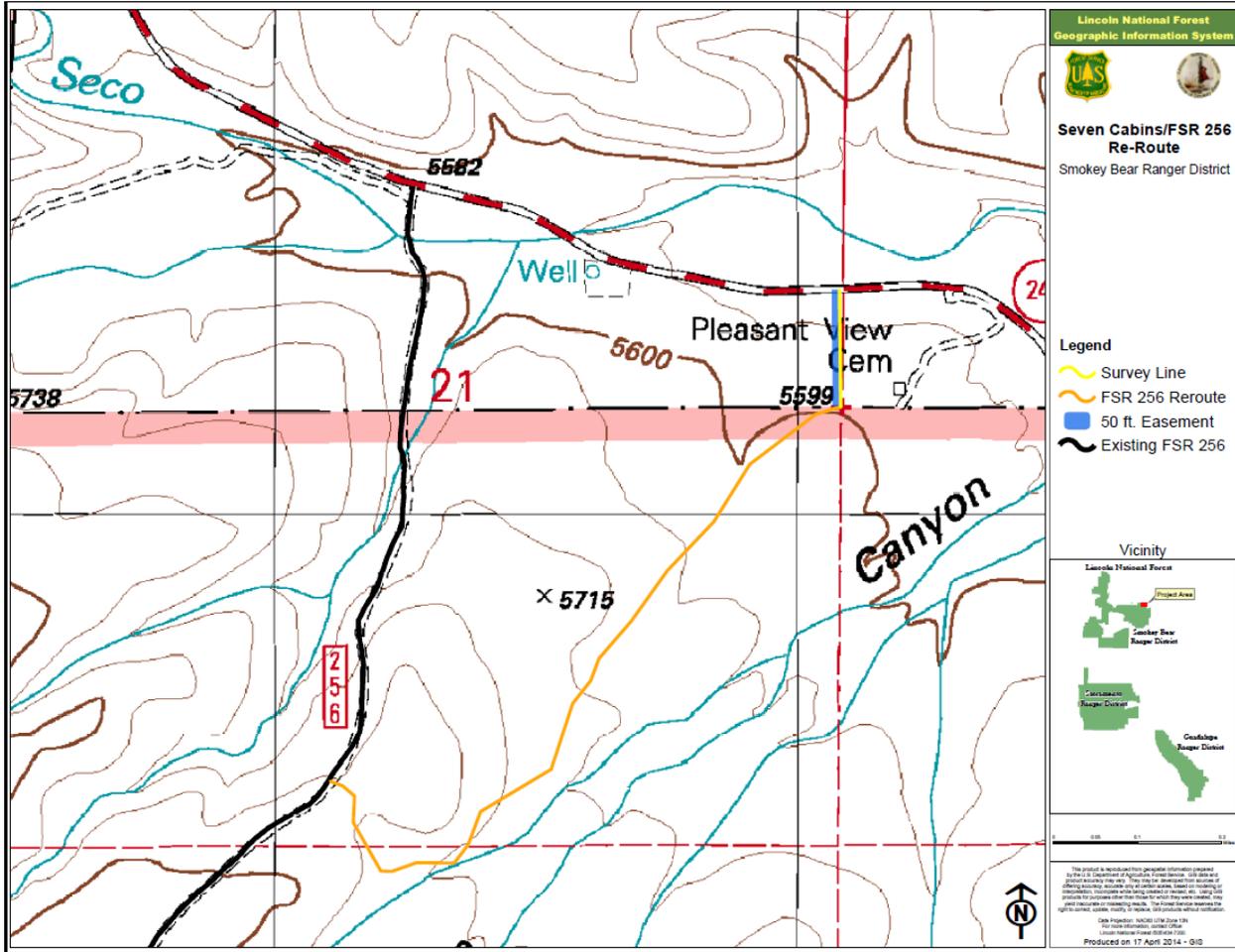
2.2.2 Alternative 2—Realign Road on a Donated Easement (Proposed Action)

2.2.2.1 Proposed Activities

The Smokey Bear Ranger District is proposing to reroute a portion of Forest Road 256 crossing private property where no right-of-way is established to a donated easement east of the current location. The

reroute would involve construction of approximately 0.8 mile of road. Construction would occur in two segments. The first segment includes construction of approximately 735 feet of new road on the donated easement to the forest boundary. The second segment would extend from the boundary to the southwest for approximately 0.7 mile and join Forest Road 256. The project would impact approximately 0.84 acre of the easement and approximately 1.36 acres of National Forest System lands. Figure 2 shows the locations of activities proposed under this alternative.

Figure 2. Location of activities proposed under Alternative 2 – Proposed Action.



The road would be constructed and maintained according to Forest Service guidelines for maintenance level 2 roads. The new road will be designed and constructed according to Forest Service Handbook 7709.56. Specifically, the handbook recommends low standard roads be 12-feet wide and the grade not exceed 12 percent. The design and construction of the road would minimize and/or mitigate adverse effects to soils, wildlife, watershed, and historical sites in the project area as well as provide access for dispersed recreation. All cut and fill slopes would be seeded after construction to minimize potential erosion and spread of noxious weeds. Upon road completion, appropriate signage will be installed and the road would be opened for public use. Signage would conform to the Manual on Uniform Traffic Control Devices standards, as applicable (U.S. Department of Transportation 2009).

The new road would be single lane with turnouts approximately every 500 to 1,000 feet. The road would have a natural surface and be a minimum of 12 feet wide, which would allow passage for full-sized

vehicles. The native surface tends to be erosion resistant; therefore surfacing would not be needed. The reroute would be constructed with heavy equipment and would include adequate drainage. Drainage controls would include grade dips with lead-off ditches at intervals sufficient to limit the amount of sediment runoff. When grade dips are not necessary, the road will be slightly out-sloped. Grade dips will be constructed approximately every 500 feet. Two cattle guards would be installed; one where the road crosses the highway right-of-way fence and one where the road crosses the forest boundary fence. Gravel or other fills will not be used within the Highway 246 right-of-way. Culverts are not required as there are no defined drainages along the proposed route.

Additional tree removal may be required within the road prism. Any slash would be scattered or chipped and scattered outside of the road prism. Heavy equipment would be used to clear debris and vegetation from the road prism, construct drainage features, and create required cuts and fills. Cuts along the road prism will generally be moderate since slopes in the project area are largely around 6 percent. One exception would be near the beginning of the road where there will be a 5-foot cut for approximately 100 feet. A second exception is within Section 21 of Township 7 South, Range 17 East, near the section line between Sections 21 and 22. The area includes a negative 11-degree slope for approximately 33 yards, which would be lowered to allow for proper sight distance.

A section of the existing Forest Service 256 route (on Forest Service property) would be left in place to allow for dispersed recreation opportunities. The gate and cattle guard at the current boundary between the private land and National Forest System lands would be removed by the Forest Service and replaced with a hard wired fence. The section of existing road north of the dispersed camping area and south of the Forest Service boundary fence will be ripped and seeded to deter continued use of the road across the private property. A turnaround or similar will also be installed near dispersed recreation sites along the existing route so vehicles will be able to turn around without causing damage to roadside soils and vegetation.

2.2.3 Forest Plan Consistency

Activities proposed are consistent with the Forest Plan (U.S. Forest Service 1986) and the Lincoln National Forest Travel Management Plan (U.S. Forest Service 2005). The overall objective of the road realignment is to allow continued public access to the Capitan Mountains and Capitan Wilderness Area on the Lincoln National Forest. Forest Plan management direction specifically calls for acquisition of a right of way for Forest Road 256. Alternative 2 accomplishes these management goals.

2.3 Project Design Features that Ensure Environmental Protection

2.3.1 Project Design Features and Mitigations

Project design features refer to actions that would avoid, minimize, or reduce potential impacts to valued resources from implementing the project. In addition, best management practices, Forest Plan standards and guidelines, project design features, and monitoring are intended to further limit the extent, severity, and duration of any effects that are deemed unavoidable. Project design features and mitigations address applicable laws, regulations, policies, Executive Orders, and issues outlined in Section 1.5, including some that may be required to ensure consistency with the Forest Plan (U.S. Forest Service 1986).

2.3.1.1 Road Design and Construction Activities

- Follow Forest Service Handbook 7709.56 and the *National Best Management Practices for Water Quality Management on National Forest System Lands* technical guidelines for road construction and maintenance (U.S. Forest Service 2012);
- Road construction activities would be monitored by a contracting officer/administrator. This monitoring is conducted to ensure contractual requirements are being met and is done at a frequency necessary to assure compliance;
- Coordinate with private landowners in the project area during implementation;
- Post warning signs about project-related truck traffic on roads where residents or visitors may be affected by construction traffic or other project activities.

2.3.1.2 Soil and Water

- Follow the *National Best Management Practices for Water Quality Management on National Forest System Lands* technical guidelines for road construction and maintenance (U.S. Forest Service 2012);
- Design water drainage features to divert water runoff from roads to stabilize vegetated areas;
- Road construction activities should take place during periods of snow-free and dry conditions. Best management practices and road construction contract specifications would be used to reduce, to the extent feasible, effects to soil productivity from road construction activities;
- Store oil, gasoline, other ignition agents and chemical compounds where they are physically isolated from streams, springs, and other water sources. If there are any accidental spills or contamination of water resources is suspected, a hazardous materials specialist would assess the situation and determine the corrective actions to take, per State and Federal standards.

2.3.1.3 Air Quality

- Control fugitive dust created during construction using approved best management practices.

2.3.1.4 Scenic Resources

- Design roads so that straight alignment does not exceed 0.5 mile.
- Where feasible, locate staging areas beyond foreground views near residential and recreation sites (i.e. campgrounds), and beyond views of major travel routes in the project area;
- Where clearings for landings or staging areas are visible from roads, trails, or recreation sites, remove vegetation in a way that mimics natural openings; edge line of clearings should be curved instead of straight.

2.3.1.5 Threatened, Endangered, and Region 3 Sensitive Species

- No mitigations required

2.3.1.6 Invasive Plants

- Workers shall clean equipment used for project activities prior to entering National Forest System land unless there is evidence that the equipment last operated in a weed-free area;
- Design activities to minimize large patches of exposed soil to the extent practical while meeting project objectives. Reseed disturbed soil in a manner that optimizes native plant establishment. Use certified weed free native seed or sterile annual grass seed if economically feasible.

2.3.1.7 Range

- Coordination with permittee(s) should occur prior to implementing project activities in any area that may affect an active allotment.

2.3.1.8 Heritage Resources

- No cultural resources were located during previous surveys. A provision for protection of cultural resources would be included the road construction contract should any be located during project implementation.

2.3.2 Monitoring Requirements

Under Alternative 2, the Forest Service would complete required monitoring. Monitoring results would be documented and reviewed to determine whether adjustments in design features should be made. All project activities would be monitored during project implementation to ensure that project design features and mitigations are fully implemented to reduce potential adverse impacts. Much of this monitoring can be achieved through inspections by contract or permit administrators and inspectors as a routine part of project implementation. For activities conducted outside a contract or permit, additional field inspections by a qualified specialist would be needed. Compliance monitoring would be completed as required by laws, regulations, Forest Service policies, and the decision for this project.

Chapter 3 –Environmental Consequences

3.1 Introduction

This chapter summarizes the potential effects of each alternative on issues identified and on resources that may be affected by the project. Potential impacts in this chapter are described in terms of type context, duration, and intensity. The information presented in this chapter was derived from specialist reports, surveys, inventories, and other documentation in the project record.

3.2 Land Uses

Affected Environment: Forest Road 256 is identified for public use on the Lincoln National Forest Travel Management Plan but an important segment of the road which crosses private land is not under the jurisdiction of the Forest Service or another public agency. A right-of-way for the Seven Cabins road across the private property was identified as a priority in the Forest Plan (U.S. Forest Service 1986).

Effects of Alternative 1 (No Action): Public use of Forest Road 256 would continue until the private landowner elects to restrict access or close the road.

Effects of Alternative 2 (Proposed Action): The realignment would allow continued motorized and non-motorized access to the Seven Cabins area. Relocating the road would also eliminate the need for an agreement between the Forest Service and the private landowner for a closure gate on the road.

3.3 Roads and Transportation

Affected Environment: The Capitan Mountains are accessed by a limited road and trail system. Most of the early roads were developed primarily for mining and timber production and their associated activities. Since the mid-1900s, roads have been built to access the area for a variety of reasons, including fuelwood gathering, hunting, outdoor recreation, etc. The road system now consists of a mixture of old and new roads, with many of the older roads in disrepair. Forest Road 256 falls into the category of an older road in disrepair.

The northern end of Forest Road 256 passes through private land and is very rough and narrow. The existing access point for the road is open to licensed vehicles year round at the discretion of the private landowner.

Effects of Alternative 1 (No Action): Continued legal access to the Seven Cabins area of the Capitan Mountains would not be guaranteed in the future. Public use of the Seven Cabins Road would continue until the private landowner elects to deny it.

The road remains in poor condition with numerous potholes and muddy areas during periods of wet weather and continuing erosion. Impacts continue from lack of road maintenance including erosion and sedimentation. Timely road maintenance could be a challenge without permission from the landowner.

Effects of Alternative 2 (Proposed Action): Road density would increase slightly. However, overall road use is expected to remain at current levels. Noise and visual disturbances would increase during construction; however, these impacts would be temporary. Noise and visual disturbances from use over the long term are expected to remain at current levels.

The new road would be located within a permanent easement. This alternative would secure permanent access to the north side of the Capitan for fire suppression, vegetation treatments, and other projects in accordance with the Forest Plan and Travel Management Plan.

The new road would be constructed and maintained to current Forest Service standards. Modern standards and guidelines are design to minimize soil erosion and sedimentation. Permanent access would allow for timely road maintenance, which can be challenging without an easement.

3.4 Vegetation, Fuels, and Fire

Affected Environment: The project area is dominated by piñon-juniper woodland, with small areas of ponderosa pine and grasslands. Piñon-juniper woodland is the dominant cover type in the project area. Grasses, forbs, and shrubs are present throughout the project area. Grasses and forbs increased following tree thinning in the project area in 2006.

Effects of Alternative 1 (No Action): Vegetation composition, distribution, and abundance would remain at the current condition and follow natural succession patterns.

Natural and human-caused fire ignitions may occur in the North Capitans and Capitan Wilderness Area in the future. The lack of legal access on Forest Road 256 could limit access for wildland fire suppression on future fires.

Effects of Alternative 2 (Proposed Action): Minimal tree removal may be necessary during construction. However, overall vegetation composition, distribution, and abundance would remain at the current condition and follow natural succession patterns.

Legal access to the North Capitan Mountains would be guaranteed for future maintenance of previous vegetation treatments or access for fuelwood collection if reauthorized in the future.

Natural and human-caused fire ignitions may occur in the North Capitans and Capitan Wilderness Area in the future. Maintaining legal access on Forest Road 256 would provide access for wildland fire suppression on future fires.

3.5 Invasive Species

Affected Environment: There are no known invasive plant populations in the Seven Cabins area (Douds 2014).

Effects of Alternative 1 (No Action): Invasive plants would not be introduced or spread due to road construction. However, seeds could still be spread by forest visitors, animals, or wind.

Effects of Alternative 2 (Proposed Action): The action alternative may contribute to noxious weed establishment through soil disturbance and temporary reductions in surface layer vegetation. The construction of a new road would remove native plant communities and expose bare mineral soil. Vehicles could transport noxious weed seeds in and out of the project area. Dormant invasive plant seeds already present in the soil could germinate and establish new populations. Areas of soil disturbance could be rehabilitated after project completion to restore native vegetation in accordance with mitigation measures in Chapter 2.

Invasive plant spread would be minimized by incorporating project design features that reduce soil exposure and mitigation measures that limit seed spread as described in Section 2.3.

3.6 Heritage Resources

Affected Environment: Heritage surveys for the easement and road realignment were completed in 2006. No cultural resources were identified during the surveys (Prather 2012).

Effects of Alternative 1 (No Action): No effect

Effects of Alternative 2 (Proposed Action): If a new cultural site is discovered during project implementation, all work would be immediately stopped and would not resume until authorized by a Forest Service archaeologist.

3.7 Social and Economic Effects Including Environmental Justice

Affected Environment: No minority or low-income communities have been identified within the vicinity of the project area.

Effects of Alternative 1 (No Action): This alternative would not result in disproportionate impacts to minority or low-income communities.

Effects of Alternative 2 (Proposed Action): This alternative would not result in disproportionate impacts to minority or low-income communities.

3.8 Recreation

Affected Environment: The Capitan Mountains are accessed by a limited road and trail system. Access to the National Forest via roads is essential to the outdoor recreation experience.

Effects of Alternative 1 (No Action): Motorized use of Forest Road 256 would continue but access could be restricted by the private landowner at any time. With the closure of the road, no vehicular access would be available to the north side of the Capitan Mountains from Highway 246. Consequently, there would be a reduction in dispersed recreation and motorized use opportunities in the North Capitan Mountains. As a result, it would be expected that some motorized users would either use closed routes or attempt cross-country travel, both of which would be illegal and would create law enforcement problems.

Effects of Alternative 2 (Proposed Action): Motorized use on the realigned Seven Cabins Road would be managed in accordance with the Lincoln National Forest Travel Management Plan (2005). There would be no reduction in motorized opportunities and no expected increase in law enforcement problems. Because the new road would be designed and constructed to standard, it would not cause resource damage and would meet standards for safety and user convenience.

3.9 Threatened and Endangered Species

Affected Environment: Species lists developed by the U.S. Fish and Wildlife Service (U.S. Fish and Wildlife Service 2014) were reviewed to determine what species may be affected by the project. Species were selected based on species presence or species suitable habitat within the project area or its vicinity.

Effects of Alternative 1 (No Action): No effect

Effects of Alternative 2 (Proposed Action): The project will have “no effect” on any federally-listed threatened and endangered species because no listed species or suitable habitats occur within the project area or its vicinity (Cordova 2014). Consultation with the U.S. Fish and Wildlife Service was not required due to the absence of federally-listed species or their habitats.

3.10 Forest Service Region 3 Sensitive Species

Affected Environment: Species lists developed by the Forest Service (U.S. Forest Service 2013a, 2013b) were reviewed to determine what species may be affected by the project. Species were selected based on species presence or species suitable habitat within the project area or its vicinity.

Effects of Alternative 1 (No Action): No impact

Effects of Alternative 2 (Proposed Action): The project will have “no impact” on any Forest Service Region 3 sensitive species because no sensitive species or suitable habitats occur within the project area or its vicinity (Cordova 2014).

3.11 Management Indicator Species

Affected Environment: The Forest Plan identifies the juniper titmouse and mule deer as management indicator species for woodland habitats.

Juniper Titmouse -- Surveys indicate that juniper titmouse habitat on the Lincoln National Forest is stable and populations are increasing (Garcia 2003).

Mule Deer -- The Forest Plan identifies mule deer as a management indicator species for piñon-juniper woodlands (U.S. Forest Service 1986). The project area is considered suitable habitat for mule deer year-round, although forage and water availability are limited. Hiding cover in the project area is generally lacking. Mule deer are likely drawn to the area by foraging opportunities rather than hiding cover.

Effects of Alternative 1 (No Action): There would be no project-related effects on management indicator species, population trends, or habitats. There would be no noise or visual disturbance from proposed activities.

Effects of Alternative 2 (Proposed Action): This alternative may have negligible impacts to management indicator species. Tree removal would be incidental as the project would be designed to retain as many trees and snags as possible. As a result, this alternative would not create a substantial change in vegetative cover or composition. Forage availability may be temporarily reduced during construction. However, reseeded with native vegetation would restore lost forage.

Road density would increase slightly. However, overall use of the road is expected to remain at current levels. Noise and visual disturbances would increase during construction but these impacts would be temporary. Noise and visual disturbances from use over the long term are expected to remain at current levels.

3.12 Migratory Birds

Affected Environment: The hairy woodpecker is a management indicator species for snags. This species occupies habitats with mature trees—both open and closed stands. Large snags (greater than 8 inches diameter at breast height) capable of supporting nest cavities are not abundant in the project area but appear to be sufficient to support a local population of hairy woodpeckers.

No designated important bird areas or important over-wintering areas (large wetlands) are located within or adjacent to the project area.

Species dependent on riparian ecosystems would not likely occur in the area and were, therefore, eliminated from further analysis. Gray vireo and red-faced warbler may occur in the Sacramento Mountains, although they have not been confirmed in Lincoln County.

Effects of Alternative 1 (No Action): There would be no project-related effects on management indicator species, population trends, or habitats. There would be no noise or visual disturbance from proposed activities.

Effects of Alternative 2 (Proposed Action): This alternative may have negligible impacts to management indicator species. Tree removal would be incidental as the project would be designed to retain as many trees and snags as possible. As a result, this alternative would not create a substantial change in vegetative cover or composition. Ground cover may be temporarily reduced during construction. However, reseeding with native vegetation would restore lost ground cover.

Road density would increase slightly. However, overall use of the road is expected to remain at current levels. Noise and visual disturbances would increase during construction but these impacts would be temporary. Noise and visual disturbances from use over the long term are expected to remain at current levels.

3.13 Soils

Affected Environment: Soils in the project area are functioning properly and retain their inherent productivity.

In general, roads and trails are a “dedicated use” for lands that comprise the road prism. In this context, impacts to soil productivity resulting directly from the presence of roads and trails are not evaluated for compliance with Regional soil quality standards, because the affected land is managed for transportation uses and is not managed for vegetation production.

Soil effects from roads include removal of vegetative cover, compaction, degradation of soil structure, decreased infiltration and water holding capacity, reduction in organic material, accelerated surface erosion, and exacerbation of mass failure, such as landslides or slumps. These types of soil impacts can occur within road prisms.

Factors that influence sediment movements include road gradient; road design (i.e. out-sloped versus in-sloped, broad based dips); site conditions; age of road; fill slope length; cut slope exposures; amount of vegetative cover or encroachment on low-use roads; and amount of fill slope used on maintained roads.

Native surface roads account for the highest amount of sediment movement within watersheds because they are a link between sediment source areas and stream channels. They can directly affect channel morphology of streams by accelerating erosion and sediment delivery and by increasing magnitude of peak flows.

Effects of Alternative 1 (No Action): No effect

Effects of Alternative 2 (Proposed Action): Up to 3 acres may be disturbed during road construction. Construction would limit ground disturbance to the extent possible.

Soil erosion and sediment would increase slightly. Road design would include drainage features that would minimize soil erosion. Thus, road construction would have a minor to negligible impact on soils in the project area. Use of best management practices for road construction as outlined in Section 2.3 would mitigate any concerns with the soil resource.

3.14 Air Quality

Affected Environment: The project area is considered rural and has a low population density. Visitor use in the area is also low due to the remote location. Thus, activities that normally contribute to reduced air quality, such as operation of combustion engines, use of fireplaces, and emissions from industry, are low.

Fugitive dust is created during construction activities. Little to no fugitive dust is created during wet periods but generally increases during dry periods.

Effects of Alternative 1 (No Action): There would be no impacts on air quality, particulate matter, or emissions due to the proposed project.

Effects of Alternative 2 (Proposed Action): Emissions would be created from construction vehicle and heavy equipment exhaust. Impacts from vehicle and equipment use would be localized and of short duration.

Road construction would create fugitive dust. Impacts from construction activities would be localized and of short duration. Fugitive dust would be minimized by using dust abatement techniques listed under Section 2.3.

3.15 Hydrology, Watersheds, and Riparian Habitat

Affected Environment: Sediment impact to streams is primarily related to road density, stream proximity, and road type such as paved versus unpaved roads. In general, the greater road density, the greater influence roads have on increasing sediment into streams. Storm water control structures direct water and sediment off of roads, road stream crossings. Public use also can increase.

There are no riparian areas or perennial waters in the project area.

Effects of Alternative 1 (No Action): No effect

Effects of Alternative 2 (Proposed Action): Up to 3 acres may be disturbed during road construction. Construction would limit ground disturbance to the extent possible.

Soil erosion and sediment would increase slightly. Road design would include drainage features that would minimize soil erosion, which would minimize impacts to the watershed. Thus, road construction would have a minor to negligible impact to the watershed. Use of best management practices for road construction as outlined in Section 2.3 would further mitigate watershed concerns. Clean Water Act regulations and Forest Service standards would be met.

State of New Mexico permits, if required for construction, would be acquired prior to project implementation.

3.16 Cumulative Effects

Cumulative impacts result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes the action (40 CFR 1508.7). The baseline used for cumulative effects analysis is the current condition. By looking at current conditions, we are able to capture residual effects of past human actions and natural events, regardless of which particular action or event contributed those effects. Since the project would impact a small area and would be completed in a short period of time, the cumulative effects analysis area is limited to past, ongoing, and future activities within the immediate vicinity of the project area.

3.16.1 Past and Present Actions

Past and ongoing activities in the Seven Cabins area include fire suppression, road construction, timber harvest, green and dead firewood cutting, livestock grazing, trapping, hunting, and motorized and non-motorized recreation. Additional activities adjacent to the project area include crop production and irrigation as well as ranching.

- Seven Cabins Habitat Improvement Project – This wildlife habitat improvement project included thinning on approximately 361 acres in 2006 in the Seven Cabins area. The project was located south and southwest of the Seven Cabins Road Realignment project area. Goals of the thinning project included creating openings in the woodlands to improve forage in the area.
- Wildlife Population Management – The Kyle Harrison Trick Tank was installed in 2006, more than 1 mile from the proposed road realignment. Past habitat improvement activities (including the Seven Cabins Habitat Improvement Project) improved the overall wildlife habitat conditions in the area.
- Fuelwood Harvesting -- The area was opened for fuelwood collection in 2002, but access was closed after approximately 2 weeks.
- Livestock Grazing – Livestock grazing in the Seven Cabins area occurs on National Forest System lands (Block and Arroyo Seco allotments), Bureau of Land Management lands, and on surrounding private lands. The Seven Cabins area has been grazed by livestock for over a century. Impacts from this use have contributed to the existing condition of the area.
- Lincoln National Forest Travel Management Plan – The Travel Management Plan designated Forest Road 256 as open for motorized use (U.S. Forest Service 2005).
- Recreation -- Recreational use, including hunting, dispersed camping, and horseback riding, are expected to continue at current levels in the project area.
- Private Land Use – Use of private lands in the area include general residential use; motorized uses, minor construction of living quarters, storage sheds, and similar structures; as well as management of livestock. The degree of these activities cannot be accurately estimated.

3.16.2 Reasonably Foreseeable Actions

No known activities or projects have been proposed or are expected within the reasonably-foreseeable future that would compound the environmental effects of the proposed project.

3.16.3 Cumulative Environmental Consequences

Fuels treatments created openings in the vegetation that benefit wildlife. Since any additional tree removal from realigning Forest Road 256 would be incidental and not lead to a substantial change in available cover or alteration in essential habitat components for any species, the combined effects of vegetation removal would be negligible. The Kyle Harrison trick tank also improved habitat conditions and draw wildlife away from the project area for the road realignment.

The increase in vegetative cover from past fuels treatments has restabilized soils disturbed by those activities. With project design features listed in Section 2.3 as well as the limited scale of the proposed action, soil disturbance from proposed activities will not compound total soil disturbance in the Seven Cabins area.

Use of the Seven Cabins area for dispersed recreation and motorize use authorized under the Travel Management Plan could create additional wildlife disturbance or temporarily disrupt livestock

management. However, public use is expected to remain at current levels, which is generally limited in extent and duration. These ongoing disturbances combined with the potential short-term disturbances that would be caused by road construction would not lead to substantial conflicts with livestock management or cause substantial or long-term changes in wildlife behavior.

To the best of our knowledge, future use of the private land parcels is expected to remain the same. The Forest Service is not aware of any land management or development activities on adjacent lands that would amplify effects of the realigning Forest Road 256.

No past, present, or reasonably-foreseeable future activities in combination with the proposed action are expected to affect other resources considered from their current conditions.

3.17 Conclusions

Based on this assessment, any project impacts would be of limited geographic extent and of short duration. Any potentially-adverse impacts will be mitigated to a level that is less than significant. Therefore, a finding of no significant impact is warranted for the proposed action.

Chapter 4 – Consultation and Coordination

The Forest Service consulted the following federal, state, and local agency personnel; tribes; and other contributors during development of this analysis.

Interdisciplinary Team Members

Peggy Luensmann	Project Leader, NEPA Writer/Editor, Socioeconomics
Diane Prather	Heritage and Archaeology
Jennifer Hill	Soils and Air Quality
Peter Haraden	Watersheds and Riparian Ecosystems
Larry Cordova	Wildlife and Botany
George Douds	Rangelands and Weeds
Kim Kuhar	Vegetation, Fuels, and Fire
Christina Thompson	Recreation and Scenic Resources
Nancy Robledo	Lands and Special Uses
Steve McCloskey	Transportation and Engineering

Federal, State, and Local Agencies

U.S. Department of Agriculture, Forest Service, Lincoln National Forest
New Mexico State Historic Preservation Office

Native American Tribes

Mescalero Apache Tribe

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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

For the proposed action and alternatives the context of the environmental effects is based on the environmental analysis in this environmental assessment. Two alternatives were considered in detail for this analysis, no action (Alternative 1) and the proposed action (Alternative 2). The proposal is limited in complexity and scope; implementation is expected to be of short duration (less than one year); and public use would remain at current levels due to the remote location. Therefore, the analysis shows that the effects of the proposed road realignment would be highly localized and of short duration for all resources considered. Any activities beyond those described under Alternative 2 would not be permitted unless authorized by separate NEPA analysis.

Under Alternative 2, there may be temporary, localized impacts to vegetation, wildlife, soils, air quality, and livestock management due to road construction activities. Project design features and mitigation measures incorporated into this alternative are designed to minimize potentially-adverse effects to these resources. The intensity of these effects is described below.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this environmental assessment and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. The finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

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.

This project will benefit forest users by providing continued legal access to the Seven Cabins area and north Capitan Mountains. However, it is also within the interest of the Lincoln National Forest, Smokey Bear Ranger District to maintain sustainable resource conditions and to mitigate project impacts on other resources that occur in the project area, including wildlife, species of concern, livestock management, vegetation, soils and watersheds. Resource specialists analyzed the potential beneficial and adverse effects of realigning the Seven Cabins Road (Forest Road 256) on a donated easement. Having weighed these concerns against benefits to forest users for legal access to the Seven Cabins area, the north Capitan Mountains and the Capitan Wilderness, Alternative 2 is the most feasible way to continue to provide for sustainable use of National Forest System Lands while providing for multiple use objectives and resource protection as instructed by Forest Plan guidelines. Project design features and mitigation measures incorporated into the proposed action will minimize or eliminate potential long-term, negative effects on health and safety, soils, watersheds, wildlife,

vegetation, and non-recreation uses. The beneficial and adverse impacts of the proposed action are disclosed in Chapter 3 of this environmental assessment and associated project record. The analysis shows that the proposed action will not significantly or adversely affect the natural or human environment.

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

No issues or concerns were raised regarding effects on public health and safety from the construction or use of the realigned road. Fugitive dust is expected to reduce air quality during construction. These impacts are expected to be temporary and localized. Fugitive dust would be minimized by using dust abatement techniques. Warning signs about project-related truck traffic on roads where residents or visitors may be affected by construction traffic or other project activities will be posted as needed during construction.

3. Unique characteristics of the geographic area such as the proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no designated parklands, prime farmlands, wetlands, wild and scenic rivers, eligible historic properties, cultural sites, or ecologically critical areas within the Seven Cabins Road Realignment project area. Thus, no direct and indirect effects are expected on these characteristics.

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

Controversy in the context of this finding of no significant impact applies to determining whether an environmental assessment or an environmental impact statement is the appropriate level of analysis, rather than the mere existence of opposition to a use.

There is no indication that the effects of Alternative 2 are would be highly controversial. The effects on quality of the human environment are not highly controversial because there is no substantial dispute existing as to the size, nature, or effects of proposed activities. The proposed activities described are consistent with the Forest Plan. Alternative 2 was developed to incorporate management practices that have been shown through rigorous study to be successful in minimizing disturbance to soils and vegetation, which could otherwise lead to watershed damage, reduced wildlife habitat quality, and similar indirect effects. No public interest in this project was expressed during public scoping and notice and comment periods. No significant issues were raised by the public or the interdisciplinary team.

For this analysis, the interdisciplinary team considered monitoring records as well as research publications in support of and in opposition to conclusions about potential effects to soils, watersheds, vegetation, and wildlife. Increased road density and motorized use has been shown to negatively-affect the behavior of some wildlife species; however, the project would create a minimal increase in road density in the Seven Cabins area. Further, partial closure of the existing road would lessen the impact of additional road density and use. Although no invasive plant populations currently exist in the project area, invasive plant seeds could be transported to the area by heavy construction equipment, forest users, wildlife, or wind. To minimize the potential of establishing new invasive plant populations, project design features listed in Section 2.3 would be in place throughout implementation. These design features include limiting the amount of area disturbed during construction to the extent practical; reseeding disturbed areas with native seed; and cleaning construction equipment prior to entering the site.

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

No uncertainty on the potential effects to any resource was presented. Also, there are no extraordinary circumstances (36 CFR 220.6(2)(b)) associated with the project that cannot be mitigated or avoided to minimize impact. The activities proposed under Alternative 2 are common and utilize established design features according to modern construction standards as well as Forest Service policies. The analysis shows the construction activities and project design features described do not have highly uncertain effects on the human environment and do not involve unique or unknown risks.

6. The degree to which the action may establish precedent for future actions with significant effects or represents a decision in principle about a future consideration.

Alternative 2 includes routine activities that are common on National Forest System lands. Proposed activities are also consistent with management direction in the Forest Plan. Implementation of the actions will not establish a precedent for future actions.

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.

No significant effects, including cumulative effects, were identified during public involvement opportunities that would require preparation of an environmental impact statement.

Resource specialists reviewed past, present, and foreseeable future activities that have or are likely to occur in and around the Seven Cabins area. These activities included fire suppression, road construction, timber harvest, fuelwood cutting, trapping, hunting, ranching, and motorized and non-motorized recreation. Use of the Seven Cabins area for dispersed recreation and motorize use could create additional wildlife disturbance or temporarily disrupt livestock management. However, public use is expected to remain at current levels, which is generally limited in extent and duration. These ongoing disturbances combined with the potential short-term disturbances that would be caused by road construction would not lead to substantial conflicts with livestock management or cause substantial or long-term changes in wildlife behavior.

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.

No eligible cultural resources or historic properties were identified during the surveys completed in 2006. If a new cultural site is discovered during project implementation, all work within the vicinity would be immediately stopped and would not resume until authorized by a Forest Service archaeologist.

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 project will have “no effect” on any federally-listed threatened and endangered species because no listed species or suitable habitats occur within the project area or its vicinity.

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

Alternative 2 is consistent with all Federal, State, and local laws or requirements imposed for the protection of the environment. As discussed in the analysis and in supporting documents, realignment of the Seven Cabins road across a donated easement is consistent the goals and objectives of the Forest Plan. Proposed activities are also compliant with other Federal regulations including but not limited to the National Forest Management Act, Endangered Species Act (ESA) of 1973, as amended, and Migratory Bird Treaty Act of 1918, as amended. This action is also consistent with Executive Orders 11990, 11988, 12898, and 13186.