

Decision Notice and Finding of No Significant Impact

Trabuco Aquatic Organism Passage Restoration

*Trabuco Ranger District, Cleveland National Forest
Orange and Riverside Counties, California
September 2011*

1. BACKGROUND

1.1 Proposed Action

The Trabuco Ranger District proposes to remove six hardened crossings and to remove instream dams. The proposed action is discussed in detail in section 2.5.1 of the environmental assessment. In particular, the proposal would:

1. Replace four low-water, hardened crossings in Trabuco Canyon with structures that allow passage of aquatic organisms. Each crossing would be designed to site-specific standards based on the channel characteristics and topography.
2. Remove all instream dams on Trabuco Creek.
3. Remove one hardened crossing on Los Alamos Creek where it is crossed by the South Main Divide Road and replace it with a barrier-free structure.
4. Remove a hardened crossing on the Tenaja Falls Trail that crosses San Mateo Creek and impedes passage of aquatic organisms.

1.2 Purpose and Need

The crossings along **Trabuco Creek** currently prevent or impede the passage of aquatic organisms. The culverts frequently become clogged with debris, causing water to back up in the stream channel and eventually flooding across the top of the crossing. Some culverts are rusting and have collapsed. The flooding contributes to erosion alongside and within the road bed. Fish and other aquatic species are impeded or prevented from moving upstream because the crossings are generally higher on one side, resulting in a "waterfall" drop that can range from three or four to more than 10 feet. The creek contains remnants of manmade dams originally designed to create pools for fish habitat. Due to safety concerns, the doors to the dams were removed. However, most of the dams themselves are intact. The dams present a barrier to fish passage during times of low water flow.

The South Main Divide Road, also known as the Wildomar Road, crosses **Los Alamos Creek** in the southern portion of the ranger district. This crossing often floods after heavy rainfall. The crossing consists of a concrete slab over a concrete base with culverts that allow for water flow. However, these culverts frequently become obstructed with debris, damming the stream and causing water to flood across the roadway. Los Alamos

Creek drains into San Mateo Creek, which is a historical fishery for steelhead trout. The crossing is a barrier to native fish movement.

Removing the hardened crossing on the Tenaja Falls Trail where the trail crosses **San Mateo Creek** would restore an additional 3.5 miles of stream and habitat for endangered southern steelhead and other sensitive aquatic organisms. Removal of this barrier would help restore the wilderness character of this portion of the San Mateo Canyon Wilderness Area and would also help to return the creek to its proper functioning condition.

2. DECISION

Based on evaluation of the alternatives in the Trabuco Aquatic Organism Passage Restoration Environmental Assessment, supporting documentation found in the project record, and review of public comments, I have selected Alternative 1, the proposed action, for implementation. The selected alternative will best address the purpose and need for the project, which is discussed in section 1.3 of the environmental assessment.

My decision incorporates all the actions and project-related design criteria found in sections 2.5.1.1, 2.5.1.2, 2.5.1.3, 2.5.1.4, and 2.5.1.5 of the environmental assessment.

3. OTHER ALTERNATIVES CONSIDERED

3.1 Alternative 2, No Action

In addition to the selected alternative, I considered Alternative 2, the no-action alternative. Under this alternative, no action would be taken to repair or replace the crossings or the bridges over Los Alamos, San Mateo, or Trabuco creeks. Based on the environmental consequences of Alternative 2 in section 4.2 of the environmental assessment, selecting this alternative would not have addressed the purpose and need for the project. Sediment movement would have continued to occur during heavy rainfall and flooding, and as a consequence negative direct effects may have resulted to arroyo toad and steelhead habitat.

Selecting this alternative may also have had indirect effects on recreation and emergency vehicle access. If the crossings fail due to heavy rains, or if heavy rainfall results in flooded crossings, travel along the road for pedestrian, horse, or vehicle traffic would be dangerous. If the current structures fail or are weakened by heavy water flow, emergency vehicles would be unable to cross the creek.

3.2 Alternatives Considered But Not Analyzed in Detail

Two alternatives were considered however, they were eliminated from detailed analysis, as described in section 2.6 of the environmental assessment. The first alternative would have kept current structures in place, but added fish ladders to facilitate the passage of aquatic organisms. The second alternative would have replaced existing structures with concrete arches, except at Tenaja Falls Trail. For reasons discussed in section 2.6 of the environmental assessment, neither of these alternatives would have adequately addressed the purpose and need.

A method to be used to remove and replace the crossing at San Mateo Creek was also considered and discarded. This method is described in section 2.6. The reasons for discarding this method is the level of resource damage that would occur made using this method impractical.

4. PUBLIC INVOLVEMENT

4.1 Scoping

A synopsis of the project proposal appeared continually in the Cleveland National Forest quarterly schedule of proposed actions (SOPA) beginning in January 2011. Scoping letters were sent to all individuals who have expressed an interest in Trabuco Ranger District projects. Legal notices were placed in both the *Riverside Press-Enterprise* on and the *Orange County Register* in April 2011. Additional scoping occurred internally among USDA-Forest Service specialists and specialists from other state and federal agencies.

Scoping identified two issues regarding the proposed action, each of which is addressed in project design actions in section 2.5.1 of the environmental assessment. The two issues are:

1. Keeping the crossings open during construction.
2. How will the creek be channeled once it passes beneath the new bridges?

4.2 Comments on the Environmental Assessment

A legal notice for the availability of the environmental assessment for public comment was published in the *Riverside Press-Enterprise* in August, 2011. No comments were received during the comment period.

5. FINDING OF NO SIGNIFICANT IMPACT

After consideration of the environmental consequences described in Chapter 4 of the environmental assessment, and after reviewing supporting documentation in the project record, I find that implementing the selected alternative will not have a significant impact

on the quality of the human environment, considering the context and intensity of impacts (see: 40 CFR 1508.27). Therefore an environmental impact statement will not be prepared for this project. I base my finding on the following:

5.1 Beneficial and adverse effects. I have weighed and balanced the effects of my decision and found that my finding of no significant impact is not biased by the beneficial effects of the selected alternative.

5.2 The degree to which the selected alternative affects public health and safety. The selected alternative will result in long-term positive effects on public health and safety. In particular, if the crossings are passable during periods of heavy rainfall, and are not subject to damage as a result of high water, emergency vehicles will have safe and reliable access to the areas. Crossings will also be safer for public use during the wet season.

5.3 Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. The selected alternative would have no negative effects on unique characteristics of the geographic area.

5.4 The degree to which the effects on the human environment are likely to be highly controversial. Implementing the selected alternative will not result in highly controversial effects to the human environment. Scoping identified limited public interest in the project.

5.5 The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. Implementing the selected alternative will not result in highly uncertain effects or involve unique or unknown risks.

5.6 The degree to which the selected alternative may establish a precedent for future action with significant effects or represents a decision in principle about a future consideration. Implementing the selected alternative is not likely to establish a precedent for future actions with significant effects.

5.7 Whether the selected alternative is related to other actions with individually insignificant but cumulatively significant effects. The cumulative effects of the selected alternative are not significant (see EA, sections 4.1.1.1 through 4.1.1.5, and 4.1.2).

5.8 The degree to which the selected alternative may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historic resources. The selected alternative will cause no such effects or losses (see:

section 4.1.5 of the environmental assessment and the heritage report in the project record).

5.9 The degree to which the selected alternative 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. It has been determined that the effects would only be temporary and short term the long term effects would be beneficial to both the arroyo toad and the southern steelhead trout (see sections 4.1.1.1 and 4.1.1.2 of the environmental assessment and the biological assessment in the project record).

5.10 Whether the selected alternative threatens a violation of federal, state, or local laws or other requirements imposed for the protection of the environment (see: 40 CFR 1508.27). The selected alternative will not violate any such laws or requirements.

6. FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

6.1 National Forest Management Act. The selected alternative is consistent with the National Forest Management Act because it meets the standards and guidelines found in the CNF Land Management Plan (LMP) (<http://www.fs.fed.us/r5/cleveland/publications>). Guidance from the LMP is incorporated into the purpose and need for the project.

6.2 National Historic Preservation Act. The selected alternative complies with requirements of the National Historic Preservation Act and the *First Amended Regional Programmatic Agreement among the USDA Forest Service, Pacific Southwest Region, California State Historic Preservation Officer, and Advisory Council on Historic Preservation Regarding the Process for Compliance with Section 106 of the National Historic Preservation Act for Undertakings on the National Forests of the Pacific Southwest Region.*

6.3 Clean Water Act. The selected alternative complies with requirements of the Clean Water Act and guidance in *Water Quality Management for Forest System Lands in California, Best Management Practices (2000).*

6.4 Wilderness Act. The selected alternative complies with requirements of the Wilderness Act. Implementation of the project will improve wilderness character in the San Mateo Wilderness.

7. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision is subject to administrative review, or appeal, pursuant to 36 CFR 215. Any appeals must be filed via regular mail, fax, email, hand-delivery, or express delivery with:

Randy Moore, Regional Forester
U.S.D.A Forest service
Pacific Southwest Region

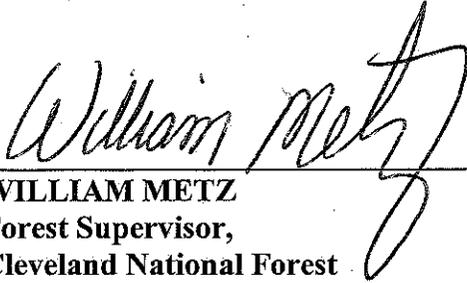
1323 Club Drive
Vallejo, CA 94592
707.562.8737
TTY: 707.562.9240
FAX: 707.562.9130

Business hours for submitting hand-delivered appeals are from 8 a.m. to 4 p.m., Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or WORD document (doc or .docx) to appeals-pacificsouthwest-regional-office@fs.fed.us, with "Trabuco Aquatic Organism Passage Restoration Project Decision Notice" in the subject line. In cases in which 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 or postmarked within 45 days from the publication date of the legal notice announcing the decision in the San Diego *Union-Tribune*. Attachments received after the end of the 45-day appeal period will not be considered. The publication date in the San Diego *Union-Tribune* is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely on dates or timeframes provided by any other source. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

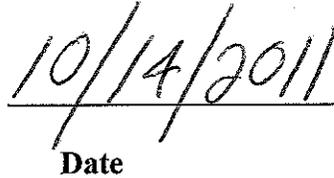
8. CONTACT INFORMATION

For additional information concerning this decision, contact Gloria Silvia Ecosystem and Planning Officer, Cleveland National Forest, at 858-673-6180.



Handwritten signature of William Metz in cursive script, positioned above a horizontal line.

WILLIAM METZ
Forest Supervisor,
Cleveland National Forest



Handwritten date 10/14/2011 in cursive script, positioned above a horizontal line.

Date

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