Decision Notice
And
Finding of No Significant Impact

North Fork Lake Dam
Craig Ranger District
Tongass National Forest

Decision

It is my decision to authorize the City of Craig to increase the height of the existing dam, from 3' to 9', impounding an additional 242 million gallons of water in North Fork Lake. Authorization will be made by issuing a special use permit upon final approval of the design and operating plan for construction and maintenance of the dam. The operating plan will include any necessary mitigation required to minimize impacts to the public water supply during the construction phase of this project.

Rationale

The existing structure capacity has the potential to fall below the minimums required to supply water for the City of Craig due to recent expansion of commercial fish processing facilities and the construction of a king salmon enhancement hatchery. Water use restrictions would need to be enforced during any future droughts.

Context

Increasing the dam by six feet will increase the area of the lake from 104 acres to 142.9 acres. The increased size of the lake represents 7.8% percent of all the land within the Craig Municipal Watershed Land Use Designation (LUD). Approximately 26% of existing Dolly Varden spawning habitat on North Fork Lake will be submerged. However, as the lake levels increase, new spawning habitat will be formed, and additional lake area will increase Dolly Varden rearing habitat.

Approximately 39 acres of mostly non-forested and scrub-shrub forested evergreen wetlands will be inundated, converting terrestrial wetlands to seasonally flooded wetlands. Following implementation the complexity of the shoreline soils and vegetation will be similar to what it is today, but the seasonal flooding of about 4 acres of riparian spruce and alder will result in standing dead vegetation for several years, primarily at the head of the lake near the inlet stream. The conversion of 39 acres of terrestrial wetlands to seasonally flooded wetlands represents approximately 2.1% percent of Craig Municipal Watershed LUD.

Intensity

The intensity of effects was considered in terms of the following:

1. **Impacts 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.** Consideration of the intensity of environmental effects is not biased by beneficial effects of the action. (See EA, pages 3-4)
2. **The degree to which the proposed action affects public health or safety.** The inundation of up to 39 acres of lakeshore vegetation will have some effect on water quality. After treatment, the City of Craig monitors drinking water quality daily to prevent harmful effects to the population of Craig. (See EA, page 3)
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.** There will be no significant effects on unique characteristics of the area, because there are no such areas affected. (See EA, pages 3-4)
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial because internal and public scoping did not reveal in any issues. (See EA, pages 2-4)

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or known risks.** The analysis shows the effects are not uncertain, and do not involve unique or unknown risk. (See EA, pages 3-4)
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.** The expansion of North Fork Lake is not likely to establish a precedent for future actions with significant effects, because this action is not unique or unusual, and is consistent with the 2008 Forest Plan. (See EA, page 1)
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** North Fork Lake encompasses a very small portion of the Craig Municipal Watershed LUD, and the incremental effect of the project, coupled with other past, present or reasonably foreseeable projects indicate that the cumulative impacts are not significant. (See EA, pages 3-4)
8. **The degree to which the action 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 historical resources.** No historic properties are located within the area of North Fork Lake. (See EA, page 3)
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.** A biological evaluation was completed for this project, which concluded that there are no direct, indirect or cumulative effects on endangered or threatened species or its habitat. (See EA, page 3)
10. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** Applicable laws and regulations were considered and the action is consistent with the Tongass Land and Resource Management Plan. (See EA, page 1)

After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

Public Involvement

The proposal was listed in the Schedule of Proposed Actions on December 15, 2011. An invitation for government-to-government consultation was initiated January 20, 2012. Public scoping letters were mailed on February 21, 2012, and a legal notice was printed in the Ketchikan Daily News on March 28, 2012.

Findings Required by Other Laws

2008 Tongass Land and Resource Management Plan

This decision is consistent with the 2008 Forest Plan. North Fork Lake is located within a Land Use Designation (LUD) identified as Municipal Watershed. The goal of the Municipal Watershed LUD is to maintain the watershed as a municipal water supply reserve.

ANILCA Section 810 & 811, Subsistence Evaluation and Finding

This project has been evaluated to determine potential effects on subsistence opportunities and resources. There is no documented or reported subsistence use that would be restricted as a result of this decision. This action would not result in a significant possibility of a significant restriction of subsistence use of wildlife, fish, or other foods.

Endangered Species Act of 1973

A biological evaluation has been completed for this project which indicates that no federally listed threatened or endangered species of plants or animals will be affected by this activity.

Environmental Justice (E.O. 12898)

This project does not have disproportionately high and adverse human health or environmental effects on minority populations and low income populations.

Floodplain Management (E.O. 11988), Protection of Wetlands (E.O. 11990)

This activity will not impact the functional value of any floodplain as defined by Executive Order 11988 and will not have negative impacts on wetlands as defined by Executive Order 11990.

Invasive Species (E.O. 13112)

An invasive plant risk assessment has been completed for this project. No mitigation is required due to overall low risk of introduction and spread of invasive plants as a result of project activities.

Magnuson-Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act requires that all federal agencies consult with the National Marine Fisheries Service when any project "may adversely affect" essential fish habitat (EFH). The Forest Service has determined that this project will not adversely affect EFH.

National Historic Preservation Act of 1966

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. This activity has been reviewed by a qualified archeologist and a determination has been made that no known cultural resources are present in or adjacent to the project area.

Recreational Fisheries (E.O. 12962)

Federal agencies are required, to the extent permitted by law and where practicable, and in cooperation with States and Tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities. As required by this Order, this project has been evaluated for effects to the aquatic systems and recreational fisheries.

Since there are no effects to fisheries resources within the project area there will be no direct, indirect or cumulative impacts related to this Order.

Implementation Date

This action is not subject to appeal since the only comment received was not supported by factual evidence.

Contact Person

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FORREST COLE
Forest Supervisor

5/22/13
Date

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