DECISION MEMO
FOR CATEGORICAL EXCLUSION

HOLY JIM CREEK CROSSING REPLACEMENT

U.S.D.A. Forest Service
Cleveland National Forest
Trabuco Ranger District
Orange County, California

Background

The current configuration of the two road crossings of Holy Jim Creek creates complete or partial barriers to fish passage. To improve habitat for resident fish and in anticipation of the restoration of steelhead runs in Trabuco and Holy Jim Creeks, reconstruction of these road crossings is proposed to allow for fish passage. The Trabuco Ranger District, Cleveland National Forest, proposes to remove two concrete ford crossings and replace them with bottomless culverts.

The Holy Jim road crossings are located near the western edge of the district, in Township 6 South, Range 6 West, in the northwest part of section 4.

Description

The proposed action includes replacement of two concrete ford crossings with bottomless culverts. The new structures will allow free movement of water and sediment along the stream, and will allow for fish passage. Details of the project include:

- The new crossings are planned for construction in fiscal year 2018 although funding and contracting issues may result in construction in 2019 or 2020.
- Some road realignment will be necessary at each crossing. The amount of footage involved should be between 50 and 100 feet on each end of the new structures. Some vegetation may need to be removed from the vicinity of the crossings. Minor adjustments to the stream channel will occur no further than 200 feet from the crossings.
- The upper portion of Holy Jim Road (6S14) will be closed during construction of crossings. The construction is expected to take 3 to 4 months to complete.
- Temporary dewatering may be required and there may be some diverting of water during construction work.
- Best management practices will be followed in the design and construction of the crossing.
- All construction equipment will be washed prior to commencing construction to minimize the spread of non-invasive species in accordance with NS-8 Vehicle and Equipment Cleaning, Caltrans Storm Water Quality Handbooks, Construction Site Best Management Practices Manual.
• Width and length of the structure will conform to current hydrologic design standards and meet the Forest Service Transportation Structure Handbook requirements for designing a “long-term structure” to last a minimum of 50 years.

**Decision and Rationale**

It is my decision to authorize the reconstruction of two road crossings for the purpose of improving fish passage along Holy Jim Creek.

No adverse impacts or extraordinary circumstances were identified during the environmental analysis. The proposed action will have no significant effect on the human environment, individually or cumulatively.

This proposed action falls into the following category excluded from documentation in an Environmental Impact Statement or an Environmental Assessment, 36 CFR 220.6 (e)(18):

“18) Restoring wetlands, streams, riparian areas or other water bodies by removing, replacing, or modifying water control structures such as, but not limited to, dams, levees, dikes, ditches, culverts, pipes, drainage tiles, valves, gates, and fencing, to allow waters to flow into natural channels and floodplains and restore natural flow regimes to the extent practicable where valid existing rights or special use authorizations are not unilaterally altered or canceled.”

Furthermore, public and internal scoping revealed no extraordinary circumstances in contradiction of categorical exclusion (Forest Service Handbook, Section 1909.15, Subsections 30.3). I took into account resource conditions identified in agency procedures that should be considered in determining whether extraordinary circumstances might exist:

• Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species – None are present in the project area.
• Flood plains, wetlands, or municipal watersheds – Floodplains and wetlands are present and will benefit from the proposed action; the degree of effect will not be significant.
• Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas – None are present in project area.
• Inventoried roadless areas or potential wilderness areas – None are present in project area.
• Research natural areas – None are present in project area.
• American Indians and Alaska Native religious or cultural sites – None are present in project area.
• Archaeological sites, or historic properties or areas - None are present in project area.
I am aware of concerns about the reconstruction of these road crossings. These crossings will be different than the crossing that was recently replaced with a bridge over Trabuco Creek that was formerly a concrete ford. That ford crossing routinely failed during major rain events and required rebuilding or replacement approximately every 5 to 10 years. In order to create a longer-lasting remedy for that crossing, a bridge was constructed. The Forest Service is required to construct bridges that will accommodate a 100-year flood event; this governs the size of the bridge. In order to rebuild a crossing, heavy equipment is required. Heavy equipment was used repeatedly to rebuild the concrete ford crossing prior to its replacement with a bridge. All construction work is analyzed under the National Environmental Policy Act and other laws, and measures are included to protect wildlife and wildlife habitat. In addition, the bridge separates the vehicle traffic from the stream which protects wildlife habitat and water quality. For safety and control of erosion it was necessary to pave the approaches to the bridge. The Holy Jim crossings will be replaced with bottomless culverts rather than bridges and will also separate the vehicle traffic from the stream which protects wildlife habitat and water quality. This is expected to provide a longer-term solution for these crossings, which have also frequently failed in major storm events.

At this current time, other barriers to fish passage exist in the Trabuco Creek watershed beyond these road crossings. These include the I-5 crossing, Metrolink crossing, Live Oak Canyon road bridge, and road crossings and dams on National Forest System lands. However, all of these barriers are being addressed by projects that are being planned and implemented by government agencies and non-profit organizations. Steelhead trout have been entering San Juan and Trabuco creeks, and once these barriers are removed the steelhead will be able to access spawning areas on the National Forest. This is a key goal of the Southern Steelhead Recovery Plan. Removal of barriers is essential to the recovery of this species. Once steelhead are back in Trabuco and Holy Jim Creek, these areas will be closed to recreational fishing. The ecosystem is not able to recover from the existing concrete fords as the fords cause continuing damage and harm to stream processes and wildlife habitat.

I am aware that there is a natural dam of large boulders upstream of the first crossing that catches debris during peak flows and diverts the water into the road. The project engineer will review this issue during construction and we will likely have the opportunity to correct any problem during construction of the new crossings. We do anticipate addressing drainage or flow problems upstream and downstream of the crossings during construction.

When the crossings are removed, up to five man-made dams will also be removed from their vicinity, as authorized by the 2014 Trabuco District Dam Removal Environmental Assessment and Decision Notice. We are also planning to remove the fig trees in Holy Jim canyon, as authorized by the 2014 Invasive Weed Management on the Cleveland National Forest Environmental Assessment and Decision Notice. There is a very large stand of fig trees in the canyon so this will take several years to complete. If trees are removed during construction of the crossing, the project engineer will ensure that rip-rap or similar materials are used to stabilize any areas that may be at risk after tree removal.
The Forest has many monitoring programs in place for Forest projects and activities. These include Land Management Plan monitoring, monitoring pursuant to permits and biological opinions, and water quality best management practice evaluation. While we coordinate with USGS, which currently conducts surveys for some species primarily in San Diego County, Forest staff conduct monitoring of Forest activities. We do not have funding to hire outside parties for this purpose, and it is not necessary to do so. The Forest Service does cooperate and partner with USGS, Orange County Native Plant Society, Audubon Society, and others and would welcome additional partners who support our mission and projects.

For parking, permittees affected will be provided with an administrative pass to cover the period of inconvenience (permittees will not be required to buy an Adventure Pass). The 3-4 month road closure is an estimate, but still may be realistic for the activity.

**Scoping and Public Involvement**

Information regarding this action was published in the schedule of Proposed Actions (SOPA) starting in September 2016 and will continue to be posted through June 2017. In addition, notice of the proposed action was posted on the public information board at the Holy Jim trailhead in October, November and December 2016. Comments were received and did not raise new or significant issues, and so there are no changes to the proposed project or decision. However, comments received did warrant inclusion of additional rationale for the project.

Internal agency scoping included: Julie Donnell – Forest Fisheries Biologist, Kirsten Winter – Forest Biologist, Lisa Kluesner – former Forest Botanist, Emily Fudge – Forest Hydrologist, Karin Klemic – Heritage Resources Program Manager, and Lance Criley – Forest Range Program Manager.

**Findings Required by Other Laws**

This decision is consistent with the Cleveland National Forest Land Management Plan (USDA Forest Service, September 2005 Part 1, p. 39; Part 2, p. 92; Part 3, pp. 3-4). This proposed action meets all direction including the Standards and Guidelines, Minimum Management Requirements and Minimum Implementation Requirements of the Cleveland National Forest Land Management Plan.

This action meets the requirements of the following Biological Opinion: Biological and Conference Opinions on the Revised Land and Resource Management Plans for the Four Southern California National Forests, California (1-6-05-F-773.9))

For this reason, and because it contributes to recovery of federally-listed species, this project is consistent with the Endangered Species Act.

Regarding the Migratory Bird Treaty Act, the project is consistent with a 2008 Memorandum of Understanding between the Forest Service and U.S. Fish and Wildlife
Service intended to promote the conservation of migratory birds, as well as LMP, Part 3, Appendix H.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district site, building, structure or object that is included in, or eligible for inclusion in the National Register. The requirements of Section 106 of the National Historic Preservation Act of 1966 have been met. A determination was made that the crossing replacement will have no adverse effect to historic properties by implementation of this project. (Stipulation 7.8(b) (1)) A Heritage Review was completed by the Forest Heritage Program Manager in 2017 and is in the project file.

The Forest Hydrologist reviewed the proposed action and concluded that there are no soil or hydrologic concerns with the action, and through inclusion of Best Management Practices, it is consistent with the Clean Water Act.

**Administrative Review Opportunities**

Pursuant to 36 CFR 218.1, this decision memo is not subject to administrative review. This project can begin immediately upon the signing of this decision.

**Implementation Conditions**

If any previously unrecorded heritage resources are discovered prior to or during implementation, all ground disturbing activities will cease. Secure the discovery and contact the Heritage Resource Program Manager.

**Contact person**

For additional information concerning this decision, please contact:

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**Signature and Date**

[Signature]  
May 22, 2017  
Darrell Vance  
Trabuco District Ranger  
Date