Decision Notice and Finding of No Significant Impact (DN/FONSI)

Cabin Creek Road 207 Realignment and Reconstruction

Sawtooth National Recreation Area, Sawtooth National Forest
Blaine County, Idaho

T 7 N, R 14 E, Section 17 and 20, B.M.

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DECISION NOTICE (DN)  
And  
FINDING OF NO SIGNIFICANT IMPACT (FONSI)  
For  
Cabin Creek Road 207 Realignment and Reconstruction  

Sawtooth National Forest  
Sawtooth National Recreation Area  
Blaine County, Idaho

The Environmental Assessment (EA) for the Cabin Creek Road 207 Realignment and Reconstruction documents the analysis of the potential direct, indirect, and cumulative environmental effects from the proposed road reconstruction, as well as those from an alternative to the proposed action. The consequences of no action are also considered. The Review EA was made available for public review on January 10, 2012. Notice of the Review EA availability was mailed to potentially interested parties and was advertised in The Challis Messenger.

The Decision Notice and Finding of No Significant Impact (FONSI) for the Cabin Creek Road 207 Realignment and Reconstruction are presented here. The Decision Notice documents my decision and rationale. The FONSI presents the reasons why I find this action will not have a significant effect on the human environment. The EA is incorporated by reference in this Decision Notice/FONSI.

This document is organized as follows:

- Background information regarding my decision;
- My decision to select Alternative 3;
- The rationale for my decision;
- The alternatives considered;
- A finding of no significant impact;
- Findings required by other laws and regulations;
- The rights to appeal and administrative review;
- Implementation date;
- Contact information; and
- My signature and date, as the responsible official.

Background

The Cabin Creek Road 207 Realignment and Reconstruction project is intended to address the unsustainable and damaging location of the existing alignment where Road 207 (NFS Road 70207) passes through the broad wetland habitats north and west of Alturas and Perkins Lakes. There is a need to address these chronic resource and infrastructure impacts while providing continued safe access to the destinations served by the route. This need has been recognized for some years, and maintenance efforts have attempted, unsuccessfully, to address the situation. A more comprehensive approach was considered and action recommended within an analysis of the transportation network.
within the area in 2006. Action is necessary now to resolve these chronic conditions, as well as address both general and specific goals and objectives outlined in the Sawtooth National Forest Land and Resource Management Plan, and help move the Management Area toward the desired conditions described within the Plan. Both Cabin Creek and Alturas Lake are designated critical habitat for fish currently protected under the Endangered Species Act.

THE DECISION AND RATIONALE

Decision

Based on the analysis contained within the EA and project file, and the comments received from the public, it is my decision to implement Alternative 3 – remove, but do not construct a new alignment for the problematic segment of Road 207. That is, my decision for the Cabin Creek Road 70207 Realignment and Reconstruction project will actually include no realignment or reconstruction, but only road removal and the rehabilitation of the existing wetland segment.

Alternative 3 will fundamentally address the purpose and need of action with the removal of Road 207 through the wetland north and west of Alturas and Perkins Lakes. Specifically, it will remove the existing segment (0.6 miles) of Road 207 between its junctions with Road 205 (Alturas Lake) and the Road 438 (Cabin Creek Camp). At the same time Cabin Creek, as well as the wetland and upland habitats formerly occupied by the road, will be restored to natural conditions. These restoration objectives will utilize the same methods proven at several similar projects in recent years. Utilizing heavy equipment, the existing fill that currently elevates the roadway above the wetland will be removed entirely and either utilized for construction purposes elsewhere, or returned to an existing active or abandoned materials source site. The underlying former wetland soils will then be conditioned and native plants re-established. These restoration activities will occur during the late summer or fall when site conditions are expected to be at their driest.

The bounds of the current winter use special order that facilitates the Alturas Lake Nordic Ski Area will remain unchanged, though the language will be revised slightly to reflect these changed landscape features.

Once implemented, access to the destinations to the north of the removed segment of Road 207 will remain accessible, but will occur via its opposite end junction with Highway 75. No new roads will be constructed, and Road 440 will remain. Approximately 2.3 miles of existing, but unauthorized, routes within the project area will be designated and incorporated into the managed travel system.

The removal of the segment of Road 207 will necessitate the relocation of the existing Midvale Telephone Exchange phone line, currently buried within the roadway. The replacement line will follow, and be buried, within the existing alignment of Road 440, then within the existing route (to be adopted) leading southwest to the existing power line crossing. Here the phone line will be suspended over Alturas Lake Creek from the existing Salmon River Electric Cooperative power poles. On the south side it will resume an underground alignment within the existing Road 442. Segments along Road 207 providing the current connection to the Cabin Creek Camp will remain. Figure 1 depicts the elements of this decision.
Figure 1: Elements of the Decision
Finally, though the Sawtooth NRA is the lead agency for the action, as necessary to achieve project objectives, connected federal actions may include the authorization and issuance of any permits by the US Army Corp of Engineers or the Environmental Protection Agency as required under Section 404 of the Clean Water Act, or Section 10 of the River and Harbor Act of 1899.

Construction, Planning, Design, and Monitoring Features

The decision includes elements that will result in impacts to ecological and social conditions. The following considerations and practices will be applied to reduce or minimize these potential impacts, or the risk of such.

General:
- The construction and/or restoration objectives of the action will be implemented under the direction and oversight of managers experienced with such treatments. Photo points will characterize pre-project conditions, and follow-up monitoring (typically in years 1 and 5) will assess the success of the project in achieving the objectives.

Construction and Staging:
- Excess fill removed from the former roadway, when closed and rehabilitated, would be returned to the original source pits (T7N, R14E, Sec 8, NWNE) or to existing gravel pits such as the Champion Pit (T8N, R14E, Sec 21, NW½).
- Staging will be not be located within RCAs, or within topographic lows where water may concentrate during snowmelt periods.
- Where road construction, reconstruction or obliteration occurs within RCAs, or in areas where water may concentrate during snowmelt periods, standard sediment and pollutant prevention and retention practices would be utilized (e.g. silt fence, wattles).
- When actions are conducted instream or on streamside areas during potential spawning periods, fish avoidance surveys will be conducted over a minimum of 600 feet downstream and 400 feet upstream to confirm the absence of any spawning activity and/or redds. If redds of ESA protected salmonids are identified, the appropriate agencies would be contacted to determine if or how the project may proceed.
- Fuel storage would occur only within staging areas, and refueling will not occur within Riparian Conservation Areas (e.g. 150 feet from Cabin or Alturas Lake Creeks). Engine and hydraulic fluids will be monitored for leaks.
- All equipment used for instream rehabilitation work will be cleaned of external oil, grease, dirt and mud, and leaks repaired, before entering streams or areas that drain directly to streams or wetlands. Spill packs will also be on hand for minor leaks/spills.

Vegetation and Wildlife Habitat Provisions:
- An agency botanist will review the site and identify specific conditions to be noted, addressed, or avoided during or prior to implementation (e.g. noxious weeds, TES plant populations).
- If an agency botanist determines such actions are warranted, noxious weeds within and/or adjacent to the project sites will be avoided or treated for eradication prior to implementation.
- For 2 -3 growing seasons following implementation, areas disturbed would be monitored for noxious weeds. All noxious weeds would be treated for eradication.
• When needed, noxious weed treatments will be by hand, or via Agency approved chemicals, practices, limitations, and terms existing at the time of intended use. As such, no use of herbicides will occur without prerequisite consideration of the potential effects to TES species, and/or Section 7 consultation, either as tiered to a programmatic analysis, or project specific analysis.
• All heavy equipment used will be high pressure washed to remove all visible plant parts, dirt, and material that may carry noxious weed seeds, and/or invasive life forms, prior to entry into the project area. The same equipment will be cleaned again prior to leaving, if warranted.
• Materials used for sediment retention, restoration, rehabilitation, and stabilization (e.g. sediment barriers) will be certified weed-free and comply with the 1996 “Weed Free Hay Order” (IDAPA 02.06.31) and the Final Supplementary Rules Requiring the Use of Certified Noxious-Weed-Free Forage and Straw (Federal Register Volume 76, Number 140, 8/21/2011). Where live conifer trees are utilized for project restoration objectives, they will generally be between 7 and 12 inches diameter. Likewise, standing trees with cavities or with raptor or raven nests will not be used.
• Activities that require removal of vegetation will not occur until after August 15 and before December 1, and monitoring will precede any activities that may crush vegetation during the breeding season of ground nesting birds.

Scenic and Recreation Provisions:
• Lodgepole pine that have encroached into the natural meadow opening on the west side of Road 207, near its crossing of Cabin Creek, would be removed and utilized within the restoration efforts in order to establish a sufficient and clear opening for snowmobiles to pass (± ½ acre). Signs may also be posted as necessary to clearly redirect motorized users from the Ski Area closure.
• The Ski Area closure boundary, in the vicinity of the closed and rehabilitated former Road 207, would be posted Closed, as necessary, along the west margin of the rehabilitated roadway to strengthen visitor understanding of the boundary location, and regular patrols of this area would be conducted, as funding is available.

Rationale for the Decision
My conclusion is based on a review of the project record, which includes a thorough analysis of relevant scientific information, and our past experience with similar objectives. I have also examined applicable laws, regulations, policy, and the Sawtooth Forest Plan to inform my decision. The comments received regarding the proposal have also given me a spectrum of viewpoints to carefully consider. I have elaborated on my rationale below. I believe Alternative 3 meets the purpose and need for action, adequately addresses the key issues, is responsive to public comment, and will be a responsible expenditure public funds.

1. Meeting the Purpose and Need for Action
My decision meets the purpose and need by addressing chronic resource and infrastructure impacts associated with Road 207 where it passes through the broad wetland habitats north and west of Alturas and Perkins Lakes. Access to the destinations served by the route will also be maintained via the opposite end or Road 207.
With implementation of Alternative 3, less than half as many stream crossings will remain as currently exist within the project area associated with Cabin and Alturas Lake Creek (see Stream/Fisheries issue below). It will also remove 0.4 miles of roadway from the Cabin Creek wetland. While this segment represents roughly only a third of the total length of roadways in riparian conservation areas (RCAs) within the project area, in terms of physical impacts on the landscape, it accounts for the substantial majority within the project area. In fact, it is recognized as the most problematic segment remaining within the Alturas drainage. My decision will fundamentally address this chronic need.

Each of the alternatives considered also met the core intent of the maintaining access to destinations currently served by Road 207, since access is available and optional from either end of Road 207, and only the southern end was being considered for change. Alternative 2 would have maintained this dual option with relocation of the southern connection. Alternative 3, on the other hand, will no longer provide this southern connection, but rely instead on the single northern connection with Highway 75. As such, with access assured, the differences I considered in making my decision reflected the changes in the convenience of the access that would remain available, assuming that Alturas Lake will remain a destination for those recreating along or off Road 207. This was obviously an important consideration recognized by many of those that provided feedback on the Review EA.

The summary of travel times displayed with the issue Road Use below displays the difference in actual travel time by vehicle to Alturas Lake from two common points of origin: 1) the Road 207 intersection at the Cabin Creek Camp; and 2) the Road 207 intersection leading to the Valley View summer homes. As I initially reviewed these results, I found them suprisingly similar – i.e. less different than I would have expected in such a large landscape. So, when I had an opportunity, I drove the most distance of these calculated conclusions and my own result differed by only a few seconds from those reported. This was an important realization for me since, currently, the vast majority of access to Alturas Lake along this route occurs by vehicle.

2. Key Issues

Through review of the feedback received regarding the proposal, four key issues were identified that were considered central to the analysis. Indicators were selected to assist in evaluating the impact of the project with regard to these identified issues. The tables below summarize the issues and their indicators.

a) Stream/Fisheries: Relocating the existing Road 207 alignment as proposed may result in impacts to Alturas Lake Creek.

<table>
<thead>
<tr>
<th>measure</th>
<th>Alternative 1</th>
<th>Alternative 2</th>
<th>Alternative 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of road stream crossing structures affecting Cabin Creek and Alturas Lake Creek.</td>
<td>5 culverts, 1 foot bridge, 1 vehicle bridge</td>
<td>1 culvert, 1 foot bridge</td>
<td>1 culvert, 1 foot bridge, 1 vehicle bridge</td>
</tr>
</tbody>
</table>

It was recognized that either of the action alternatives would yield substantial benefits to Cabin Creek and wetlands. The potential differences between them were at Alturas Lake, where an additional...
bridge crossing would have been constructed for Alternative 2. Our analysis and experience elsewhere has demonstrated that the construction of a new bridge over the creek, using modern methods and practices, would have had little influence to the creek and aquatic habitats. However, a much greater uncertainty of the outcome centered around the indirect effects that would potentially come with the new roadway and bridge – the maintenance necessitated on the new road, and more importantly, the new visitors and their uses that would be drawn to the new bridge site and the enhanced access along the creek. I shared the concerns I read within the EA and project file, from both my staff and from those providing feedback – that there would be an enhanced risk of impact to Alturas Lake Creek, both directly from an increase in use, and also indirectly from the conditions that often follow such intensive use, such as bare ground/sedimentation and noxious weeds. Alternative 3 will provide all the desired benefits to Cabin Creek and wetland without the added risks of impacts to Alturas Lake Creek.

b) **Road Use**: Changes to the existing alignment may alter the current road use patterns and travel convenience within the Alturas area.

<table>
<thead>
<tr>
<th>measure</th>
<th>Alternative 1 No Action</th>
<th>Alternative 2 New Road</th>
<th>Alternative 3 No New Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jct Road 438 / Road 207 (Cabin Creek Org Camp) to existing jct of Road 207 and Alturas Road 205.</td>
<td>1.0 minutes</td>
<td>4.2 minutes</td>
<td>11.7 minutes</td>
</tr>
<tr>
<td>Jct Road 318 / 207 (Valley View Rec Residences) to existing jct Road 207 and Alturas Road 205.</td>
<td>4.5 minutes</td>
<td>6.8 minutes</td>
<td>8.4 minutes</td>
</tr>
</tbody>
</table>

As I mentioned above with **Meeting the Purpose and Need for Action**, these differences in travel time by vehicle seem almost trivial. However, I recognize that, as the change is implemented, and visitors must adapt to the new access, those few extra minutes will seem like an eternity, particularity to those located just north of Cabin or Alturas Lake Creeks, with their intended destination (Alturas Lake) clearly in sight.

Though we received very little feedback on the subject, I acknowledge that not all use of Road 207 through the Cabin Creek wetland is by vehicle. Some use by foot, bicycle, and horseback is known to occur along the roadway, and I regret this straightforward route, for this occasional use, will be lost. I personally explored options for continuing to provide a trail for this use, but to no success. In order to cross this complex wetland environment would have either required retaining the impactive fill or creating something equally fool-hardy and impactive such as a long elevated boardwalk. Nevertheless, opportunities for walking and exploring within the landscape remain unchanged. Some might now explore this complex, and newly restored wetland off-trail, and others may find new and satisfying destinations on other roads and trails.

c) **Visitor Experience**: Changes to the existing alignment may alter winter recreation opportunities and experiences within the Alturas area.
The potential impacts to the Alturas Lake Nordic Ski Area from the proposed action was a key consideration within the feedback we received and within our analysis. The fundamental concern was that by establishing a new summer roadway (including a new bridge crossing of Alturas Lake Creek) though the heart of the established non-motorized winter Nordic ski area, even more snowmobile users would be inclined to follow the roadway and illegally penetrate the non-motorized closure. Our qualitative analysis, and my own experience and opinion, agrees. With Alternative 3 this threat is largely absent. Since our enforcement capabilities are not likely to increase in the foreseeable future, this expected impact with Alternative 2, to an established and well-loved winter recreation area, did influence my selection of Alternative 3.

d) **Unauthorized Routes:** Recreation use in the Alturas area relies, in part, on existing, but unauthorized, vehicle routes. By adopting such routes into the managed system, and thus to be shown and recognized on travel maps, visitor uses along such routes could change.
In 2006 we completed an analysis of the transportation networks in the Alturas drainage – both managed roads as well as unauthorized, user created, routes. The analysis provided an understanding of the overall network, and concluded with recommendations regarding each route. Routes that were located in damaging or unsustainable locations, or provided unnecessary or redundant access, were typically recommended for closure and site rehabilitation. However some unauthorized routes were located in durable locations and provided access to established and desirable locations for recreation. Since 2006, following additional NEPA analysis, all (approximately 2.7 miles) those that were recommended for removal and rehabilitation, have been. The need then remained to legitimize those established, but unauthorized, routes that remained, in order to more effectively manage the travel system and enforce travel regulations. As such, I believed it was timely to do so within this closely related analysis.

Nevertheless, there was some concern that the changes proposed to the primary access of Road 207, when combined with the adoption of the unauthorized routes, could change the recreation experiences currently available in the project area. Qualitative analysis of this consideration by my staff agreed that such a change was possible. However, the analysis also acknowledge the untenable current situation for enforcing travel regulations – that is, it is difficult to selectively enforce some regulations in an area where most access is technically illegal and ignored, or, to a degree, even facilitated along the unauthorized routes.

In recent years we have removed 2.7 miles of damaging and/or redundant travel routes within the project area. We have reviewed the 2.3 miles of unauthorized routes that remain, intended for adoption, and found them in generally good condition, in sustainable locations, with little future maintenance needs anticipated. As such, I believe it is a reasonable and effective choice to now manage these routes as part of the travel system. They will provide legal access to established recreation uses, and facilitate more effective enforcement of the general travel regulations. I was also encouraged in this conclusion by the analysis suggesting that, under Alternative 3, the changes to user experiences along the routes may be tempered by the general reduction in the convenience of access to the area. But regardless, I still feel a change in recreation experience along the routes is preferable to maintaining a recreation experience that is facilitated by illegal travel over unauthorized routes.

3. Public Comment

The proposed project has been continually listed in the quarterly Sawtooth National Forest Schedule of Proposed Actions (SOPA) since October, 2010. The SOPA provides the public a list of proposals that are undergoing environmental analysis and is posted at the Forest Service website. In December, 2010, sixty-one information letters were mailed to individuals, organizations, agencies, and area landowners and permittees, describing the action under consideration, and requesting comments. Feedback from staff and the public (25 individuals or organizations) was received. Specific dialogs with groups or individuals occurred through the summer of 2011. Feedback received from all these efforts was reviewed and considered and the proposed action was further refined and clarified, and alternatives and issues for the analysis identified.

The Review Environmental Assessment was distributed for a 30-day Notice of Proposed Action period on January 10, 2012 with notification published in the local newspaper, The Challis Messenger. Copies of the EA were mailed to those individuals who had provided initial comments a year earlier, and a notification letter of the Review EA’s availability were mailed to 55 other
individuals, organizations, agencies, and area landowners and permittees with possible interest in the project. The document was also posted available on the Sawtooth National Forest website. The notification letter highlighted the developments in the action and analysis since initially introduced in 2010. Twenty-three individual responses were received which provided a spectrum of perspectives and opinions. My staff and I carefully reviewed this feedback. The formal consideration and response to these comments is included as Appendix A within the EA.

A fundamental change within the analysis occurred as a result of feedback to our initial proposal in 2010, with the addition of an alternative (Alternative 3). The analysis of this additional alternative compelled my attention as I reviewed it in preparation of our Review EA. Apparently many of those studying the Review EA during the Notice of Proposed Action period had a similar experience. Of the 18 comments to our Review EA that clearly stated or implied a preference, two-thirds (12) favored Alternative 3. Conversely, many of these and others articulated concerns with the proposed action (Alternative 2).

Several common themes carried within the responses, such as a concern with the impacts that might result from implementation of Alternative 2 with regards to motorized incursions into the non-motorized Nordic ski area. A similar number expressed concerns with the potential effects to Alturas Lake Creek and adjacent riparian areas from changes to summer visitor use that would result from the new road and bridge of Alternative 2. It is apparent to me that this area of the Sawtooth NRA is a favorite of many, who know it well, and care about the resource conditions.

Some individual comments also caught my attention, and I spent time giving them careful consideration and discussing with my staff. One comment expressed concerns that the loss of the Road 207 connection between Alturas Lake and the Valley View Recreation Residences under Alternative 3 would require more frequent entry and exiting of Highway 75. As we considered this concern we reviewed again the Highway standards for such intersections, and spoke with local Transportation Department managers. These consultations indicate that these subject intersections are well within the prescribed safety standards, and, in fact, possess favorable site distances for such conditions. No accidents could be recalled by local managers, nor were published in ITD databases. As such, I conclude that, though the hazards associated with the Highway may be different to those along Road 207, the Highway is still considered safe.

Similarly, a comment questioned the prudence of abandoning, under Alternative 3, the secondary fire access/evacuation route provided by Road 207, both for the Alturas Lake complex, as well as for the developments along or off of Road 207. As a result, my staff and I reviewed this consideration with our fire managers. Their careful review again concluded there was no exceptional condition that warrants the need to maintain the connection between the Road 207 and Alturas Road 205. Fuel conditions are highly variable within the area (i.e. patchy forest, sage, and meadows), and the topography is gentle. These conditions (variable fuels, natural fuel breaks, accessible topography, and areas relatively free of fuel) when combined with the two-lane paved road that serves the main Alturas complex, would present many options during a fire emergency.

We also received common feedback throughout the planning process regarding the anticipated cost of implementing the proposed action – relocating Road 207 via a bridge over Alturas Lake Creek (Alternative 2). Cost of implementation is not considered within this level of environmental analysis, but as a manager responsible for the day-to-day condition and maintenance of the facilities and
resources within the Sawtooth NRA, it is a key consideration to me. The site intended for the bridge is the only suitable location for many miles downstream of Alturas Lake. Nevertheless, the single lane bridge necessary was anticipated to have spanned at least 110 feet, and cost in excess of $500,000. Given the importance and sensitivity of the resource conditions within the Cabin Creek wetland, and the access provided by Road 207, for the very long-term, such an investment may have proved warranted if there had been no other option. But, for restoration of the wetland, there was an option that did not require the new bridge and road – Alternative 3. So the question that remained was: did the access convenience provided by the southern connection of Road 207 to Alturas 205 warrant the expense? After carefully considering the developments and uses served, and the minor differences in access convenience, I concluded it did not.

It would appear that most of those providing feedback agreed. Only one of the 18 responses that clearly stated or indicated a preference, preferred Alternative 2. However, five responses of those 18 preferred no change to the existing condition – keep the road as it is, passing through the wetland and over and along Cabin Creek. I considered this perspective while reviewing the analysis and speaking with my staff. I also visited the site again to review first-hand the situation. I found the conditions as described in the EA, chronically impactive to the sensitive resources, deteriorating, and unacceptable. The motivation for such a route through these sensitive areas occurred many decades ago. If not just ill-conceived, it was perhaps assumed that a sufficient quantity of fill would be durable against the energies of an only moderately-sized stream. Many decades and loads of fill later, the road and resources still suffer annually. I believe it is time to reverse this effort and restore the integrity of this unique and complex wetland environment. A wetland will gain considerably for a minor change to the convenience of visitor access.

No group will see more change to their access convenience than the Latter Day Saint Cabin Creek Camp. For this consideration we applied extended effort in order to find and better understand the roles of the various LDS parties involved in the management of the camp, and the intended purposes and uses of the camp. We spoke or corresponded with the local leadership responsible for the camp, as well as with the program manager at the church headquarters in Salt Lake City. We came to understand that the camp is primarily intended for groups of young women. It is not managed for profit, or even routinely collects user fees except at the congregation level. Instead, use of the camp is assigned, for a period of years, to a particular Stake for their use and enjoyment. As such, I expect the change in access convenience will be realized and experienced initially by those who are repeat users of the camp. However, in not so many years, the camp will be reassigned to a new Stake who’s users will not realize how it was, but only how beautiful it is. My hope and expectation is that this same transformation in experience will quickly come to all who use the area.

4. Summary of Decision Rationale

In reaching my decision, I considered the action alternatives, as well as the alternative of taking no action. The purpose and need described for the project accurately reflects current conditions in the area and the need for action. The proposed action would have achieved this purpose, but would have presented several uncertain risks of social and resource impacts, at a substantial public expense. Alternative 3 will address the identified purpose and need with little influence or risk from secondary effects. The difference then between Alternative 3 and the other two alternatives centers on the convenience of access provided by the southern connection of Road 207 with Alturas Road 205. My study of expected effects from this change in convenience without the route found them to be minor –
approximately 10 minutes additional travel time by vehicle from the most distant locations. As such, I believe this minor change in access convenience warrants neither the expense of implementing the new bridge and road of the proposed action, nor to forgo the benefits to the wetland if no action were taken. I have chosen to implement Alternative 3 as described and analyzed in the EA, without modification.

**FINDING OF NO SIGNIFICANT IMPACT**

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

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

**Context**

The setting of this project is in a localized area with implications for only the immediate area. Project implementation will affect the Cabin Creek area in late summer and fall during a one-to-two year period. The public utilizing these areas will be affected temporarily during project construction, and shortly thereafter as they adapt to the new access. The short-or-long-term effects from this project are restricted to a local area and have no widespread importance.

1. **Environmental Impacts**
   This project has no known significant irreversible resource commitments or irretrievable losses of timber production, recreation opportunities, wildlife habitats, or soil productivity. The environmental assessment provides sufficient information to determine that this project would not have any significant adverse impacts. Both beneficial and adverse effects have been taken into consideration when making this determination of no significance.

2. **Public Health and Safety**
   The project activities will comply with all state and federal regulations protecting public health and safety. Public health and safety will improve as a result of implementing Alternative 3 by removing this chronically problematic section of Road 207.

3. **Unique Characteristics of the Area**
   The selected alternative will not create significant effects on unique characteristics of the Sawtooth National Recreation Area such as historic or cultural resources, parklands, prime farmlands, wetlands, floodplains, wild and scenic rivers, wilderness areas or ecologically critical areas. No loss of significant scientific, cultural, or historical resources is foreseen. Implementation of Alternative 3 will
not negatively affect the Sawtooth Wilderness. Project effects to area wetlands and floodplains were determined to be limited in both extent and duration. Alternative 3 will not impact the eligibility of any stream segment considered for Wild & Scenic River status within the project area.

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

5. Uncertainty
The effects analysis in the EA show the effects are not highly uncertain, and do not involve unique or unknown risks. Road removal is a routine Forest Service activity. The activity is well known and effects are understood.

6. Precedent
I find the implementation of the selected alternative does not establish a precedent for future actions with significant effects. These actions do not represent a decision in principle about a future consideration.

7. Cumulative Effects
The Selected Alternative was evaluated in the context of other past, present, and reasonably foreseeable actions. When considering other activities within the area affected, the cumulative effects of implementing the selected alternative are anticipated to be minor. This action does not result in cumulatively significant effects.

8. Properties on or eligible for the National Register of Historic Places
The Selected Alternative will have no adverse effect on districts, sites, highways, structures, or objects listed or eligible for listing in the National Register of Historic places. The State Historic Preservation Office concurred with these findings. (Project Record)

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

10. Environmental Law Compliance
The action will not violate Federal, State or local laws or requirements for the protection of the environment.
Findings Required by Other Laws and Regulations

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

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

Travel Management 36 CFR, Chapter 212 (2005) – Changes to the Motor Vehicle Use Map (MVUM) must consider general and specific criteria, and include an appropriate amount of public involvement. All criteria has been considered as required, and public involvement was invited as part of the NEPA process. The travel management changes that will be implemented as a result of this decision are consistent with 36 CFR 212.

Migratory Bird Treaty Act (Executive Order 13186) – This Order requires federal agencies to avoid or minimize adverse impacts on migratory bird resources, and ensure that environmental analyses of federal actions required by the National Environmental Policy Act evaluate the effects of actions and agency plans on migratory birds. The potential project impacts were evaluated within the wildlife specialist report in the Project Record. The decision is in compliance with direction to protect migratory birds.

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

Wetlands Executive Order 11990 – This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands. In compliance with this order, Forest Service direction requires that an analysis be completed to determine whether adverse impacts would result. Based on the analysis contained within the project record, implementing Alternative 3 complies with EO 11990 by maintaining and restoring wetland conditions.

Floodplains Executive Order 11988 – This order requires the Forest Service to provide leadership and to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize impacts of floods on human safety, health, and welfare, and (3) restore and preserve the natural and beneficial values served by floodplains. The selected alternative complies with EO 11998 by maintaining and improving floodplain integrity.

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

**Administrative Review (Appeal) Opportunities**

Those who provided comments during the formal 30-day Notice of Proposed Action comment period for this project may be eligible to appeal the decision under the 36 CFR 215 regulations.

Appeals must meet the content requirements of 36 CFR 215.14. Only individuals or organizations who submitted comments or otherwise expressed interest in the project during the 30-day formal comment period may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of the legal notice of this decision in *The Challis Messenger* newspaper based in Challis, Idaho. The publication date in *The Challis Messenger* is the exclusive means for calculating the appeal period. You should not rely upon dates or timeframe information provided by any other source.

The Appeal Deciding Officer is the Sawtooth Forest Supervisor. Appeals must be sent to: Appeal Deciding Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to 801-625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (rtf), Word (doc) or portable document format (pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

**Implementation Date**

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15 business day following the date of the last appeal disposition.

**Contact Person**

For additional information concerning this decision contact:
Mark Moulton, Sawtooth National Recreation Area,
5 North Fork Canyon Road, Ketchum, ID 83340  (208) 727-5000

**Responsible Official**

I am delegated the authority and am the Responsible Official for the decision outlined in this Decision Notice. Based on the project record, the EA, and the above, I find that there are no significant impacts, and therefore an environmental impact statement will not be prepared.

Barbara A. Garcia
Sawtooth National Recreation Area Deputy Ranger

May 21, 2012

Decision Notice/FONSI
Cabin Creek Road 207 Realignment and Reconstruction, Sawtooth NRA