

DECISION MEMO
Pierce Creek Bridge and Joy Lane Crossing Project

Mountain Home Ranger District
Boise National Forest
Elmore County, Idaho



Project Description

The purpose of this project is to restore the hydrologic function of Pierce Creek at the stream crossing with National Forest System (NFS) Road 121 and the unnamed tributary stream of the South Fork Boise River at the stream crossing at NFS road 165. Additionally, this project would restore aquatic organism passage (AOP) at the Pierce Creek/NFS Road 121 stream crossing in order to facilitate movement of fish up Pierce Creek from the South Fork Boise River. The need for this project is four-fold; 1) Fine sediment in the South Fork Boise River is contributing to declining aquatic habitat conditions, 2) Sediment delivery to the South Fork Boise River is negatively impacting water quality, as illustrated by the State of Idaho 2008 Integrated Report Section 5 listing, i.e. 303(d) listing, of Pierce Creek (Water body ID 17050113SW004_02) for "Not Supporting Cold Water Biota and Salmonid Spawning beneficial uses. The pollutant of concerns is listed as sedimentation/siltation (State of Idaho, Department of Environmental Quality, 2009), 3) The existing culverts are retarding the ability for the stream system to move bedload material and thereby increasing the risk for culvert/road failure, and 4) The existing culverts are AOP barriers preventing fish and other aquatic organisms movement upstream .

This project would replace the culvert at the Pierce Creek/NFS Road 121 (South Fork Boise River Road) stream crossing, which is an AOP barrier, with a pre-cast single span concrete bridge. Replacing the AOP barrier would provide unimpeded fish access to an additional three miles of upstream habitat in Pierce Creek, an important tributary to the South Fork Boise River. In addition, this project would replace a failing culvert at the stream crossing of an unnamed tributary of the South Fork Boise River and NFS road 165, commonly known as Joy Lane, with a hardened ford stream crossing and a sediment basin.

Decision: It is my decision to replace the Pierce Creek Culvert with an open-bottom structure to provide aquatic organism passage and restore hydrologic function at NFS road 121 and to replace the existing culvert at NFS Road 165 (Joy Lane) with a hardened crossing and sediment basin to restore hydrologic function. The following project design features/mitigation measures will be included during project implementation:

- Mitigations identified in Programmatic BA and BO for culvert replacement project and the BA Addendum and USFWS Letter of Concurrence for bull trout critical habitat (Project File).
- If any cultural materials are encountered during the course of project implementation, all ground disturbing activities in the immediate vicinity would cease until a qualified archaeologist is consulted;
- An additional botanical survey for rare plants will be completed at the project site in the late spring/early summer 2011. If any rare plants are identified during the survey and mitigation measures are needed, they would be developed in conjunction with the interdisciplinary team.
- On-site vegetation and soil would be stockpiled and used for site rehabilitation in order to retain native seed, plant propagates/live plant materials and soil microorganisms, where possible. If supplemental vegetative materials for site rehabilitation, the mix of species, quality, and quantity of materials would be specified by the Forest or District Botanist.
- Project Site would be evaluated for noxious weeds and treated, as necessary, prior to project implementation.
- Any off site areas to be used for material acquisition/disposal/storage should be identified and treated for weeds prior to use.

- Approved travel corridors and parking areas for construction equipment /vehicles will be identified prior to project implementation to decrease the probability of weed spread.
- All earth-disturbing, construction, and road maintenance equipment will be cleaned to remove all plant parts, and material that may carry noxious weed seeds, prior to entry onto the Forest or movement from one part of the Forest to another.

Based upon the analysis summarized below, I have determined that there are no "extraordinary circumstances" associated with this project that would warrant further analysis and documentation in an EA or in an EIS (36 CFR 220.6 (b)). My conclusion is based on 1) the low risk of environmental impact associated with the proposed activities with implementation of the prescribed mitigation measures and 2) the expected benefits to hydrologic and aquatic resources following implementation of this project. Supporting interdisciplinary documentation of these findings is located in the project file located at the Mountain Home Ranger District.

DECISION RATIONALE

Finding of No Extraordinary Circumstances.

The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects, which may significantly affect the environment. A summary of findings relative to the seven resource conditions defined in 36 CFR §220.6 (a) is provided below.

a) **Federally-listed threatened or endangered or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species (TES species).**

The Proposed action has been analyzed to determine effects on TES wildlife, fish, and plant species, as required under the Endangered Species Act of 1973.

The Biological Assessment (BA) and Programmatic Concurrence and Biological Opinion (BO) (2006-F-0206) for Stream Crossing Structure Replacement and Removal Activities Affecting ESA-listed Species in Idaho National Forests (Payette, Boise, Sawtooth, Salmon-Challis, Nez Perce, and Clearwater National Forests) and Idaho/Nevada Bureau of Land Management Public Lands in Challis, Cottonwood, Coeur d'Alene, Four Rivers, Jarbidge, Salmon, and Upper Snake Field Offices was used for this project. The required Culvert BA Section 7 Pre-Project Checklist, engineering designs, project mitigation checklist, and spill containment plan were presented to the U.S. Fish and Wildlife Service on December 15, 2010. Project Mitigations required by the programmatic BA and BO are outlined in the project mitigation checklist located in the project file. Since the completion of the BA and BO listed above in 2006, bull trout (*Salvelinus confluentus*) critical habitat has been designated by USDI, Fish and Wildlife Service (USFWS). An addendum to the BA was prepared to address bull trout critical habitat indicating that the proposed activities **May Effect but are Not Likely to Adversely Affect** designated critical habitat for bull trout. A letter of concurrence (File 14420 2011-I-0055) for this project was received from USFWS on February 4, 2011.

There are no known rare plant populations in the immediate project area however there may be suitable habitat or undocumented populations in or near the project area associated with Riparian Conservation Areas (RCAs) and/or non-forested vegetation types such as aspen. No effect is anticipated to the threatened Ute ladies'-tresses (*Spiranthes diluvialis*) given the proximity of the project to the nearest known population of the species and the habitat conditions within the project area. No effect to the proposed endangered plant species, slickspot peppergrass (*Lepidium papilliferum*) or its potential habitat is anticipated with implementation of this project since it is unlikely habitat for this species exists in the project area. This project may impact individuals of slender moonwort (*Botrychium lineare*), but is not likely to cause a trend toward Federal Listing or loss of viability. No impacts are anticipated for individuals or potential habitat for other Sensitive plant species (Pierce Creek Bridge/Joy Lane Botanical Specialist Report and Biological Evaluation in Project File). An additional botanical survey for rare plants would be completed in the area of proposed disturbance in the late spring/early summer 2011. If any rare plants are identified during the survey and mitigation measures are needed, they would be developed in conjunction with the interdisciplinary team.

- b) **Floodplains, wetlands, or municipal watersheds.** The proposed action was evaluated and no concerns were noted for floodplains, wetlands, and/or municipal watersheds.
- c) **Congressionally designated area such as wilderness, wilderness study areas, or national recreation areas (NRAs).** There are no congressionally designated areas within or adjacent to the project area and thereby no effects would be expected with implementation of this project. However, the project is located in a corridor of the South Fork Boise River eligible for Wild and Scenic River designation under the recreation classification. It is anticipated that implementation of this project would maintain the characteristics for the assigned recreation classification, preserve the outstanding resource values (ORVs) of recreation, hydrology, and heritage, and the free flowing status of the eligible segment since the existing stream crossings will be replaced with new stream crossings that improve hydrologic function and provide aquatic organism passage.
- d) **Inventoried Roadless Areas (IRAs).** This project is not located in an IRA but is located adjacent to the House Mountain IRA. No project activities are proposed within the House Mountain IRA therefore this project would not affect IRAs.
- e) **Research natural area (RNAs).** The project is not situated near, nor does it contain any RNAs. Therefore, there would be no effect to RNAs with implementation of this project.
- f) **American Indian or Alaska Native religious or cultural sites.** The project area does not contain any known American Indian religious or cultural sites. Therefore, no effects to American Indian, Alaska Native religious or cultural sites are expected.
- g) **Archaeological sites or historic properties or areas.** A cultural resource survey and overview have been completed and is part of the Project File. The report of findings was sent to the State Historic Preservation Office (SHPO) and they agreed with the finding of *No Adverse Effect* to cultural resources. However, if any cultural resources are discovered during project implementation, all ground disturbing activities in the immediate vicinity will cease until a qualified archaeologist is consulted.

Applicable Category

The Chief of the Forest Service has identified specific actions that may be categorical excluded from documentation in an environmental assessment (EA) or environmental impact statement (EIS), if the proposed action fits one of the categories (36 CFR 220.6 (a)) and if no extraordinary circumstances exist related to the Proposed action (36 CFR 220.6 (b)). The proposed action qualifies for this exclusion under 36 CFR §2206.6 (e) (7).

"Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices."

The proposed action meets requirements for exclusion from documentation in an EIS or EA, but does require a Project File and Decision Memo (36 CFR §220.6 (e)).

Public Involvement

A proposal for the Pierce Creek and Joy Lane Crossing Project was listed in the Boise National Forest Schedule of Proposed Actions for January 2011. Internal scoping found no concerns with the project. External scoping was conducted with letters to Mountain Home Highway District and a private landowner near the project area.

Findings Required by Other Laws

As proposed, this project is consistent with all laws affecting National Forest management, including the National Forest Management Act, the Endangered Species Act, the Clean Air Act, the Clean Water Act, the American Antiquities Act, and the Idaho Forest Practices Act. There will be no adverse effects on health, human safety, consumers, minorities, civil rights, American Indian rights, or women.

This decision is consistent with the Boise National Forest Land and Resource Management Plan (BNF LRMP, 2003) as required by the National Forest Management Act. Further, the project is consistent with

all laws affecting National Forest management including the National Forest Management Act (1976), the Endangered Species Act (1973), the Clean Air Act (1970), the Clean Water Act (1970), the American Antiquities Act (1906), and the Idaho Forest Practices Act (1974). There will be no adverse effects on health, human safety, consumers, minorities, civil rights, American Indian rights, or women. A project file containing supporting documents for this Decision Memo is maintained at the Mountain Home Ranger District of the Boise National Forest.

Implementation Date

The project is expected to be implemented in late 2011 or 2012.

Administrative Review and Appeal Opportunity

This project is non-appealable, as outlined in 36 CFR 215.12(f).

Contact Person

For further information, contact Casey Watson, Fish Biologist, at the address below or telephone (208) 392-6681.

Stephaney M. Church

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March 2nd, 2011

Date

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