

Chapter 1: Proposed Action/Purpose & Need

1.1 Introduction:

The Forest Service has prepared this Environmental Assessment in compliance with the National Environmental Policy Act (NEPA) and other relevant Federal and State laws and regulations. This EA discloses the direct, indirect, and cumulative environmental impacts that would result from the proposed action and alternatives. The EA is not a decision document. It documents the analysis of potential effects of the proposed action and alternatives.

This EA is tiered to and supplements the analysis in the Final Environmental Impact Statement (FEIS) prepared for the Bridger-Teton National Forest Land and Resource Management Plan (1990), hereafter referred to as the Forest Plan. The Forest Plan guides management of the Bridger-Teton National Forest.

1.2 Document Structure: This document is organized into four sections as follows:

- **Chapter 1: Proposed Action/Purpose & Need:** This section includes information on the development of the initial and modified project proposals, the purpose of and need for the project, the agency's initial proposal for achieving the purpose and need. This section also identifies the primary issues, developed from scoping and Interdisciplinary Team input, to be considered when analyzing the effects, positive and negative, that may occur as a result of implementation of the various alternatives. Details regarding how the Forest Service informed the public of the initial and modified proposed actions and how the public responded are also included in Chapter 1 of this assessment.
- **Chapter 2: Alternatives, Including the Initial Proposed Action and Modified Proposed Action:** This section provides a more detailed description of the agency's initial proposed action and modified proposed actions designed to achieve the stated purpose. The Modified Proposed Action (Alternative 3) was developed by the Interdisciplinary Team (IDT) based on input received by the public and other agencies through initial scoping. As required by National Environmental Policy Act (NEPA) regulations, a "No-Action" alternative is also identified in this chapter and analyzed within this document. This chapter also includes mitigation measures developed for the action alternatives.
- **Chapter 3: Affected Environment & Environmental Effects:** This section describes the existing conditions and environmental effects of implementing the no-action alternative, the initial proposed action, and the modified action alternative. This chapter is organized by resource area and considers effects primarily related to the issues identified in Chapter 1. Within each section, the affected (existing) environment is described first, followed by the effects of the No-Action Alternative that provides a baseline for evaluation and comparison of the two action alternatives that follow. This section also contains a synopsis of cumulative effects considered in the analysis and a summary table of the environmental effects, positive or negative, associated with each alternative.
- **Appendices:** The appendices provide detailed information to support the analyses presented in the environmental assessment, including a list of preparers and agencies consulted during the development of the environmental assessment.

1.3 Background

The Fremont Lake Recreation Enhancement Project was initiated in 2006 by an interdisciplinary team (IDT) of resource specialists (see Appendix A). The IDT team analyzed resource and social conditions within the Fremont Lake project area associated with recreation use and support facilities, compared these conditions to Forest Plan Desired Future Conditions (DFC's), and developed the initial Proposed Action based on that assessment.

Over the past 50 years, the Forest Service has produced several recreation management plans and environmental assessments for the Fremont Lake area, some of which have been fully or partially implemented, some of which were not implemented for various reasons, and others which have provided basic management direction only. Many of these previous plans and assessments were reviewed by the IDT and were considered in developing the current proposed action and alternatives.

1.4 Project Location

The project area consists of National Forest System Lands within the Fremont Lake area, beginning approximately three miles northeast of Pinedale, Wyoming in Sublette County, Wyoming. Extending approximately 12 miles long, 0.5 to 1 mile wide, and 608 feet deep, Fremont Lake is the seventh deepest natural lake in the coterminous United States (Rickert and Leopold, 1972). The Fremont Lake Watershed is approximately 76 square miles in size, with most of this watershed occurring within the Bridger Wilderness. The project area is described in the attached **Vicinity Map and Analysis Area Map**.

The Project is divided into four areas as follows:

A. Fremont Lake Campground:

The Fremont Lake Campground is located approximately 6.5 miles north of Pinedale on the eastern side of Fremont Lake.

B. Sandy Beach Swim & Picnic Area:

The Sandy Beach Swim & Picnic Area is located approximately 3.5 miles north of Pinedale Wyoming, on the southeastern shore of Fremont Lake.

C. Fremont Lake Boat Sites:

There are two public boat sites located on Fremont Lake, known as the Lower and Upper Fremont Lake Boat Sites. The Lower Boat Site is located approximately 3.5 miles northwest of Pinedale on the southwestern shore of Fremont Lake. The Upper Boat Site is located approximately 6.5 miles north of Pinedale on the eastern shore of the lake. There are several privately operated boat sites on the lake, and these are discussed in further detail within Chapter 3.1 of this document

D. General Fremont Lake Area:

The General Fremont Lake Area contains the remaining portion of the analysis area, including the Stewart Flat/Pine Creek dispersed area and CCC Ponds Interpretive Site, located south of Fremont Lake, the Sylvan Bay Day-Use Site on the eastern shore of Fremont Lake, the Fremont Lake and Sylvan Bay Recreation Residence Tracts, and the State-groomed Cross-Country Ski Trails located in the Fremont Lake and Skyline Drive areas.

SEE VICINITY MAP (Attached)

SEE ANALYSIS AREA MAP (Attached)

1.5 Purpose & Need for Action

The purpose of the Proposed Action and Modified Proposed Action is not to encourage increased visitor use within this recreation complex but to improve existing facilities and increase the efficiency of recreation management operations within the Fremont Lake area to better serve the recreating public and protect natural resources in this area. These actions respond to goals and objectives outlined in the 1990 Bridger-Teton National Forest Land and Resource Management Plan and help move the project area towards desired conditions described in that plan.

The primary purpose of the Proposed Action & Modified Proposed Action is to:

1. Address Health & Safety issues;
 2. Enhance water quality protection measures for the Fremont Lake Municipal Watershed;
 3. Ensure that Forest Service developments fit the landscape niche; and
 4. Provide quality facilities for the appropriate scale of visitor use.
- Inadequate facility design and unmanaged, or inadequately managed, recreation use are adversely affecting resource conditions, including health and safety, in developed and dispersed sites within the Fremont Lake area.
 - Fremont Lake serves as the unfiltered municipal drinking water source for the Town of Pinedale. Design improvements are needed in some of the existing developed sites located adjacent to Fremont Lake to reduce the potential for water quality impairment to Fremont Lake.
 - Current developed sites lack a common theme and do not fit with the landscape, which detracts from the quality of the visitor experience and adds complexity to facility upkeep.
 - The current paved access roads and parking sites within the project area have deteriorated and unimproved roads are leading to resource concerns.
 - Many of the existing facilities within various developed sites at Fremont Lake are no longer serviceable and in need of replacement, reconstruction, or removal. In addition, the design for the majority of developed sites within this area is obsolete, including trailer parking pad size and configuration, boat ramp and vault toilet design.

1.6 Proposed Action

The Initial Proposed Action and Modified Proposed Action include a series of projects designed to improve existing resource and social conditions within the Fremont Lake Analysis Area, including upgrading of existing developed recreation facilities, road improvements, implementation or modification of dispersed camping and campfire regulations, and motorized travel management modifications. The initial action proposed by the Forest Service to meet the purpose and need is as follows:

A. Fremont Lake Campground:

1. Replace and relocate **vault toilets** to better serve campground visitors, meet ADA standards, and improve maintenance efficiency.
2. Redesign and provide adequate surfacing for **50 to 55 RV and trailer campsites**; provide pull-through parking pads and redesign some existing campsites to better accommodate small group/multiple family use where practical.
3. **Add one 70-person group site** (or two 35 unit group sites) within the existing campground.

4. Realign, widen, and resurface **access roads** throughout the campground; add walking/bicycling lane along main road within campground.
5. **Replace several campsites near shoreline with day-use parking sites** to improve registered camper access to shoreline in central and northern portions of campground; relocate former campsites to new locations within campground.
6. Replace **picnic tables and fire grills** to meet ADA standards.
7. Widen access road within campground to Upper Fremont Lake Boat Site to accommodate **two-way traffic**.
8. **Reconstruct fee sites** to provide adequate pull-out space.
9. **Provide hiking trails throughout campground** to access toilets and lakeshore.

B. Sandy Beach Swim & Picnic Area:

(Note: All structures within this site will be designed to achieve a CCC-era theme):

1. Decommission, fill and seed existing **Swim Area parking lot**; resurface lower picnic area parking lot; enlarge upper (northern) picnic area parking lot to accommodate the day-use reservation fee group site.
2. Replace and move **vault toilet serving Swim Area** near lower Picnic Area parking lot site.
3. **Remove excess picnic sites** at north end of Picnic Area and move the existing day-use, reservation group site further from shoreline and closer to the parking area.
4. Replace **Picnic Area vault toilet**.
5. Replace **picnic tables and pedestal grills**; all to meet ADA standards.
6. Provide **surfaced (gravel or paved) trails** within Picnic and Swim areas to meet ADA standards.
7. Retain and reconstruct **CCC-era stoves** within Picnic Area pending SHPO (State Historic Preservation Office) clearance.

C. Fremont Lake Boat Sites:

1. Construct **rock breakwater at Lower Fremont Boat Site** to protect boat dock and improve functionality at this site; breakwater to also serve as fishing pier and to assist in directing boaters away from Town of Pinedale water intake site at southwest end of Fremont Lake.
2. **Redesign parking areas, ramp, and fishing pier** at Upper Fremont Boat Site to accommodate appropriate scale of use while considering landscape and resource limitations; **prohibit overnight parking for trailers, boats, and vehicles** and consider **charging a day-use fee** for non-registered campers at this site to help address limited parking issues and offset maintenance fees.
3. **Resurface parking areas** at both sites (gravel or pavement).
4. Construct **ADA compliant approaches** to Upper and Lower Boat Site docks and toilets.
5. Provide **adequate drainage structures** at both sites.
6. Provide **adequate visual screening** for vault toilet, Town of Pinedale water treatment structures, and Recreation Residence at Lower Fremont Lake Boat Site.
7. Remove and/or consolidate existing **boat docks** within Fremont Lake Recreation Residence Tract to address visual concerns for Fremont Lake.

D. General Fremont Lake Area:

1. Implement a Special Order **prohibiting dispersed camping within 200 feet** of Fremont Lake to protect water quality.
2. **Mill up and resurface** Forest Roads 740 and 747 with gravel or pavement.
3. Locate and utilize **fill sites** for various road improvements.
4. Implement a **sign plan** throughout the Fremont Lake Recreation Complex; emphasize unique historic and geologic themes and provide adequate information, in coordination with the Town of Pinedale, emphasizing the need to protect this municipal watershed.
5. Accomplish mechanical or Wildland Fire Use treatment on east side of Fremont Ridge to reduce visual impacts from previous prescribed burns and end abruptly along existing fence lines.
6. Construct **cross country ski trail** from Fremont Lake Road #741 to Skyline Drive Road #740 along **existing powerline/phone line**.
7. **Prohibit snowmobile use** on all groomed cross-country ski trails, as presently mapped, within the Skyline Drive and Fremont Lake areas.
8. Convert the entire **Stuart Flat/Pine Creek Dispersed Area to a day-use** site to address sanitation and other resource issues; prohibit overnight camping in this area year-long.
9. **Remove and rehabilitate all motorized roads within the Stewart Flat/Pine Creek** area except the access road to the CCC Ponds, Fremont Lake Dam, Lower Fremont Lake Boat Site, Lakeside Lodge, and Fremont Lake South Recreation Residence Tract. Prohibit snowmobile use in Stewart Flat/Pine Creek area year-long.
10. Establish a series of non-motorized **interpretive trails**, including a paved accessible/bike path from CCC ponds to Fremont Lake Dam and Lower Fremont Lake Boat Site parking area. Continue to provide groomed cross country ski trails in winter with grooming timed to prevent impacts to wildlife.
11. Create a **canoe/kayak access site** above Fremont Lake Dam parking area along Pine Creek.
12. Continue to manage the **Sylvan Bay Site as a day-use site** with campfire prohibition; convert to hiking access from campground and boating access only; **gate road to eliminate roaded access** except for maintenance purposes.
13. **Replace vault toilet** at Sylvan Bay to meet ADA standards.

1.7 Management Direction

1.7.1 Forest Plan Direction

The 1990 Bridger-Teton National Forest Land and Resource Management Plan (Forest Plan), provides long-term direction for managing National Forest lands contained within the Bridger-Teton National Forest. The Forest Plan divides the Forest into geographically delineated Desired Condition Classes (DFC's), based on similar topography, land and resources. Each DFC has its own management direction, standards and guidelines, which are designed to meet current and future resource objectives. More detailed DFC descriptions are found in Appendix C of this document, and within Chapter IV of the Forest Plan.

1.7.1 Forest Plan Goals and Objectives which apply to this project include:

Goal 1.3 - Water quantity and quality are retained or improved for local users.

- Objective 1.3(a) - Protect municipal, agricultural, and other potable water supplies and ensure that management activities do not cause a deterioration in water flow timing, quality, or quantity.
- Objective 1.3(b) - Meet or exceed current State water quality standards and National Forest service water quality goals.

Goal 2.2 – Adequate habitat for wildlife, fish, and edible vegetation to help meet human food needs is preserved.

- Objective 2.1(a) Provide suitable and adequate habitat to support the game and fish populations established by the WGFD as agreed to by the Forest Service.

Goal 2.2 - High quality developed recreation opportunities exist to serve BTNF visitors.

- Objective 2.2(a) - Retain, improve, and add dispersed recreation opportunities.
- Objective 2.2(b) - Design facilities for people of all ages and abilities.

Goal 2.3 - High-quality dispersed recreation opportunities exist to serve Bridger-Teton National Forest visitors.

- Objectives: 2.3(a) - Retain, improve, and add dispersed recreation opportunities.

Goal 2.5 - A safe road and trail system provides access to a range of recreation opportunities and settings.

- Objective 2.5(d) - Retain, improve, and add trails for foot, riding stock, llama and mountain bike travel.

Goal 2.8 - Cultural resource information is available and displayed for the public.

- Objective 2.8(a) - Study and interpret historic and prehistoric cultural resources for the public.

Goal 4.1 - Road management preserves wildlife security, soil, visual resource, and water quality values.

SEE DFC MAP (Attached)

- Objective 4.1(a) - Minimize new road building and downgrade or close existing roads and motorized access trails to maintain or increase wildlife security.
- Objective 4.1(b) - Design roads and structures to retain soil, visual resource, and water quality values.

Goal 4.3 – Overall diversity of riparian habitats within the Bridger-Teton National Forest are enhanced.

- Objective 4.3(a) - Provide for vegetative species and age diversity, genetic quality, and forest appearance.
- Objective 4.3(b) - Provide for diverse habitats to ensure viable populations of management indicator species.
- Objective 4.3(c) - Protect and rehabilitate riparian areas to retain and improve their value for fisheries, aquatic habitat, wildlife, and water quality.

Goal 4.5 - A natural or slightly modified appearance for trails and concentrated dispersed recreation areas is achieved and areas are capable of sustaining human use without unacceptable resource loss or jeopardy to human health and safety.

- Objective 4.5(a) - Close, reconstruct, or relocate trails.
- Objective 4.5(b) - Close, rehabilitate, or relocate concentrated dispersed campsites, or make developed improvement to protect basic resources.

Goal 4.6 - The wilderness character of Congressionally designated Wildernesses is retained or regained.

- Objective 4.6(a) -- Retain and, where necessary, restore high-quality wilderness environments.

Goal 4.9 - Cultural resource values are preserved.

- Objective 4.9(a) - Find and protect cultural resources so that their scientific, historic, and social values are retained.

1.7.2 Desired Future Conditions within the Analysis Area

The analysis area includes DFC 2A, 2B, 6, 9A, 9B, and 12. All recreation facility construction proposals within this assessment are located with DFC 9A. Several proposed trails are located within DFC 2B and DFC 9B. No projects are proposed within DFC 2B, 6, or 12.

DFC 9A - Developed and Administrative Sites

DFC 9A Theme: An area managed for campgrounds, other noncommercial areas, and Forest Service administrative sites, including related roads and sites.

DFC 9A Management Emphasis: The management emphasis is on existing and proposed developed recreation sites and Forest Service administrative sites: campgrounds, picnic grounds, trailheads, visitor information centers, water-related recreation facilities and concentrated use areas in Roaded Natural areas. (see Objectives 2.2 (a) and 2.2 (b))

DFC 4 – Special Emphasis Area for Municipal Water Supply

The Forest Plan includes DFC 4 for municipal water supply protection (BTNF Forest Plan, pages 179-182). This DFC was not applied to the Fremont Lake Municipal Water Supply during the development of the Forest Plan and it is unclear why the Forest Plan did not formally recognize this watershed as a municipal water supply. Steps have been taken to address this situation through Forest Plan Revision.

Although the Fremont Lake Municipal Water Supply is not officially recognized in the current Forest Plan, the Forest continues to actively work with the Town of Pinedale, EPA, DEQ, Sublette County Sanitation Office, and many other agencies to assist in the management and protection of Fremont Lake's water quality. A Watershed Control Plan and Memorandum of Understanding have been developed between the Town of Pinedale and US Forest Service to further address water quality retention for Fremont Lake. This topic is further discussed in Section 3.7 – Water Quality.

1.7.3 Additional Agency Responsibilities & Direction:

U.S. Environmental Protection Agency: The EPA is responsible for regulating municipal water supplies under the Safe Drinking Water Act. Under this Act, the EPA has developed standards and regulations that apply to small municipal water systems (under 10,000 people served). The Town of Pinedale is directly regulated by the EPA Region VIII Office in Denver, Colorado.

Surface Water Treatment Rule (40 CFR Part 141, Subpart H): Under this rule, the Town of Pinedale is required to meet a specific chlorine contact time.

EPA Filtration Avoidance Criteria: The EPA normally requires municipalities to filter their drinking water unless they can demonstrate compliance with the filtration avoidance criteria. The Town must ensure that contaminants such as fecal matter, coliform, bacteria, hydrocarbons, and other contaminants are within federal standards. Testing of Fremont Lake by the Town has confirmed that the water is a high quality that conforms to EPA source water quality requirements for unfiltered water supplies.

Watershed Management Control Plan: The Forest Service and Town of Pinedale have signed a Memorandum of Understanding which requires the implementation of practices to monitor and minimize the potential for contamination to Fremont Lake. Sublette County is responsible for permitting and inspecting all small wastewater facilities within the watershed to ensure proper construction and compliance with the Control Plan. A copy of the 2005 Memorandum of Understanding is included in Appendix G of this document. The Watershed Management Control Plan is located within the Project Record.

Wyoming Department of Environmental Quality (DEQ): The Wyoming DEQ is responsible for administering Section 405 of the Water Quality Act of 1987 and Section 402(p) of the Clean Water Act. The EPA has established best management practices (BMPS) for controlling offsite sedimentation from construction activities. WY DEQ is responsible for enforcing federal storm water pollution prevention regulations. The goals of a Storm Water Pollution Prevention Plan (SWPPP) are to 1) divert water flowing from upslope areas around disturbed soils; 2) limit

exposure of disturbed soils to the shortest duration; and 3) remove sediment from runoff before it leaves the site and before it enters drainages. The Wyoming DEQ is also responsible for administration of the Clean Air Act. Construction activities, including site preparation and clearing, must be in accordance with the Clean Air Act.

Floodplains, Wetlands, and Streams: The US Army Corps of Engineers regulates the discharge of dredged or fill materials related to construction in waters of the United States, which includes adjacent wetlands according to Section 404 of the Clean Water Act (33 CFR 323.1). The Army Corps has issued nationwide permits for specific categories of activities that are substantially similar and cause minimal environmental impacts. The Army Corps is responsible for determining which actions fit under nationwide permit status and which actions require further review and authorization.

Cultural Resource Protection Regulations: The National Historic Preservation Act of 1966, as Amended, the Archeological Resource Protection Act of 1979, and the Antiquities Act of 1906 apply to management of cultural resources on federal lands. Compliance with these regulations is required prior to approval of actions. Avoidance of archeological and historic sites is the preferred method of compliance. The Forest Service program for compliance with these acts includes locating, inventorying, and nominating all cultural sites that may be directly or indirectly affected by scheduled activities.

US Fish & Wildlife Service: The USF&W is responsible for ensuring compliance with the **Threatened & Endangered Species (Endangered Species) Act of 1973**. A Biological Assessment on the potential impacts of this project on both listed and proposed threatened and endangered species must be prepared prior to implementation of this project. The US Fish & Wildlife Service must concur with results of this assessment if the Forest Service determines that a project may affect a population of listed species.

1.8 Decision Framework

The Pinedale District Ranger is the official responsible for deciding whether or not to approve all or part of the Fremont Lake Recreation Enhancement Project. Upon review of the purpose and need, effects analysis, and public response to this EA, the deciding official will decide which, if any, actions will be approved in a Decision Notice.

1.9 Public Involvement

The Initial Proposed Action was listed in the Bridger-Teton National Forest Schedule of Proposed Actions in 2007 and 2008. The initial proposal was provided to the public and other agencies for comment during scoping on December 13, 2007. Thirty-two written comments were received during that period. An Interdisciplinary Team developed a final list of issues and developed a modified proposed action in response to information received from the public through scoping of the initial proposed action. The Modified Proposed Action was submitted to the public and other agencies for comment on February 25, 2009. Twenty-two comments were received from this mailing and these comments are incorporated into the Project Record, located at the Pinedale Ranger District.

1.10 Issues

Issues serve to highlight effects or unintended consequences that may occur from the proposed and modified action, giving opportunities during the analysis to reduce adverse effects and compare trade-offs for the decision maker and public to understand.

The responsible official approved the following seven issues to be analyzed in depth by the Interdisciplinary Team in this environmental analysis.

1. **Water Quality:** Fremont Lake serves as the unfiltered drinking water source for the Town of Pinedale. In addition, Fremont Lake is a popular site for boating, fishing, and swimming. Projects located within the Fremont Lake watershed should be designed to protect the water quality of Fremont Lake, particularly in the vicinity of the Town of Pinedale water intake.
2. **Cultural Resources:** Historic and prehistoric sites are documented within the Fremont Lake area. Projects located within this analysis area should be designed to avoid historic properties and to protect sites from indirect effects that may result from concentrated public use and erosion of land surfaces.
3. **Visual Quality:** The aesthetic value of Fremont Lake, from the shoreline as well as on the lake, is important to protect. Facilities within the analysis area should be designed to be rustic but high quality and blend with the natural landscape to minimize visual impacts.
4. **Mule Deer Migration Corridor:** The area directly south of Fremont Lake serves as part of a critical mule deer migration corridor for the Sublette Mule Deer Herd. Projects, activities, and events within this analysis area should be designed to minimize impacts to mule deer during their spring and fall migration periods.
5. **Moose Crucial Winter Range:** A portion of the analysis area serves as crucial winter range for the Sublette Moose Herd. Projects, activities, and events within this analysis area should be designed to minimize impacts to winter range habitat and wintering moose.
6. **Unmanaged Recreation Use:** Recreation use at Fremont Lake lacks a coordinated management approach, which adversely affects resource conditions and detracts from the overall quality of the visitor experience at Fremont Lake. Recreation use within the analysis area should be managed as a whole, with adequate public information and enforcement designed to maximize resource protection and provide a high quality visitor experience.
7. **Facility Condition:** Developed facilities within the analysis area are in poor condition, lack a common theme, do not meet Health and Safety and Americans with Disabilities Act (ADA) requirements, and are difficult to maintain in their present condition. Facilities within the analysis area should be designed to serve the appropriate scale of visitor use, meet Health and Safety and ADA requirements, present a common theme and connection, and be economically maintainable.