

DECISION MEMO
Au Sable Non-Motorized Trails Project
USDA Forest Service
Huron-Manistee National Forests
Mio Ranger District
Oscoda County, Michigan

I. DECISION TO BE IMPLEMENTED

A. Description of Decision

My decision is to implement the Au Sable Non-Motorized Trails Project within Oscoda County Michigan. These activities are proposed for implementation beginning in 2010-2011. It is expected that the project will be completed in phases over a five year period. A map of the project area is attached or can be found online at <http://fs.usda.gov/goto/hmnf/lrm-mio>

Area 1- North of the Au Sable River (Mio Nature Trail)

- Construction of new trail segments and reconstruction or maintenance of the existing user-created routes that comprise the approximate 1.0-mile long nature trail loop system.
- If the Mio North Tailwater proposal is completed, a .18 mile connecting trail from the Nature Trail system to the M-33 bridge area would also be constructed.
- Development and installation of signage along the nature trail and at trailheads. Regulatory, directional, interpretive signs would provide necessary information for trail user convenience, safety, and river preservation.
- Installation of a pedestrian friendly walking path, including hardened trail tread or boardwalk where the trail system may encounter moist soils.
- Development of wildlife and scenic viewing areas/vistas. Installation of rustic fencing to discourage erosion in fragile riverbank areas. Installation of rustic benches along the nature trail.
- Development of durable fishing access points from the proposed trail to the riverbank where user-created routes exist or may exist.

Area 2- South of the Au Sable River (Wolf Creek Trail System)

- Performance of general trail maintenance activities necessary to reopen the trail system including the removal of hazard trees, removal of encroaching brush, and erosion mitigation.
- Construction of approximately .5 mile of new pedestrian friendly walking path to connect from existing parking area at the M-33/ Michigan Department of Natural Resources (MDNR) boat launch to access the trail system. New construction would include a rustic log bridge crossing over Wolf Creek and hardened trail tread or boardwalk where the trail system may encounter moist soils.
- Development and installation of trailhead signage and directional signage to help users navigate the system. Opportunities for interpretive signage consistent with the National Scenic designation of this section of the Au Sable River exist at several points along the trail system and would further enhance the visitor experience.
- Development of wildlife and scenic viewing areas/vistas. Install rustic fencing to discourage erosion in fragile riverbank areas. Install rustic benches along the nature trail.

- Development of durable fishing access points from the proposed trail to the riverbank where user-created routes exist or may exist.
- Construction of a small gated parking area/ trailhead off South River Road to accommodate non-motorized trail system users in the winter months only. Vehicle capacity of the parking area would be approximately 6 vehicles.

Design Criteria for Area 1 and Area 2:

- Trail tread would consist of on-site native material, imported limestone, or boardwalk segments. To minimize soil erosion of the trail tread and to minimize diversions to the natural hydrological flow within the terrain of the trail corridor, construction would adhere to the design standards established in Forest Service Handbook 2309.18 and Forest Service Trail Accessibility Guidelines (FSTAG).
- The trail tread would be cleared and developed to a width of 36 inches by crews using hand or power equipment, including chainsaws for vegetation clearing and weed eaters or lawn mowers to remove grasses or small shrubs, and tractors to transport materials. Maximum trail tread grades would be limited to 8% for very short distances (<30 feet), with the predominant trail grade being 2% to 5%.
- In this predominantly hardwood and pine cover type; removal of some vegetation would be necessary. Trail corridor vegetation clearing would be permitted to a 6 feet wide (3 feet from trail tread center) and 8 feet high clearing limits. The trail would be routed around the majority of mature trees to protect their root systems, but still obtain the required 3 feet wide trail tread. Mature trees would be pruned for this project, and lesser sized trees or brush species would be removed during trail construction.
- The Forest Service Trail Accessibility Guidelines (FSTAG) has indicated that the trail tread design standards require 100% of the trail loop system tread be in compliance for new trail construction or reconstruction. All tread would be constructed to 36 inches wide, and some trail tread segments would require hardening or a boardwalk constructed to reach the scenic viewing platform.
- The motorized vehicle use of the proposed trailhead parking areas would meet requirements stated in the Forest Service 7100 Engineering Manual and Forest Service Travel Management Rule (2005) for designated motorized vehicle areas (36 CFR Parts 212, 251, 261, and 295).

Mitigation Measures:

- Trail construction and maintenance will occur outside of the summer season (May 20-September 15).
- Future mowing activities to maintain the trails system are not permitted during the time period of July 1 to September 15.
- Best practices will be utilized to reduce the spread of non-native invasive plant species.

C. Purpose and Need of Decision

Purpose

The 2006 Huron-Manistee Land and Resource Management Plan (Forest Plan) guides all natural resource management activities on the Huron-Manistee National Forests. It delineates forest-wide goals

and objectives, as well as desired future resource conditions, management practices and availability of suitable land and resource management.

Forest-wide natural resource associated goals and objectives in the Forest Plan (Chapter II- pages 5-6) include:

- Provide a combination of motorized and non-motorized recreation opportunities
- Design and manage trails for a primary seasonal use, to discourage conflicting uses.

This decision is intended to contribute to the accomplishment of these goals.

Need

The purpose of the project is to implement goals and objectives established in the Huron-Manistee National Forests Land and Resource Management Plan (Forests' Plan) and the Au Sable National Scenic River Plan (River Plan).

The need for this project is to provide designated non-motorized trail opportunities within the Au Sable River corridor. The project will meet this need by creating and re-establishing non-motorized trail loop systems suitable for walking, hiking, bicycling, cross-country skiing, and snowshoing. The project will provide an established pedestrian route that will prevent future "user created" routes and associated damage in this scenic river setting. The project will be consistent with the Management Direction set forward in the River Plan, specifically, the project design will "retain the existing natural, undeveloped appearance of the river's shoreline" and it will "provide users of the river corridor with opportunities for a semiprimitive experience." (River Plan, p.12)

II. REASONS FOR CATEGORICALLY EXCLUDING THE DECISION

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they are:

- Within one of the categories identified by the USDA in 7 CFR part 1b.3 or
- One of the categories identified by the Chief of the Forest Service in Forest Service Handbook 1909.15 sections 31.1b or 31.2 and
- There are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative effect on the quality of the human environment.

I have concluded that this decision is appropriately categorically excluded from documentation in an environmental impact statement or environmental assessment as it is a routine activity within a category of exclusion, and the extraordinary circumstances related to the decision will not result in a significant individual or cumulative effect on the quality of the human environment. My conclusion is based on information presented in this document and the entirety of the Project Record. My conclusion is based on a review of the record that shows a thorough review of relevant scientific information, a consideration of responsible opposing views, and the acknowledgement of incomplete or unavailable information, scientific uncertainty and risk

A. Category of Exclusion

This project is within the following categorical exclusion as outlined in the Forest Service Handbook.

1. Category 1909.15 section 31.2(1) that includes "Construction and reconstruction of trails".

B. Relationship to Extraordinary Circumstances

C.

1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.

The Endangered Species Act requires that federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species' designated critical habitat. Biological assessments were prepared for this project and are on file at the Mio Ranger Station. An analysis of effects determined that this decision would have no direct, indirect or cumulative effects on the Kirtland's warbler or the viability of the species since no essential habitat exists within or adjacent to the proposed project area and the species would not be present in the project area.

Potential effects of this decision on Forest Service sensitive species have been analyzed and documented in Biological Assessment & Evaluations for this Project (see Project Record). The project area is considered suitable potential habitat for 7 animal species and 2 plant species of concern; however, it was determined that the project would have no effect or an insignificant effect on these species.

2. Floodplains, Wetlands, or Municipal Watersheds

Floodplains:

Executive Order 11988 is to avoid adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, “. . . the lowland and relatively flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands, including at a minimum, that area subject to a one percent or greater chance of flooding in any one year.”

Based on the definition provided above and site-reviews, a portion of the project area is within a floodplain. An objective of the project is to improve floodplain conditions by using appropriate trail construction techniques that will provide improved pedestrian access. Therefore, this decision will not affect floodplains. To further ensure that floodplains-related impacts are minimized, Best Management Practices are incorporated into the project.

Wetlands:

Executive Order 11990 is to avoid adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, “. . . areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction.”

Wetlands are found within a portion of the project area. An objective of the project is to improve wetland conditions by using appropriate trail construction techniques that will provide improved pedestrian access. Therefore, this project will not cause destruction or modification of the wetlands and is in compliance with Executive Order 11990. To further ensure that wetlands-related impacts are minimized, Best Management Practices are incorporated.

Municipal Watersheds:

Municipal watersheds are designated by Congress, and managed under multiple use prescriptions in forest plans. The project is not in a municipal watershed. This decision will not affect municipal watersheds. To further ensure that municipal watershed-related impacts are minimized, Best Management Practices are incorporated.

3. Congressionally Designated Areas

This decision will not affect Wilderness Areas, Wilderness Study Areas, National Recreation Areas or Wild and Scenic Study Rivers. A portion of the project area is within the area designated by Congress as the National Scenic Au Sable River corridor. The actions of the project that are within the National Scenic River corridor are to reopen and maintain existing trails, to provide informational and interpretive signage, to develop rustic amenities compatible with guidelines set forth in the River Plan, and to construct a small seasonal parking area. The project area is within the segment of the river that is managed to provide users with “roaded natural” recreational opportunities (p. 18, River Plan). The actions of the project will contribute to and enhance the existing roaded natural recreational opportunities. The trail will meet the need to provide non-motorized trail opportunities adjacent to the National Scenic Au Sable River. Signs and amenities will be rustic in nature and designed to blend in with the natural surroundings. The small parking area will be constructed underneath existing high-voltage power transmission lines and will be out of sight when viewed from the river.

4. Inventoried Roadless Areas - There are no inventoried roadless areas (RARE II or Forest Plan) in the decision area. This decision will not affect inventoried roadless areas.

5. Research Natural Areas - This decision will not affect Research Natural Areas as there are no Research Natural Areas in or near this decision area. There are also no Candidate Research Natural Areas within the project area.

6. American Indian and Alaska Native Religious or Cultural Sites- The Federal government has trust responsibilities to Tribes under a government-to-government relationship to insure that the Tribes reserved rights are protected. Consultation with tribes helps insure that these trust responsibilities are met. The Forest consulted with potentially affected tribes. The intent of this consultation has been to remain informed about Tribal concerns. One tribal letter of concurrence with the project was received. No tribal concerns were identified for this project.

7. Archaeological Sites, or Historic Properties or Areas – 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. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered in federal lands. It affords lawful protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act covers the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. This decision complies with the cited Acts. Surveys were conducted for Native American religious or cultural sites, archaeological sites, and historic

properties or areas that may be affected by this decision. Review of the proposed project area for archaeological and historic sites has been completed and a 'no properties affected' determination was made. One site within the project area was identified during review and it will be avoided during construction. This decision will not adversely affect archeological sites, historic properties or areas.

8. Steep Slopes or Highly Erosive Soils- Rolling to flat, the terrain is conducive to the activities included in the decision. The soils present are highly resistant to erosion. This is supported by topographical map review and field visits. Similar past projects in this area were determined to have no significant soil-related impacts. To further ensure that soil-related impacts are minimized, Best Management Practices are incorporated.

9. No other extraordinary circumstances related to the project were identified.

III. PUBLIC INVOLVEMENT

A field meeting with representatives from the DNRE was held on May 5, 2010. A newspaper legal notice for this project was published in the Oscoda County Herald on August 4, 2010. Tribal and local governments, interested groups, and individuals were notified through a direct mailing on August 2, 2010. A public meeting was held regarding this project on August 17, 2010 with six members of the public in attendance. A representative of the DNRE and the Big Creek Township Supervisor were also present at the public meeting.

This project was listed on the Schedule of Proposed Actions found at: <http://www.fs.fed.us/sopa/forest-level.php?110904> . The project was also listed on the Huron-Manistee National Forests Planning and Project webpage at: <http://fs.usda.gov/goto/hmnf/lrm-mio>

During the open comment period for this project, eight comments were submitted via phone and in writing. Seven commenters expressed full support of the projects; one expressed concern regarding maintenance and monitoring of all Forest trail and road systems. The issue of maintenance and monitoring of all Forest trail and road systems is already determined by Forest Service policy and the Motorized Vehicle Use Map (MVUM).

IV. FINDINGS REQUIRED BY AND/OR RELATED TO OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

Forest Plan Consistency (National Forest Management Act)

This Act requires the development of long-range land and resource management plans to provide guidance for all natural resource management activities. The Huron-Manistee National Forests Land and Resource Management Plan (Plan) was approved in June 2006 as required by this Act. The Plan has been reviewed in consideration of this project. This decision is consistent with the standards and guidelines contained in the Huron-Manistee National Forests Land and Resource Management Plan.

Endangered Species Act

A biological assessment has been completed for this project and is on file at the Mio Ranger Station. As

stated in the biological assessment, the actions will have no effects on Federally Endangered and Threatened species.

Sensitive Species (Forest Service Manual 2670) - This manual direction requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. On October 20, 2003, the Regional Forester approved the sensitive species list. As stated in the biological assessment, the project area is considered suitable potential habitat for seven animal species and two plant species of concern; however, it was determined that the project would have no effect or an insignificant effect on these species.

Clean Water Act - 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.

Clean Air Act - Under this Act, areas of the country were designated as Class I, II, or III airsheds for Prevention of Significant Deterioration purposes. Impacts to air quality have been considered for this decision. The Forest is classified as a Class II airshed.

Wetlands (Executive Order 11990)- See Section II, Item 2B of this document.

Floodplains (Executive Order 11988)- See Section II, Item 2B of this document.

Environmental Justice (Executive Order 12898) - This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement occurred for this project, the results of which I have considered in this decision-making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act - This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

As required by 36 CFR 219.35, I have considered the best available science in making this decision.

V. ADMINISTRATIVE REVIEW AND APPEAL

This Decision Memo is not subject to an administrative review or appeal pursuant to 36 CFR 215.12 (e) (1)

VI. IMPLEMENTATION DATE

This decision may be implemented immediately.

VII. CONTACT PERSON

Further information about this decision can be obtained from Carrie Scott during normal office hours (weekdays, 8:00 a.m. to 4:30 p.m.) at the Mio Ranger District office (Address: 107 McKinley Rd., Mio, MI 48647; Phone: voice 989-826-3252 x3313, TDD 989-826-3592 (hearing impaired); Fax: 989-826-6073; e-mail: cnscott@fs.fed.us).

VIII. SIGNATURE AND DATE

I have concluded that this decision qualifies for categorical exclusion from documentation in an environmental impact statement or environmental assessment as identified by the Chief of the Forest Service in FSH 1909.15, Chapter 30, Section 31.2 (1) that includes “Construction and reconstruction of trails.”

It is my finding that there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect and the decision is not subject to appeal.

This project is planned under the regulation at 36CFR 219.35 (2000) and the Interpretative Rule of September 29, 2004. As required by 36 CFR 219.35, I have considered the best available science in making this decision. The project record demonstrates a thorough review of relevant scientific information, consideration of responsible opposing views, and, where appropriate, the acknowledgment of incomplete or unavailable information, scientific uncertainty, and risk.

My conclusion is based on information presented in this document, my familiarity with the project areas and the entirety of the project file.

/s/ Steven A. Goldman

12-10-2010

STEVEN A. GOLDMAN
District Ranger
Mio Ranger District
Huron-Manistee National Forests

Date

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