



# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office  
510 Desmond Dr. SE, Suite 102  
Lacey, Washington 98503

MAR 12 2013

In Reply Refer to:  
**01EWF00-2013-TA-0113**

Mark Lawler  
National Forests Committee Chair  
Sierra Club Washington State Chapter  
3728 Woodlawn Ave. N.  
Seattle, Washington 98103

Dear Mr. Lawler:

Subject: Request to Reinitiate Formal Consultation: Monte Cristo CERCLA Project

Thank you for your December 6, 2012, letter concerning the Monte Cristo CERCLA project within the Mt. Baker-Snoqualmie National Forest (Forest) (FWS Reference Number 12314-2011-F-0067). Your letter addressed concerns held by the Sierra Club (Club) about the project. You also requested the U.S. Fish and Wildlife Service (Service) consider reinitiation of the formal consultation under the Endangered Species Act (Act) with the Forest. We have attempted to address your concerns below.

### Glacier Creek Crossing

*Multiple crossings of Glacier Creek are required.*

Your letter states that Club members have been informed by Forest staff that it will be necessary to cross Glacier Creek over multiple seasons to complete the project. On page 7 of our Biological Opinion (FWS 2012) (Opinion), it states "The [Glacier Creek] crossing is needed for only 1 year and would be installed in May or June and removed in August or September of the same year." Recent conversations between this office and the Forest confirm our understanding that, indeed, only one season is required to cross Glacier Creek. If the proposed action requires crossing of Glacier Creek over multiple seasons, the Forest would likely reinitiate section 7 consultation with this office. On page 89 of our Opinion, it states that reinitiation of section 7 consultation is required when "an agency action is subsequently modified in a manner that causes an effect to the listed species . . . not considered in the [original] Opinion."

### Contaminated Soils Repository

*The location of the repository has changed since consultation by the Service.*

The Service consulted on the proposed action with the understanding that the repository would be located about 1 mile northwest from Glacier Creek and uphill of the South Fork Sauk River as indicated in our September 16, 2011, Opinion (pp. 10, 89). We used a Forest map dated November 2010, to evaluate the effects of the repository at this location. The map we used differs from the earlier January 5, 2010, draft map (plate 3) that appeared on the Forest's website and is referenced in your letter. There have been no significant changes to the proposed action since we completed section 7 consultation with the Forest.

*The repository is "sandwiched" between two major tributary streams to the South Fork Sauk River and stream heating may result from the forest clearing required to build the repository.*

With the repository located about 500 feet from adjacent tributaries, it is unlikely that a minor forest clearing (1 to 3 acres) for the repository would impact water temperature at this distance.

*Sediment delivery from the repository to the South Fork Sauk River during construction is possible.*

The repository will be located about 200 feet uphill from the South Fork Sauk River. At this distance, sediment delivery to the River would be unlikely or would be expected to result in insignificant effects to bull trout. Finally, on page 11 of the Opinion, we include "Aquatic Conservation Measures" that would minimize or eliminate sediment delivery from the repository to the South Fork Sauk River during construction.

*There are potential erosional impacts from the cap material of the repository.*

The Opinion (p. 11) states "All disturbed ground shall be stabilized using appropriate best management practices including revegetation with native species." The Engineering Evaluation/Cost Analysis for the Monte Cristo Mining Area (CES 2010, p. 60) includes a description of repository construction and includes "22. Revegetate with seed, a weed-free wood straw, and fertilizer." Finally, our contact with the Forest assures us that the cap will be revegetated to minimize erosion.

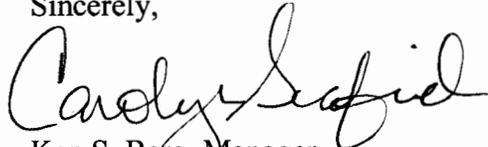
*Long-term slope stability in the repository location is in question; there may be possible debris torrents from the two streams adjacent to the repository.*

The repository site appears to be above the channel migration zone of the South Fork Sauk River. Also, the Forest reported that each drainage adjacent to the proposed repository site contains old trees indicating stream stability. Further, we understand that this area was never harvested. A lack of previous human-caused disturbance should add to the area's stability. In addition, our geomorphologist examined a stereo pair of aerial photographs supplied to us by the Forest, and determined that the hillslope above the proposed repository site does not have any rule-identified unstable landforms such as bedrock hollows or convergent headwalls. Also, he

determined that while there is evidence of small avalanche tracks above the repository, they do not seem large enough to produce a mass wasting event. Confirming this, the Sauk River Watershed Analysis (USFS 1995) contains a map that displays past Mass Wasting Events in the area. The map indicates that along the southwest slopes of Sheep Mountain are areas of mass wasting, but these are narrow paths and confined to the current tributary channels. Within the same document, a map of Mass Wasting Potential Areas of Concern displays no such risks within the project area. Finally, according to Washington State Department of Natural Resources geology maps, the entire hillside above the proposed repository is composed of volcanic rhyolite which is a relatively stable material. These factors suggest that the repository site is stable and an appropriate location for such a structure.

We hope we have addressed your concerns. Thank you for your interest in federally listed species and the habitats on which they depend. If you have any questions regarding this letter, please contact my staff Mark Hodgkins at (360) 753-9532 or Carolyn Scafidi at (360) 753-4068.

Sincerely,

  
for Ken S. Berg, Manager  
Washington Fish and Wildlife Office

cc:

Mt. Baker National Forest, Everett (J. Plumage)  
Mt. Baker National Forest, Everett (P. Reed)  
Lider Engineering, Lynwood (B. Lider)

#### LITERATURE CITED

- Cascade Earth Science (CES). 2010. Engineering Evaluation/Cost Analysis: Monte Cristo Mining Area, Mt. Baker-Snoqualmie National Forest, Snohomish County, Washington. April 2010. 92 pp. <http://www.fs.usda.gov/detail/mbs/landmanagement/?cid=stelprdb5162487> (Monte Cristo Mining Area (MCMA), 2010-04 MCMA EECA – CES; Body of the Report; accessed January 29, 2013).
- U.S. Forest Service (USFS). 1995. Sauk River and Sauk River Forks Watershed Analysis, Darrington Ranger District, Mt. Baker-Snoqualmie National Forest, Pacific Northwest Region.
- U.S. Fish and Wildlife Service (FWS). 2011. Biological Opinion for the Monte Cristo CERCLA Project. September 16, 2011. Washington Fish and Wildlife Office, Lacey, Washington. 213 pp.