DECISION MEMO
Brushy Fork Face (Section 8)
Road Decommissioning

USDA Forest Service, Northern Region
Nez Perce-Clearwater National Forests
Lochsa-Powell Ranger District
Idaho County, Idaho

I. Introduction

I have decided to approve decommissioning up to 10 miles of non-system, harvest legacy roads on the Nez-Perce-Clearwater National Forests, Idaho County, Idaho. The project is located in T37N, R15E, Section 8, Boise Meridian. (See attached map).

The Brushy Fork Face Road Decommissioning project, as scoped in March 2017, included Sections 8 and 10 (T37N, R15E). Because Section 8 is within an historic landmark and the Decision would have to be delayed pending consultation with the State Historic Preservation Office (SHPO), I decided to split the project into two decision documents, in order to implement the work in Section 10. The Decision for Section 10 was signed on May 22, 2017. Consultation with SHPO on the decommissioning within Section 8 is now complete. This Decision Memo will allow for implementing the work in Section 8.

Purpose and Need

The project is adjacent to the South Brushy Fork Road Decommissioning project (T37N, R15E, Section 16) done in 2016. As with that project, the 'Brushy Fork Face' project is in the 'checkerboard' part of the Forest, a patchwork of harvest units, from clear-cut with reserves to seed tree to mid-aged regeneration, with extensive jammer logging road systems. Alternating sections in the area are now owned by Western Pacific Timber. Typical of that era, the area was intensively managed for timber production, with the roads built to minimum haul specs with log culverts at stream crossings. The roads within Section 8 date from the mid-1960s.

The Purpose of the Action is to decommission and rehabilitate roads determined no longer necessary for the Forest's transportation system. Many of the roads have been identified as causing chronic erosion into streams, as well as having a high potential to deposit large amounts of sediment into fish bearing streams. Many of the log or metal culverts are also plugged or failing. In addition, most of the roads identified for road decommissioning are on dissected Breaklands land types, with some on mass wasting land types, both of which are subject to landslides.

The Action is needed to reduce impacts to the watershed from sediment movement into streams due to severe erosion associated with the non-system roads at failing stream crossings. During the floods of winter 1995-1996, even though unused and revegetated with brush and young trees, roadbeds similar to those in the project area failed with the associated landslides delivering large

amounts of sediment to area streams. In the absence of management, these roads will continue to be a source of chronic erosion and have a high potential for landslide failure.

Decommissioning and restoring non-system roads to their expected ecological conditions will help meet Clearwater National Forest Plan (USDA Forest Service, 1987) objectives and management direction for transportation, wildlife and fish habitat, soil productivity, water quality, and protecting and improving watershed, wetland, and riparian resources.

Forestwide management direction related to the project can be found on pages II-5 and II-24 of the Forest Plan:

Forest Plan Objective

Wildlife and Fish - Restore selected, presently degraded fish habitat through habitat improvement projects designed to achieve stated objectives (See Water Quality Standards and Management Area M2).

Forest Plan Standard

Wildlife and Fish - Cooperate with Idaho Fish and Game, Indian tribes, and other agencies in the management of wildlife and fish habitat.

The Project is located in Management Areas E1 and M2. Management direction for E1 (Forest Plan, p. III-57 to III-59) and M2 (Forest Plan, pp. III-68 to III-73) include:

Management Area E1

Goals - Provide optimum, sustained production of wood products....Manage a range of water quality and fish habitat potential from high fishable in several of the key anadromous and resident fish streams…

Water and Soil Standard – Utilize best management practices and meet water quality standards as defined in the Forestwide standards and Appendix K.

Management Area M2

Goal - Manage under the principles of multiple use as areas of special consideration, distinctive values, and integrated with adjacent management areas to the extent that water and other riparian dependent resources are protected.

Water and Soil Goals – Conduct watershed and stream improvements that will: 1) Enhance riparian and water resources; 2) Rehabilitate and/or mitigate the adverse effects of fire, flood, and other natural or management related causes.

Water and Soil Standard – Meet Forestwide water quality standards.

Decision

I have decided to approve the Brushy Fork Face (Section 8) Road Decommissioning project with the following terms and conditions:

Using heavy equipment, a contractor will clear the roads of vegetation, then decompact the road surfaces, and recontour the roads by pulling up the fill slopes and re-shaping the ground close to

original contours. In addition, the operator will clump plant native vegetation on the recontoured slopes, and pull duff and organic material from the adjacent up-hill side to enhance revegetation.

Where the roads cross streams, the operator will remove the existing culverts (log or corrugated metal pipe), reestablish the grade of the stream, and if necessary, construct grade control structures in the stream bed to mimic a typical step-pool system. In areas where the subsurface flow has been interrupted and caused ponding and saturation, the contractor will excavate a shallow depression to ensure drainage, and use the excavator to plant vegetation perpendicular to the flow to help reestablish subsurface flow. It is common practice to scatter the removed vegetation (slash) on the recontoured surface to help limit erosion and provide microsites for revegetation. The roads will be treated for invasive plants before decommissioning, and monitored, post-decommissioning, for weed infestations and treated accordingly.

Road decommissioning uses a variety of best management practices (BMPs) including those for invasive plants (equipment cleaning and inspection), and water quality which may include erosion control measures and native plant revegetation. BMPs will be applied to maintain slope stability, and minimize soil disturbance from road decommissioning work. Many of these are site specific BMPs from the Idaho Forest Practices Act and Stream Channel Alteration Handbook.

Mechanical support will follow BMPs for fuel storage and fueling to minimize the risk of a fuels spill into live water. The contractor will have fuel spill containment supplies onsite in the event of a spill and their employees will be trained in the proper application and use of those materials.

Any required permits for disturbance of water or wetlands would be obtained prior to initiating work, e.g. Army Corps of Engineers 404 permit, Idaho Department of Water Resources Stream Alteration Permit. Mitigation measures identified in the permitting process will be incorporated into the project plans.

Access to the project area would be via Forest Road 5669.

Design Criteria and Mitigation Measures

The project includes the design criteria identified below. These are not all-inclusive, as the Forest Plan standards are incorporated by reference (USDA Forest Service 1987, as amended):

1. Any hardened road segment or surface area shall be de-compacted to promote water infiltration and establish vegetation.
2. After required decompaction of the roadway, the fill material shall be pulled up and placed on the roadbed between the top of cutslope and original ground forming a slope approximating natural contours. No ditches, water traps, or berms shall remain, nor any structures that require maintenance.
3. Log or metal culverts, other drainage structures and associated fills shall be removed from stream channels, followed by restoring channels to natural grade and sideslope contour.
4. Vegetation shall be preserved and placed on top of re-contoured road segments and completed channel side slopes in stable positions not interfering with stream channel flow.
5. Roughness and diversity elements shall be added at culvert removal sites, such as rock or log weirs, rootwads and live plant transplants to dissipate energy and support channel grade and bank stability in the newly restored stream channels.

6. All seeps and springs encountered shall have drainage channels or swales provided.
7. Clumps of available vegetation and associated soil shall be transplanted onto disturbed areas for erosion protection and long-term site productivity.
8. The disturbed area shall be 40% to 60% covered with natural slash when available from roadway.
9. Decommissioning activities shall be coordinated to avoid impacting fish spawning windows and locations.
10. A narrow (18 in. wide) footpath, free of slash and woody debris, would be left along the top edge of the decommissioned road to facilitate public access into the area. The footpath would not be maintained after project completion.
11. At completion, the decommissioned roads would no longer require maintenance and would not be accessible to motorized vehicles.

The following design features will be used to minimize sediment delivery and other impacts to streams during culvert removal and road decommissioning. The measures may include any combination of the following:

1. Work during wet conditions shall cease if rutting and erosion cannot be controlled. Prior to leaving the site, any rutted areas and other damaged areas shall be smoothed, sloped and graded to drain, and all erosion control features shall be constructed and functional.
2. When working adjacent to live water or streams a buffer of vegetation, a brush barrier, or straw dike would be maintained to prevent direct sedimentation to the stream.
3. Stream diversions or dewatering would be required while work is being done in the channel. Settling basins or other methods would be used to ensure that muddy water does not return to the stream. Diversions would be installed, operated and removed such that erosion and sedimentation is minimized.
4. Fill material would be placed in stable areas outside of stream channels and floodplains.
5. The contractor would dispose of removed culverts and other structural materials off National Forest System land.
6. Prior to arriving at the project site, equipment used for instream work shall be cleaned of external oil, grease, dirt, mud, plant parts, and any leaks would be repaired. This cleaning would remove all dirt and plant parts to ensure that noxious weeds and aquatic invasive species are not brought to the site. All equipment would be inspected by the COR before unloading at site. Equipment would be inspected daily for leaks or accumulations of grease, and identified problems corrected before entering streams or areas that drain directly to streams or wetlands.
7. Mechanical support would follow BMPs for fuel storage and machine fueling to minimize the risk of a fuels spill into live water. The contractor would have fuel spill containment supplies onsite in the event of a fuel spill and their employees would be trained in the proper application and use of those materials.

Project Implementation: The project would be implemented in 2018.

II. Rationale for Decision and Reasons for Categorically Excluding the Decision

A. Category of Exclusion and Rationale for Using the Category

Based on information in this document and the project record, I have determined that no extraordinary circumstances affecting resource conditions exist (36 CFR 220.6), that this project may be categorically excluded from documentation in an EA or EIS, and that it meets all the criteria outlined for 36 CFR 220.6(e)(20): *Activities that restore, rehabilitate, or stabilize lands occupied by roads and trails, excluding National Forest System roads and National Forest System trails, to a more natural condition that may include removing, replacing, or modifying drainage structures and ditches, reestablishing vegetation, reshaping natural contours and slopes, reestablishing drainage-ways, or other activities that would restore site productivity and reduce environmental impacts.*

The rationale for my decision is based on: (1) the proposed action fully meeting the criteria for Categorical Exclusions, (2) the proposed action meeting the purpose and need, (3) the findings related to extraordinary circumstances, discussed below, (4) the project's consistency with laws and regulations, including the Forest Plan, and (5) my review of the Biological Assessments (BA), Biological Evaluations (BE), specialists' reports, and project record.

B. Finding of the Absence of Adverse Effects to Extraordinary Circumstances

Based on the findings for resource conditions described below, I have determined that no extraordinary circumstances are associated with my decision. Forest Service direction at 36 CFR 220.6(b) describes the resource conditions that should be considered in determining whether extraordinary circumstance related to the proposed action warrant further analysis and documentation in an EIS or EA.

Additionally, 36 CFR 220.6(b) states, "The mere presence of one of more of these resource conditions does not preclude use of a categorical exclusion. It is the existence of a cause-effect relationship between a proposed action and the potential effect on these resource conditions and if such a relationship exists, the degree of the potential effect of a proposed action on these resource conditions that determines whether extraordinary circumstances exist."

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 Interdisciplinary Team (IDT) Botanist has determined the proposed action will have "no effect" to species listed as federally threatened or endangered or their habitats. Idaho barren strawberry, a R1 Sensitive species, is not known but may be in project area since the species occurs where older disturbed surfaces such as old roads, landings and transitional habitats are present. Individual plants may be mechanically harmed during planting, but there are no concerns for species viability.

The IDT Wildlife Biologist determined the proposed action will "Not Likely to Adversely Affect" Canada lynx or its habitat. The Project falls within an LAU (28) and there is modelled lynx habitat. The proposed activities would not reduce snowshoe hare habitat in the project area. Road decommissioning activities are addressed in the 2014 Programmatic Biological Assessment for Canada Lynx, Grizzly Bear, and Designated Canada Lynx Critical Habitat in Table B.1. Roads

and Road Maintenance including Decommissioning, which resolved as No Effect or Not Likely to Adversely Affect for these projects..

The Biologist determined the project would present "no jeopardy" to the Northern Rockies DPS of wolverine. Modeled wolverine habitat is present within the project area. However, per the 2014 Programmatic Biological Assessment for Wolverine, the proposed road decommissioning would not prevent wolverine movement between suitable habitat patches.
A "may adversely impact individuals or habitat" determination was made for flammulated owl, fisher, fringed, long-eared and long-legged myotis, gray wolf, and Townsend's big-eared bat. There are no anticipated impacts for these R1 Sensitive Species or their habitats as a result of this project. The proposed project could cause temporary disturbance or avoidance to the species during implementation; however, habitat for these species is available adjacent to the project area allowing for temporary dispersal. Overall, effects would be minor and would not result in a loss of viability, nor cause a trend towards federal listing or a loss of species viability range wide.

A "may adversely impact individuals or habitat" determination was made for Coeur d'Alene salamander and Western (boreal) toad. Suitable habitat for both species, seasonally wet or spring seeps, is present in the project area. Project activities may result in direct mortality of adults, sub-adults, larvae and/or eggs, if present. The existing habitat would be lost due to decommissioning activities; however, the habitat will recover over time and become available again post-implementation. The effects would not result in a loss of viability, nor cause a trend towards federal listing or a loss of species viability range wide.

The IDT Fish Biologist determined the proposed action would have "no effect" on federally threatened species and "no impact" on R1 Sensitive species because the species and their habitats, including designated critical habitat do no occur within the project area.

Based on the above assessment, no effects exist that will cause an incremental cumulative effect and no extraordinary circumstances were identified for these resources. For the complete analyses, see the Fishery, Wildlife and Botany Biological Assessments and Evaluations and specialists' reports in the project record.

2. Floodplains, wetlands or municipal watersheds.

Floodplains and wetlands exist in the project; however, no direct, indirect or cumulative significant, adverse effects to these resources are proposed or expected for this project. Designated municipal watersheds do not exist in the project area, thus there will be no effects to the resource. No adverse effects to streams and no measureable increase in sediment would occur. Overall net benefits to watershed, soil and aquatic resources are expected with this project.

The proposed project is consistent with all applicable State and Federal water quality laws because project design criteria and best management practices (BMPs) have been included to protect water resources. The activities are consistent with soil and water standards in the Clearwater National Forest Plan, including the PACFISH amendment.

Based on this analysis, no extraordinary circumstances were identified regarding effects to water quality of streams within the area; downstream waters; or resources in floodplains, wetlands, and municipal watersheds; thereby complying with EO 11988, EO 11990, and FSH 1909.15 Chapter 31.2.2. For the complete analyses, see the Watershed specialists' report in the project record.

3. Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas.

The project area is not located in any congressionally designated area, and therefore, no extraordinary circumstances were identified to these resources.

4. Inventoried roadless areas or potential wilderness areas.

The project area is not located in any inventoried or potential wilderness areas, and therefore, no extraordinary circumstances were identified to this resource.

5. Research Natural Areas.

The project area is not located in any research natural area, and therefore, no extraordinary circumstances were identified to this resource.

6. American Indians and Alaska native religious or cultural sites.

The project is located within the greater confines of the 60,000 acre Lolo Trail National Historic Landmark. It is the Cultural Resource Specialist's opinion the project will have *no adverse effect* to significant qualities of the Lolo Trail National Historic Landmark because:

- Previously disturbed landform
- Closing/reduction/decommissioning of dispersed recreation sites/roads (Landmark Restoration)

The Idaho SHPO Office agreed with the Determination.

7. Archaeological sites or historical properties or areas.

The Idaho State Historic Preservation Officer, or the Forest Archaeologist via the use of the North Idaho Programmatic Agreement, has determined that no archaeological or historic property will be adversely affected by this project. Therefore, no extraordinary circumstances were identified to these resources.

III. Interested and Affected Agencies, organizations, and Persons Contacted

On March 27, 2017, letters providing information and seeking public comment were mailed to individuals, organizations, state and local agencies, and the Nez Perce Tribe. Four individuals/organizations commented during the public comment period, and their comments are addressed in Appendix A.

V. Findings Required by Other Laws

Based on my review of the actions associated with this project, I find that the Brushy Fork Face (Section 8) Road Decommissioning project is consistent with applicable Federal, state and local laws and regulations, including the standards and guidelines contained in the 1987 Clearwater National Forest Plan, as amended, as required by the National Forest Management Act of 1976.

National Forest Management Act and Clearwater National Forest Plan: The actions are consistent with the Clearwater National Forest Plan (USDA Forest Service 1987, as amended), as required by the National Forest Management Act of 1976. In addition, design features and mitigation measures ensure compliance with the act.

PACFISH/INFISH Riparian Habitat Conservation Areas (RHCAs): All activities associated with the project comply with direction regarding PACFISH and RHCAs.

Endangered Species Act: A Forest Service Fish Biologist, Wildlife Biologist, and Botanist evaluated the proposed action with regard to the Endangered Species Act as documented in the Biological Assessments, Biological Evaluations, and specialist's reports, and determined this project is consistent with the Endangered Species Act.

Clean Water Act and State Water Quality Laws: The Interdisciplinary Team Hydrologist has determined this project complies with the Clean Water Act, and state and federal water quality laws because it will have no notable effects to the water quality of area or downstream waters.

Migratory Bird Treaty Act: This project complies with the Migratory Bird Treaty Act since it will result in no substantial loss of migratory bird habitat, nor will there be any measurable impact(s) on Neotropical migratory bird populations as a whole. The project complies with the U.S. Fish and Wildlife Service Director's Order #131 related to the applicability of the Migratory Bird Treaty Act to federal agencies and requirements for permits for "take." In addition, the project complies with Executive Order 13186 because the analysis meets agency obligations as defined under the January 16, 2001 MOU between the Forest Service and U.S. Fish and Wildlife Service designed to complement Executive Order 13186.

National Historic Preservation Act: A cultural resource records search has been conducted for this project. Based on the project description a "*No Inventory Decision*" has been made for this project per stipulation V(A) of the North Idaho Cultural Resource Programmatic Agreement. Therefore, this project meets the agency's responsibilities under the National Historic Preservation Act (16 USC 470), as amended, and is consistent with the *Programmatic Agreement between the Idaho State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Region 1 National Forests in Northern Idaho Regarding the Management of Cultural Resources*.

The Idaho SHPO Office agreed with the Determination.

American Indian Treaty Rights: The Nez Perce Tribe reviewed the project and determined the proposed action will not affect Nez Perce Tribe Treaty rights or Nez Perce Tribal members' abilities to exercise those rights.

Other Laws or Requirements: The actions associated with this project are consistent with all other Federal, State or local laws or requirements for the protection of the environment and cultural resources.

VI. Contact Person

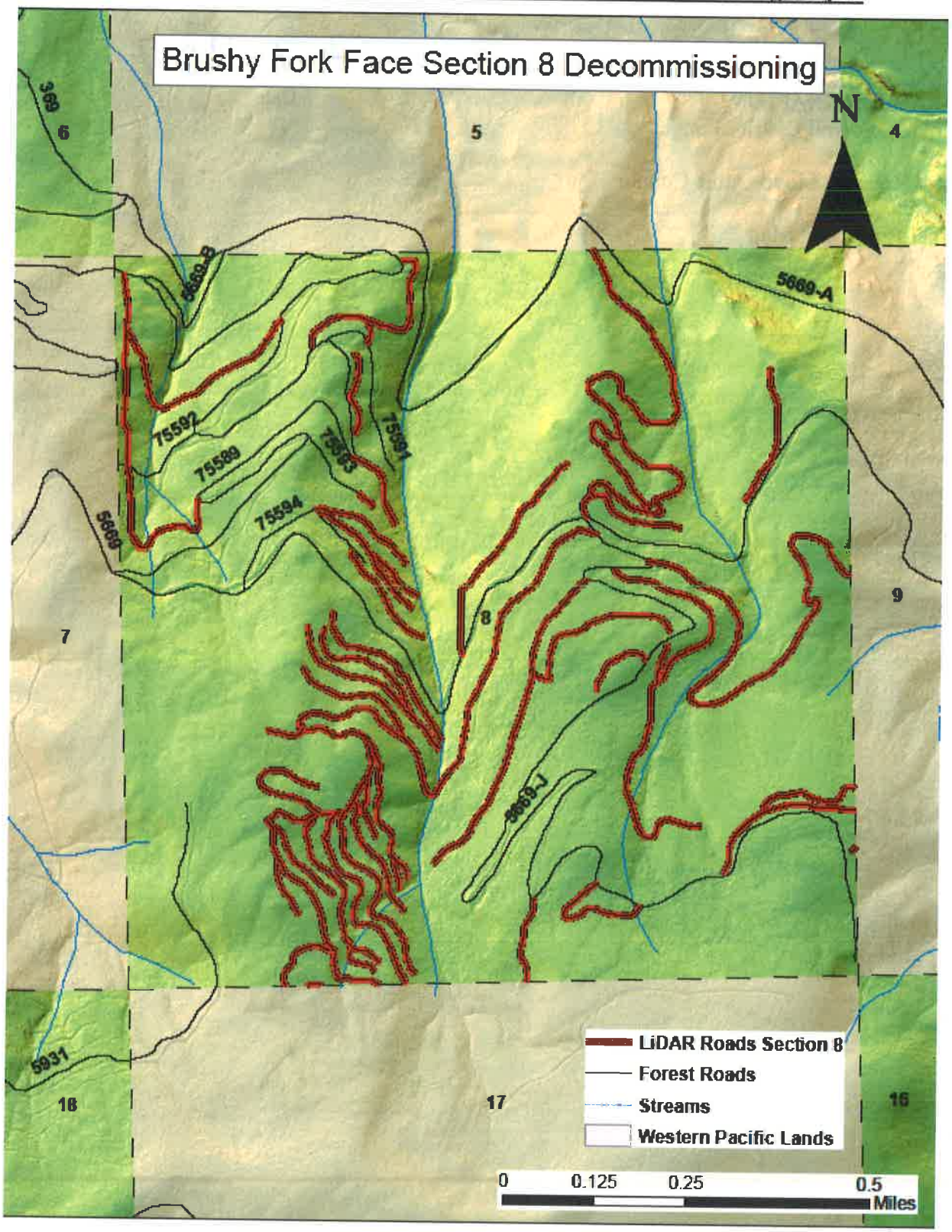
Questions regarding this decision should be sent to Jeff Chynoweth, Small NEPA Team Coordinator, c/o Nez Perce-Clearwater NFs Supervisor's Office, 903 Third Street, Kamiah, Idaho 83536; 208-935-4260 or FAX 208-935-4275.

VII. Signature of Deciding Officer

BRANDON KNAPTON
Lochsa-Powell District Ranger

7-7-2017
Date

cc: Rebecca Lloyd, Anne Connor

Enclosures (1): Map

Map (Section 8) of the Brushy Fork Face Road Decommissioning Project