

Decision Notice
&
Finding of No Significant Impact
Flume Trailhead Development Project
USDA Forest Service

Vernal Ranger District, Ashley National Forest Uintah County, Utah

Township 2 South Range 19 East, Section 36, SE 1/4;

Background

The Ashley National Forest Dry Fork Flume Trail is the most popular non-motorized trail located on the Vernal Ranger District. Its popularity is largely due to its close proximity to Vernal and easy access along Forest Service road 018 which is designated as the Red Cloud Loop Scenic Backway (Red Cloud Loop).

The Flume Trail starts on Bureau of Land Management administered lands for a short way before coming onto Forest Service lands. It parallels Dry Fork Creek for several miles, and terminates on the Ashley National Forest where it connects to the Sink Ridge Trail near Horseshoe Park. The trail is very scenic as it provides vistas of the Dry Fork and Brownie drainages, is towered by Sawtooth Ridge, and winds through multiple plant communities from 7,500 feet to 9,500 feet in elevation.

The Red Cloud Loop road is heavily traveled by vehicles, vehicles towing trailers, and logging trucks during the warm season. In the winter, it is a groomed snowmobile route starting at the Forest Service gate located approximately ¼ mile past the forest boundary. The access up to the Forest Service gate is generally a plowed single lane road with pull-outs for passing.

Decision

Based upon my review of the Flume Trailhead Environmental Assessment (EA), I have decided to implement the Proposed Action, as analyzed in the EA including all project design elements listed below. The selected alternative will include the following actions:

The proposed action includes the clearing and hardening of a parking area of approximately ½ acre in size to accommodate suitable vehicle and trailer traffic, constructing/installing a double rest room facility, barriers, benches, gate and a kiosk/information board and other appropriate signing. The construction footprint for the access road and parking area would include widening the access from Forest road 018, reducing the grade for vehicles pulling trailers, and converting approximately ½ acre into a parking area. Engineering would involve grading, compacting and laying down a 6 inch gravel base. Barrier rock would be placed to keep users from parking off the designated parking area. Access to the trailhead would be along the existing route approximately 600-700 feet in length. The site would be accessed year-round and would be shared in the winter by cross-country skiers utilizing the non-motorized Flume Trail, and snowmobilers who would be parking to access the groomed Red Cloud Loop Road winter snowmobile route.

The Forest Plan directs that no developed recreation sites be allowed within the Dry Fork Drainage. Therefore, a site-specific forest plan amendment is proposed to authorize the development of the trailhead facility including the parking area and restroom. This amendment is necessary because the existing condition of the trailhead and current use by several distinct user groups is resulting in unmanaged resource damage and blockage of the Red Cloud Loop Road. This poses safety concerns to the recreationist as well as the vehicle traffic on the road because the user-created pull offs are unmarked, often exceed capacity, and create hazards when road space is used for parking. Due to the proximity of both the Flume Trail and this portion of FS road 018 (Red Cloud Loop) to

Vernal, this area has become increasingly popular with summer and winter motorized and non-motorized forest users. The Forest needs to manage its resources while allowing for the safety of its users.

Project Design Elements

In response to public comments and specialist analysis of the proposal, project design elements were developed to mitigate some of the potential impacts from the proposed action. These measures, in addition to all other applicable Forest Plan standards and guidelines and other relevant direction will apply.

Hydrology

North and south of the trailhead are small ephemeral channels (less than 3 feet in width) which carry runoff from the canyon side slope during storm events. Align trailhead and approach route so as to avoid these ephemeral drainages and allow uninterrupted passage of storm water. If sites cannot be avoided, provide culverts or other structures across the channel to allow passage of storm water.

Soils

Nine sapling ponderosa pine and Rocky Mountain juniper trees were flagged in the area to be excavated. The District Soil Scientist can remove and then later transplant these trees, when notified of construction dates.

Aquatic Species

Restrict construction of the parking area for periods when Dry Fork Creek is dry.

Silt can harm aquatic species by clogging their breathing system, and reducing water clarity. A silt fence and a heavy duty tarp should be put in place before the project starts. The silt fence should be placed around the new parking lot area prior to the trailhead construction.

Wildlife

If a new goshawk is found in the area, mitigation measures would go into effect, which would include stopping the construction activity until a determination of what use was occurring in the area. If a nest was found then no construction would occur in the nesting area between March 1st and September 30th.

Noxious Weeds

To reduce the potential for spread of noxious weeds to the Ashley National Forest, motorized equipment used in the construction of the trailhead would be washed prior to entry into the National Forest. All dirt and other debris would be washed from the undercarriage, wheels, and other parts of the equipment.

Air Quality

Fugitive dust would be minimized with the application of water on the disturbed soil during construction of the Flume Trail parking area which includes from the time the area is excavated to when the final surface is deposited.

Decision Rationale

The proposed action will meet the purpose of and need for this project by developing a safe and designated parking area, and trail access that will be accessible year around to forest users.

Development of the trailhead and parking area will reduce illegal snowmobile loading and unloading areas in the winter which currently causes areas along this portion of the Red Cloud Loop Road to become impassable. This can impede some users from accessing either the Flume Trail or Red Cloud Loop snowmobile route and increases safety concerns to the winter time users.

Development of the trailhead and parking area will also help reduce the unmanaged resource impacts that parking along the road can create.

The addition, the parking area will include barriers and signage restricting dispersed camping. This will reduce the conflicts that can arise between different user groups when hikers have to walk through a party's camp in order to access the trail.

The proposed action meets the direction, objective, standards and guidelines identified in the Forest Plan.

The Flume Trailhead Development Project documents the environmental analysis and conclusions upon which this decision is based.

Other Alternatives Considered

No other alternatives were considered. When there are no unresolved conflicts concerning alternative uses of available resources (NEPA, section 102(22) (E)), the EA needs only to analyze the proposed action and proceed without consideration of additional alternatives (36 CFR 220.7(b) (2) (i)).

Public Involvement

A scoping letter for the Dry Fork Flume Trail Reroute and Trailhead Project was sent out on May 14, 2008. In addition, as part of the public involvement process, the agency mailed or emailed scoping letters soliciting comments to 126 individuals or organizations (see scoping letter mailing lists in project record).

The Trailhead project was separated from the trail reroute when it was realized that a site specific Forest Plan Amendment would be necessary to complete this project. The trail reroute project Decision Memo was signed April 2010. A scoping letter stating the above information and asking for comments on the proposed action and the Forest Plan amendment was sent out on May 17, 2010. The legal notice requesting comments on the project and proposed Forest Plan amendment was published in the *Vernal Express* on May 19, 2010.

Three entities/individuals submitted written comments. See the project record for the comments. No comments were received on the proposed Forest Plan Amendment. The proposed project has been listed in the Schedule of Proposed Actions since the second quarter of 2008.

Commenting entities noted that the project would provide welcome improvements.

Findings Required by Other Laws and Regulations

The Forest Plan directs that no developed recreation sites be allowed within the Dry Fork Drainage. Therefore a site-specific forest plan amendment is necessary to authorize the development of the trailhead facility including the parking area and restroom. When the Forest Plan was written the current level of use was not anticipated. The existing and increasing number of users in the Dry Fork area has caused increasing and unmanaged resource damage. The user-created pull offs are random, unmarked, and often exceed capacity. This creates hazards conditions when road space is used for parking, and there are increasing safety concerns to the trail users as well as drivers using the forest road. It is necessary for the Forest to manage its resources as well as the safety of its users.

The site specific amendment will be made using the provisions of the planning regulation in effect as described in 36 CFR 219.6(a)(1)(11). Use available information from a variety of sources to facilitate the evaluation of current social, economic, and ecological conditions and trends that contribute to sustainability to determine if plan components should change.

With the site specific Forest Plan amendment, to the best of my knowledge, this decision is in compliance with all applicable laws, regulations, and policies. Some of the principal laws and regulations considered include the Federal Land Policy and Management Act, National Forest Management Act, National Environmental Policy Act, Endangered Species Act, Executive Order 13186 of 2001, the Migratory Bird Treaty Act, Clean Water Act, Clean Air Act, National Historic Preservation Act, Federal Noxious Weed Act, Wild and Scenic Rivers Act, and Executive Order 11990 Wetlands, Executive Order 11988 Floodplains and Executive Order 12898 Environmental Justice.

Finding of No Significant Impact

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact (40 CFR 1508.27)

Intensity

The intensity of effects was considered in terms of the following:

- 1 **Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial.** My finding of not significant environmental effects is not biased by beneficial effects of the action.
- 2 **The degree to which the proposed action affects public health or safety.** There will be no significant effects on public health and safety as the proposed action would increase the safety of forest users through the development of the parking area. No Impacts to air quality are expected as the design elements would reduce fugitive dust during construction and the surfacing of the parking area and access road would also reduce dust (EA p. 6 and 7). The proposed action would not be expected to have any significant and adverse effects on any municipal water supply as the project area is not in a municipal watershed (See EA p. 10).
- 3 **Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There will be no significant effects on unique characteristics of the area, because no Historic Properties would be affected by the proposed action. The project area is not in prime farmland, there are no wetlands within the project area. The Dry Fork drainage runs water seasonally and is not a wild and scenic river nor within an ecologically critical area.
- 4 **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not likely to be highly controversial. There is no known credible scientific controversy over the impacts of the proposed action (EA Chapter 3 *Affected Environment and Environmental Consequences* section pgs 7-13).
- 5 **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Agency has considerable experience with actions like the one proposed. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk (EA Chapter 3 *Affected Environment and Environmental Consequences* section pgs 7-13).
- 6 **The degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** The action is not likely to establish a precedent for future actions with significant effects, because the action is routine in nature and is neither precedent-setting nor are significant effects expected from similar actions (EA Chapter 3 *Affected Environment and Environmental Consequences* section pgs 14-73).
- 7 **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** Analysis shows that cumulative impacts will not be significant (EA Chapter 3 *Affected Environment and Environmental Consequences* section pgs 14-73). There are no known reasonably foreseeable actions in or near the project area. Because of the relatively minor impacts of the selected action, those impacts when combined with past actions and present activities (there are no foreseeable actions) would not have a significant effect on the resources analyzed in the EA (EA p. 13).
- 8 **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed , or eligible for listing, in the National Register of Historic Places or may cause loss or**

destruction of significant scientific, cultural, or historical resources. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, because none would be affected by the action (EA p. 10). A letter from the Utah State Historic Preservation Office concurring with the determination of No Adverse Effect was received on May 4, 2009.

- 9 **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. The action will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973.** There are four federally listed or candidate terrestrial wildlife species potentially found on the ANF. Of these four species only the Canada lynx has the potential to be impacted by project activities. There is no habitat within the action area due to user created routes, parking and past dispersed camping disturbances. It is determined that the trailhead improvements would be consistent with the standards and guidelines in the LCAS (Reudiger 2000) and the Northern Lynx Management Direction (USDA Forest Service 2007). The Biological Assessment determined that the selected alternative may affect but would not likely adversely affect Canada Lynx with the current condition of lynx habitat within the project area (EA p. 12). On June 2, 2009 the U.S. Fish and Wildlife Service concurred with these findings.

A determination of *no effect* was made for Threatened and Endangered (T&E) plants and aquatic species in relation to the selected alternative as there are no T&E plant or aquatic species within the project area (EA pgs 10, 11 and 13).

- 10 **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA. The action is consistent with the Ashley National Forest Land and Resource Management Plan as amended with this decision.

After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

Administrative Review (Appeal) Opportunities

This decision is subject to administrative review (appeal) pursuant to Forest Service regulations at 36 CFR 215. Appeals must meet the content requirements of 36 CFR 215.14. Only individuals or organizations who submitted comments or otherwise expressed interest in the project during the comment period may appeal. Appeals must be postmarked or received by the Appeal Deciding Officer within 45 days of the publication of the notice of this decision in the Vernal Express. The actual publish date is the exclusive means for calculating the time to file an appeal. Timeframe information from other sources should not be relied on. The Appeal Deciding Officer is Harv Forsgren, Regional Forester for the USFS Intermountain Region. Appeals must be sent to Mr. Forsgren at: Appeal Deciding Officer, Intermountain Region USFS, 324 25th Street, Ogden, Utah 84401; or by fax to (801) 625-5277; or by email to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text format (.rtf), Word (.doc) or portable document format (.pdf) and must include the project name in the subject line. Appeals may also be hand delivered to the above address, during the regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

Implementation Date

If no appeals are filed within the 45-day appeal period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. If appeals are filed, implementation may not occur for 15 business days following the date of the last appeal disposition.

Contact

For additional information concerning this decision, contact Kris Rutledge, Environmental Coordinator, Ashley National Forest, 355 N. Vernal Ave., Vernal, UT 84078, or by email krutledge@fs.fed.us, or by phone at 435-781-5196.



24 August 2011

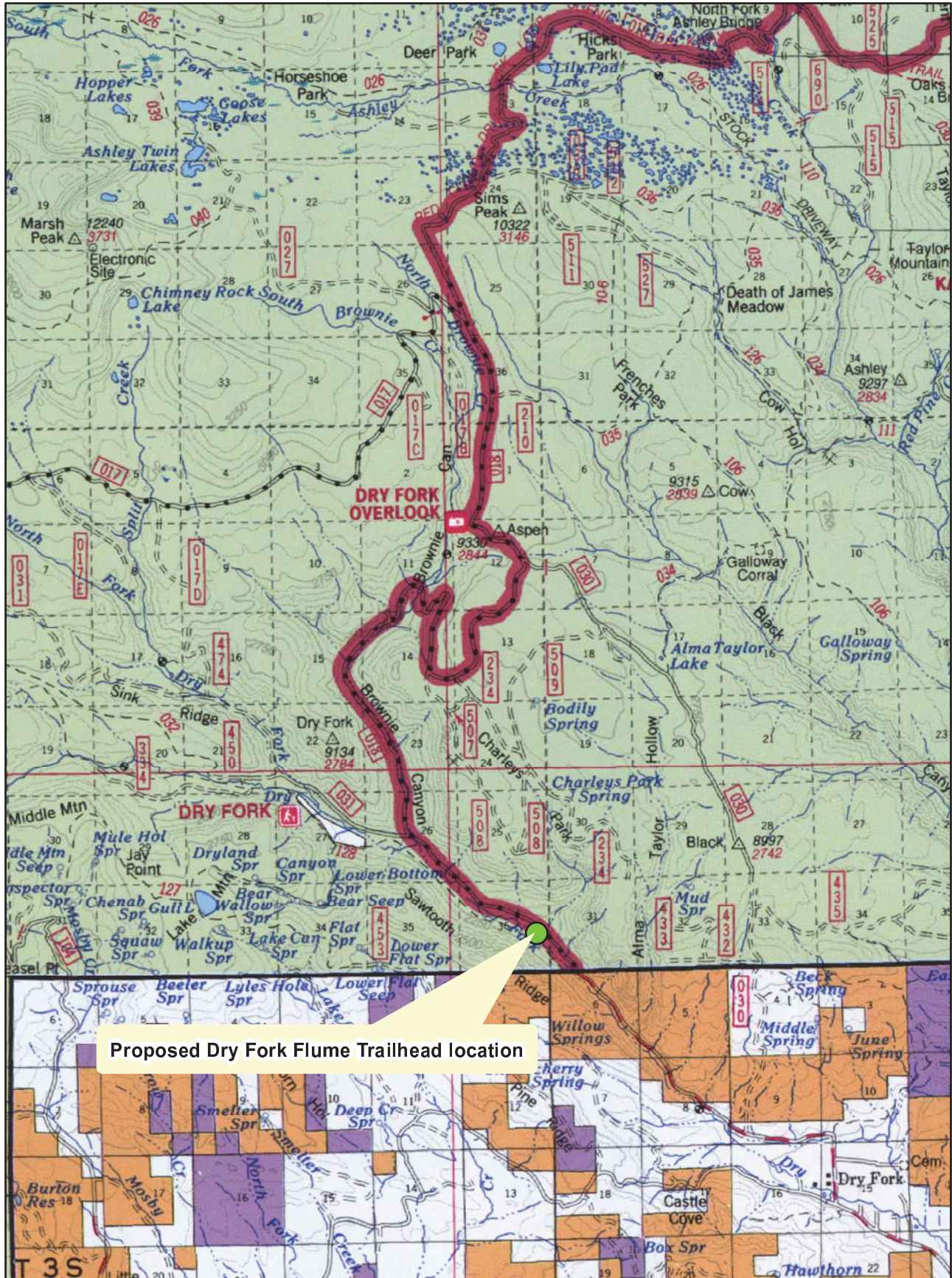
KEVIN B. ELLIOTT
Forest Supervisor
Ashley National Forest

Date

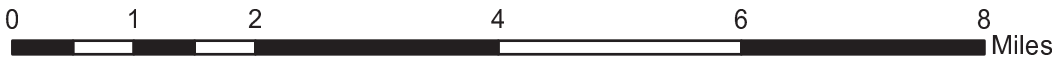
Proposed Dry Fork Flume Trailhead

Appendix A

Ashley National Forest
Vernal Ranger District



Proposed Dry Fork Flume Trailhead location



1:100,000

Appendix B

Proposed Forest Plan Amendment # 23

Site-Specific Exception to the Standards and Guidelines Vernal Ranger District

Strike the following Forest Plan Standard, Ch IV, Section C, #2 page IV-16 *Allow no developed recreation sites in the Dry Fork Drainage.*

The decision on whether or not to implement this amendment would be made as part of Ashley National Forest Supervisor Kevin Elliott's decision on the Dry Fork Canyon Flume Trailhead Project which is analyzed in the attached EA as described in 36 CFR 219.6(a). Selection of the proposed action alternative would include this amendment. The EA and supporting resource specialist reports contain analyses of the potential effects of this amendment and take into account best available science as part of the resource specific effects analyses and project design feature recommendations.

This amendment would be made using the provisions of the planning regulation in effect as described in 36 CFR 219.8. An amendment decision must be based on the identification and consideration of issues (36 CFR 219.4), applicable information (36 CFR 219.5), and an analysis of the effects of the proposed amendment (36 CFR 219.6).

The Flume Trailhead Development EA demonstrates that safety is a leading issue for the development of the proposed action.

Applicable information shows that the Red Cloud snowmobile loop and Flume Trail have become increasingly popular with summer and winter motorized and non-motorized forest users. When the Forest Plan was written this level of use was not anticipated. The existing user created uses are resulting in unmanaged resource damage, and because the user-created staging areas are unmarked, often exceed capacity, and create hazards when road space is used for parking there are increasing safety concerns to the trail users as well as drivers using the forest road.

The proposed action area is currently used as a user created parking and camping area. The proposed action would limit resource impacts to the ½ acre hardened parking area by barriers and signs. The EA clearly demonstrates that there are no significant environmental effects anticipated related to the proposed action.

The proposed Forest Plan amendment would not constitute a significant change in the long-term goods, outputs, and services projected for the entire Ashley National Forest and therefore would not be significant as defined by NMFA.