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## Decision Memo Whiskey Mountain Trail Reconstruction

USDA Forest Service  
Shoshone National Forest  
South Zone / Wind River Ranger District  
Fremont County, Wyoming  
(T40N, R106W, Section 20 and 21)

### Decision

#### Summary of Decision

It is my decision to implement the Whiskey Mountain Trail Reconstruction Project. The intent is to construct approximately 1.5 miles of new trail as a reroute to improve traveler safety. The project is located in T40N, R106W, Sections 20 and 21, approximately 8 miles south of Dubois, Fremont County, Wyoming. I considered both the input of the interdisciplinary team and the public in my decision.

This project is in conformance with the Shoshone National Forest Land and Resource Management Plan and the prescribed Management Area Direction. Floodplain, wetlands, prime farmlands, threatened and endangered species, and cultural resource management implications have been considered and these resources will not be adversely affected.

The planned action was evaluated pursuant to Categorical Exclusion 1(a), in Section 31.2 of the Forest Service Handbook 1909.15 – *Environmental Policy and Procedures Handbook*: “Construction and reconstruction of trails.”

### Project

#### Background

In June 1999 a major landslide occurred on the east flank of Whiskey Mountain approximately 8 miles south of Dubois, Wyoming. This slide obliterated approximately 1.5 miles of the Whiskey Mountain Trail making it impassible to all users. The trail was a very popular route that provided access to a series of lakes in the wilderness. Those lakes could still be accessed by the Whiskey Creek Trail, but that trail is not as good as the Whiskey Mountain Trail. It crosses multiple jurisdictions, there is a lack of erosion control structures and there is no established trailhead.



## **Purpose & Need**

The primary purpose of the project is to restore recreational opportunities that are safe for public travel.

## **Project Description**

The project will be above the Torrey Creek drainage in the vicinity of the washed-out Whiskey Mountain Trail. The work will involve a combination of hand-tools and mechanical drilling equipment. The drilling equipment will be used to drill holes for explosive charges in the bigger rocks located in the proposed trail route. The project is approximately 1.5 miles in length, comprised of two sections; one 1-mile section and one 0.5-mile section.

## **Project Design**

I have decided to implement the planned action as described, including specific project design features (PDFs) and mitigation measures to minimize environmental effects. PDFs are integral and critical elements of the planned action; their purpose is to reduce potential impacts and ensure that the proposed fuel reduction treatments are consistent with the management objectives for a variety of resources (e.g., fisheries, wildlife, and botanical) in the project area. Their basis includes the management direction of the Shoshone National Forest Plan, as amended to which the project is tiered, pertinent best management practices, and the professional expertise of the interdisciplinary planning team.

Soils, topography, slope and aspect, elevation, access, recreation, wildlife and other environmental considerations are part of the PDFs for the planned action, along with additional concerns and issues identified through scoping. An interdisciplinary team of resource specialists was involved with project design, and reviewed and analyzed the planned action for compliance with the limitations for categorical exclusions, extraordinary circumstances, applicable laws and commensurate with the issues and concerns raised from the scoping, public involvement cooperation process. Specific PDFs related to this action include, but are not limited to:

- Using only existing roads to implement the project.
- Using appropriate trail engineering standards to avoid surface drainage and erosion concerns.

## **Public Involvement**

### **Scoping**

Scoping is to determine the scope of the issues to be addressed and to identify significant issues related to the proposed action (40 CFR 1501.7). The project proposal was provided to the public and other agencies for comment during the scoping period April 17, 2001 to May 28, 2001, through publication in the *Dubois Frontier*, a general circulation newspaper in Dubois, Wyoming. The scoping notice was also available online at <http://www.fs.fed.us/r2/shoshone/>. All correspondence is retained in the project file. All comments received through scoping and public involvement processes were considered in developing the project action and which directed the analysis process. Using the comment from the public, other agencies, and tribes, the interdisciplinary team developed a list of key issues to address and activities to implement.

## **Key Issues**

Key issues identified through public scoping and the interdisciplinary team included effects to public safety, soil stability, erosion and recreational opportunities. The interdisciplinary team evaluated and addressed these key issues, adding appropriate mitigation and monitoring requirements to the proposed action, also included in this decision.

## **Findings Required by Other Laws**

### **Compliance with the Forest Plan**

Mechanical treatment and prescribed burning are consistent with activities identified in the Forest Plan. The decision is consistent with the Shoshone National Forest Land and Resource Management Plan as required by the National Forest Management Act. The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines for the given management areas. The project is located within the Fitzpatrick Wilderness in Management Area 8E (Provides for Management of the Glacier Addition (Whisky Mountain) to the Fitzpatrick Wilderness). The relevant direction is to maintain the trails in accordance with standards in the Trail handbook (Forest Plan p. III-205) and to construct or reconstruct trails only when needed to meet objectives of the wilderness transportation system (Forest Plan p. III-206). In addition, the General Forest direction is to maintain trails to provide for safe travel by users (Forest Plan p. III-92).

### **Clean Water Act**

The planned action will comply with the Forest Plan while pursuing project objectives. Best Management Practices (BMPs) will minimize sediment production during and following treatment. Prior to treatment, each unit designated for mechanical treatment will be surveyed with any waters of the United States marked and avoided. No Section 404 (Clean Water Act) Permit is required for this project.

### **National Forest Management Act**

The planned action will meet all requirements of the National Forest Management Act.

### **National Historic Preservation Act / Section 106 Compliance**

The proposed action was coordinated with the Forest Archeologist and the Wyoming State Historic Preservation Officer (SHPO). Previously recorded sites and newly identified sites will be identified prior to treatment within each unit. All sites, regardless of eligibility on the National Register of Historic Places, will be marked and avoided. A project concurrence letter was received from the SHPO.

### **Endangered Species Act**

Forest Service policy is to protect the habitat of federally listed proposed, candidate, threatened or endangered species from adverse modification or destruction, as well as to protect individual organisms from harm or harassment. Biological assessments shall be prepared to determine possible effects the proposed activity may have on threatened and endangered (T&E) species. Biological assessment processes are intended to conduct and document activities necessary to

ensure proposed management actions will not likely jeopardize the continued existence or cause adverse modification of habitat for T&E species.

**Biological Assessment.** The Forest Service consulted with the U.S. Fish and Wildlife Service (USFWS) for this project and its effects on federally listed T&E species, or their critical habitat. Determinations are disclosed in the Biological Assessment (BA) in the project record. The BA was sent to the USFWS, which in turn concurred with our findings. Appropriate survey requirements and mitigation measures are included in this decision to ensure that the project does not adversely affect T&E species and/or their critical habitat; therefore, consultation is completed.

**Biological Evaluation.** The Forest Service also conducted a Biological Evaluation (BE) for the R2 Regional Forester's Sensitive Species List and the appropriate Forest Management Indicator Species. The BE concluded that there will be no adverse effect on any such species and that this action will not have a measurable effect on Forest wide population trends or viability of any species.

**Coordination with Other Agencies.** Applicable plans and decisions of other agencies were reviewed and considered in respect to the project (Grizzly Bear Recovery Plan, Lynx Conservation Strategy, etc.).

### **Wilderness Act**

The proposed project was coordinated with the Rocky Mountain Regional Forest Office regarding the use of mechanical equipment in designated wilderness. The decision to use mechanical equipment in the wilderness reduces the overall impact to the visitor's wilderness experience by allowing quicker completion of the project. Crew safety is another consideration for choosing mechanical work during trail construction. This project conforms with all requirements of Shoshone National Forest Land Use Plan as it pertains to the compliance with the Wilderness Act.

### **Rationale for Decision**

It is my decision to proceed with the project, with the included mitigation and monitoring, because it will provide continued safe recreational opportunities for public and agency use. I feel that taking no action will increase the risk for recreational users attempting to cross the impacted trail.

I have reviewed the proposal and determined that no significant effects will occur from its implementation, including no adverse effects to actual extraordinary circumstances (FR Vol. 69, No. 108, page 33814). The effects of the actions, as determined through scoping and interdisciplinary review, are not highly controversial and are similar to other actions that have been implemented in the area. I find that the planned action can be categorically excluded from further environmental documentation pursuant to USDA Forest Service Handbook 1909.15, Chapter 30, Section 31.2 (1) – Construction or reconstruction of trail.

### **Administrative Review or Appeal Opportunities and Implementation**

This decision is not subject to administrative appeal in accordance with 36 CFR 215.4 and may be implemented immediately.

## **Contact Person**

For additional information on this decision, contact: Mark King, South Zone NEPA Coordinator, Washakie Ranger District, 333 E. Main Street, Lander, WY 82520; phone (307) 332-5460 or email at [jmking@fs.fed.us](mailto:jmking@fs.fed.us).

/s/ Rick Metzger  
RICK METZGER  
District Ranger