

# **Decision Memo**

## **Shoshone Lake ATV Trail Reconstruction**

USDA Forest Service  
Shoshone National Forest  
South Zone / Washakie Ranger District  
Fremont County, Wyoming  
(T32N, R102W, portions of Sections 3, 9 and 10)

### **Decision**

#### **Summary of Decision**

It is my decision to implement the Shoshone Lake All Terrain Vehicle (ATV) Trail Reconstruction project. The intent is to relocate and reconstruct two sections of the existing trail (approximately 2 miles of trail) to reduce resource impacts to wetlands and littoral area of Shoshone Lake and to reduce frequency of wilderness trespass. The project will be located from Shoshone Lake Basin to the northeastern end of Shoshone Lake, approximately 14 miles south, southwest of Lander, Fremont County, Wyoming.

I considered the input of the Forest Interdisciplinary Team, staff members of the Wyoming State Trails Program and comments received from other Federal and state agencies and the public. Based on my review, I determined that the planned action is consistent with Section 31.2(1) of the Forest Service Handbook 1909.15, Environmental Policy and Procedures.

### **Project**

#### **Background**

The Shoshone National Forest, Washakie Ranger District has proposed and implemented several trail improvement projects within the district to address issues and concerns related to water quality improvement, wetland and watershed improvement and public access. The district identified specific concerns related to the use of the Shoshone Lake Trail during continued monitoring of this and other recreational areas.

#### **Purpose**

The primary purpose of this project is to provide a safe ATV trail from Sinks Canyon to Shoshone Lake with minimum resource disturbances and to move the trail further from the Popo Agie Wilderness to discourage future trespass.

#### **Need**

The proposed project is needed to direct ATV traffic out of the wet meadows in Shoshone Basin and away from the wet lakeshore along Shoshone Lake. The present conditions of Shoshone Basin, the lakeshore and adjacent steep hills show significant

damage to soil and water resources by ATV users developing new routes around impassible wet and rocky areas along the trail. Additionally, moving a portion of the trail into the timber, east of the existing trail, would reduce the potential for trespass into the Popo Agie Wilderness.

## Description

The project includes rerouting approximately 2 miles of the existing trail, constructing new wooden pungeons (log-crosswalks), approximately 100 feet of buck and rail fence and several rock causeways within Sites #1 through #6, as noted on “Map 1”. In coordination with the State of Wyoming Trails Program and local ATV clubs, the project will be implemented during the summer of 2004. Materials for the pungeons will be flown to the work sites by helicopter. All actions will be taken in an effort to avoid or minimize adverse affects to other resources within or near the project area.

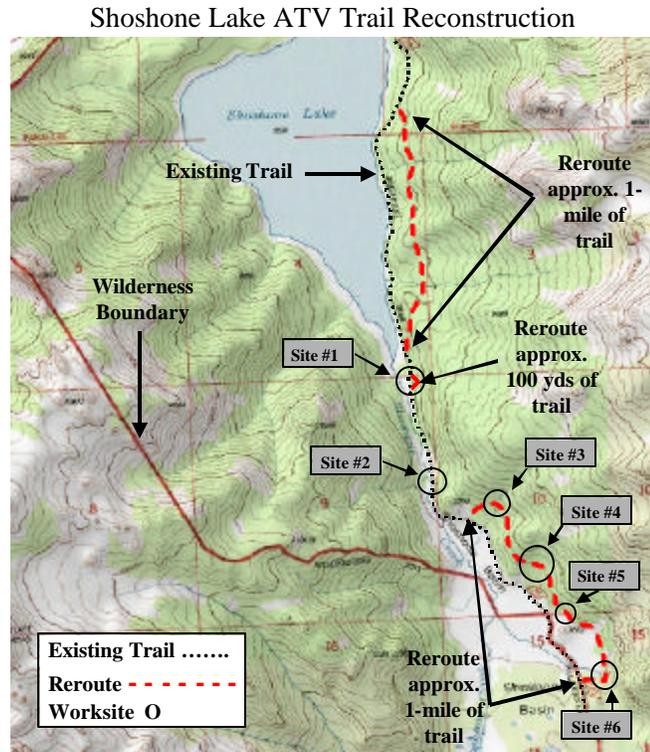
## Public Involvement

### Scoping

The project proposal was provided to the public, state, Federal and local agencies and organizations for comment during a public scoping period January 28, 2004 through March 3, 2004. The scoping notice was also available online at <http://www.fs.fed.us/r2/shoshone/projects/planning/nepa/scoping.htm>. The proposal was also listed on the Schedule of Proposed Actions on the Shoshone National Forest website. All correspondence is retained in the project record. All comments received through public scoping and the public involvement process were considered in developing the project actions, mitigation measures and monitoring requirements. Using these comments, the Interdisciplinary Team developed a list of key issues to address and activities to implement.

### Key Issues

Scoping is to determine the scope and significance of issues related to the proposed action that must be addressed and documented (40 CFR 1501.7). Key issues identified by the Interdisciplinary Team (IDT) included effects to wildlife, historic properties,



Map 1

aquatic habitat, water quality and public access. The interdisciplinary team addressed these key issues in the following manner:

- A Biological Assessment and Biological Evaluation were conducted to assess the potential impact to Federally listed threatened and endangered species as well as species listed as sensitive and/or management indicator species for the Shoshone National Forest. No adverse impacts were identified.
- The Forest Archeologist conducted a cultural resource survey and determined that the action would not adversely impact properties eligible or potentially eligible for the National Register of Historic Places.
- The Forest identified this project to reduce existing adverse impacts to aquatic resources. Relocating the trail from the Shoshone Lake Basin and the Shoshone Lake shoreline will reduce direct and indirect impacts to wetland and littoral habitats.
- The IDT has identified and incorporated the appropriate “Best Management Practices” to reduce the potential for water quality impacts during and after construction.
- The project was designed to discourage trespass into the Popo Agie Wilderness by relocating the trail away from the wilderness boundary. Although efforts will be made to block and/or discourage travel along user created, unclassified trails and/or roadways, no legal access will be closed.

## **Findings Required by Other Laws**

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

The project is located in Management Area 2A (Semi-Primitive Motorized Recreation (pg III-118 thru 123)) and 9E (Water Impoundment Sites (pg III-223 thru 230)). The objective of allowing motorized recreation while relocating and reconstructing portions of the existing trail to reduce water resource impacts are consistent with the goals and desired conditions expressed in the Shoshone National Forest Resource and Land Management Plan (as amended).

### **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 who found that this action would not adversely impact any previously recorded sites or newly identified sites. All sites, regardless of eligibility on the National Register of Historic Places, will be marked and avoided.

## **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 were 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. Based on the determination that this project would not adversely affect Federally listed T&E species, there was no additional requirement for further consultation with the USFWS; 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.).

## **Rationale for Decision**

It is my decision to implement the project including the appropriate "best management practices" to avoid or minimize impacts to other resources. It is my opinion that the project will result in improvements to water quality, aquatic habitat and discourage wilderness trespass. I feel that taking no action within the treatment area will lead to continued deterioration of aquatic resource both in Shoshone Basin and Shoshone Lake, as well as allow impacts to wilderness characteristics through vehicular trespass.

I have reviewed the proposal and determined that no significant effects will occur from its implementation, including no adverse effects to actual extraordinary circumstances, as noted in the project file. 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), allowing for construction and reconstruction of trails.

**Administrative Review or Appeal Opportunities and Implementation**

This decision is not subject to administrative appeal in accordance with 36 CFR 215.12(f) 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/ Burns Davison	06/03/2004
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Burns Davison District Ranger Washakie Ranger District Shoshone National Forest	Date