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February 9, 2021

Dear USFS staff:

I offer the following comments on the USFS' draft plan for Upper Wenatchee Pilot Project and its associated Environmental Assessment. My wife and I are full time residents in the Lake Wenatchee/Fish Lake area. We have owned our home since 2003. Our home is in a Firewise community. My wife Terri is the Firewise coordinator.

1.6.2.1

*Reduce risk of fire on National Forest System lands in the WUI. Wildland fire that threatens developed lands is a major concern throughout the United States (U.S.), particularly in the western U.S. The WUI is a place where humans and their development meet or intermix with wildland fuel. The Project planning area includes areas of high and increasing densities of homes and recreational properties. The Washington Department of Natural Resources (WDNR), ilocal communities, and collaboratives, including the North Central Washington Forest Health Collaborative, have all identified the need to reduce the risks to property and human lives posed by fire. Based on these existing conditions, desired future conditions include the following:*

- *Creating landscape-level conditions where the potential for fire spread and intensity is within the historical range of variability.*
- *Reducing the threat from wildland fire spreading to local communities as well as the threats of fire spreading from local communities to Forest Service lands.*
- *Coordinating and aligning fire and fuels management efforts on National Forest System lands within the WUI with efforts on adjacent lands being conducted by the WDNR, Chelan County, local Firewise Communities, and others.*
- *Develop fuel breaks around non-federal lands.*

**Comment**

- The Project planning area has been subject to a substantial increased risk of wildfire in last five years principally caused by more recreational use. The risks are caused by:

- Exponential increase in short term rental properties (STRs) in Plain, the south shore of Fish Lake, and Lake Wenatchee, many owned by absentee owners who do not manage the conduct of their guests.
  - Massive increase in dispersed camping caused by (i) people seeking to get out of the house and to camp and (ii) #VanLife phenomenon illustrated by Sprinter vans and rooftop pop up tents.
  - A large portion of the population staying in STRs and dispersed camping comes from Seattle/Puget Sound. Many are urban dwellers from a wet coastal climate, unaware of wildfire risks in the dry forest of the Project Planning area.
- The USFS' posted notices of fire warning could be enhanced to better warn of wildfire risks and of restrictions on activities that may cause wildfires. There are not enough conspicuously-posted notices, and the content of the notices are not sufficiently specific. Better signage could be posted on Highway 207, the Chiwawa River Road, and on the Meadow Creek Road.
  - The USFS should consider increasing USFS enforcement resources.
    - An illustration is offered from the summer of 2020. There was a lightning-caused wildfire in the Chickamin Creek drainage. USFS deployed dozens of firefighters to contain the complex. Simultaneously with the fire suppression, just miles away, during a period of very high fire danger, with high winds blowing, people in dispersed camping sites on the north shore of Fish Lake were grilling burgers and burning camp fires.
  - With regard to environmental and fire risks on the North Shore of Fish Lake (which is located in the Upper Wenatchee Project Area), the USFS issued a Decision Memorandum dated December 27, 2004 (copy attached), as its conditional basis to construct a pit toilet and other improvements without the need to conduct an environmental assessment. Yet, not all of the conditions identified by the USFS in 2004 have been fulfilled by the USFS. Because the USFS already has the legal authority to implement the fire and environmental mitigation measures in this specific area of the Upper Wenatchee plan area, I respectfully submit that the already-required actions should be carried out in 2021.

“Of the 13 existing dispersed campsites identified within the project six campsites are along the north shoreline of Fish Lake and will be closed to overnight camping, but these sites will remain available for day use. Rehabilitation of these sites will occur by planting or seeding native vegetation and by

removing user made fire rings and other makeshift facilities at these sites.”

“Seven of the existing dispersed campsites in the project area will remain open to overnight use. These designated campsites will utilize existing dispersed campsites that are situated along Road #6202 before the new gate. These seven campsites are located away from the lake shore. Steel firings will be installed at these sites...”

Also in the 2004 Decision Memo, in the North Fish Lake area, roads specifically designated for decommissioning still remain open today and are being used to increase the number and size of dispersed campsites, where fires are burned, and trash and human waste is left. Before additional roads are identified for decommissioning in the proposed plan, logic suggests the roads already required by the 2004 Decision Memo should first be decommissioned.

*Decommissioning Existing Roads / Reducing Road Densities*  
Opportunities have been identified to reduce road densities in subwatersheds where Effective Drainage Network and Watershed Road Density and Location REIs have been identified as at Risk or Poor condition (Cramer Fish Sciences, 2019). Reduction in road densities and valley bottom road densities would be beneficial to riparian habitat that has been physically displaced by valley bottom roads; with a reduction in drainage network, hydrologic impacts to streams would be lowered and sediment delivery would be reduced to area streams.

*Implementation of the Travel Analysis Process (TAP; USDA Forest Service, 2020) recommendations would improve REI indicators to varying degrees within the Project area. Road reductions would include only those roads identified in the project TAP (USDA Forest Service, 2020). Travel analysis is a science-based process used “to inform decisions related to: a) identification of the minimum road system needed for safe and efficient travel and for administration, utilization, and protection or National Forest System (NFS) lands per 36 CFR 212.5(b)(1) and b) designation of roads, trails and areas for motor vehicle use per 36 CFR 212.51” (FSH 7709.55, section 20.2). The TAP was developed through an interdisciplinary approach to examine the existing forest transportation system to determine appropriate management direction for each road. Considerations included ML, closure or decommissioning recommendations, resource needs or concerns, maintenance costs, motorized access restrictions, and new access needs, among others. The TAP has identified about 65 miles of roads for decommissioning, and about 14 miles of road to be closed (i.e., placed in storage in ML 1 status), for a total net reduction in open road of 78.5 miles. Of the approximately 22 miles*



*of unauthorized roads identified in the TAP, almost half (10.5 miles) would be decommissioned, and the remaining 11.7 miles would be converted to NFS roads in either ML 1 or ML 2 status.*

### *3.7.5.2 Recreation Activities and Facilities*

*Table 3.7-4 lists the top 10 visitor activities by estimated participation. Recognizing that visitors may participate in more than one activity at a time (e.g., viewing natural features while hiking), the table also identifies the share of visitors who identified each activity as their main activity. Viewed in this way, hiking/walking is the most popular activity on the Forest, with 20 percent of visitors identifying it as their main activity (Table 3.7-4).*

*As discussed above with respect to ROS, there would be a total net reduction of 78.5 miles of open road under both Action Alternatives. These roads are distributed throughout the Project area and involve multiple different segments of road. This decrease would reduce the miles of road available for motorized recreation opportunities and potentially lower the quality of recreation experiences of visitors who would otherwise have used these roads for motorized access to explore, gather forest products, or hunt, among other activities. It should be noted, however, that a number of these roads have become overgrown and are not currently drivable or used for motorized access. Some recreationists prefer less motorized access or like to use closed roads for nonmotorized activities. Areas available for nonmotorized recreation opportunities would increase, and the quality of the recreation experience offered within parts of the Project area could improve for these visitors.*

*Roaded access would continue to be available to the dispersed camping areas in the Swallow Caves area and the relatively nearby Meadow Creek Pit and Triangle sites, as well as the Lil Creepo area, under both Action Alternatives. Other dispersed camping areas in the Project area may no longer be accessible by motor vehicle, as a result of roads being decommissioned or closed. This would, for example, be the case with the Big Creepo area on the north shore of the Wenatchee River.*

### **Comment**

- Having owned a residence at Fish Lake since 2003, and recreated extensively in the area dating back to the early 1990s, I have to admit that I don't know the "Lil Creepo" and "Big Creepo" areas. Google did not help find it. And I don't see the names called out on the USFS maps that accompany the EA.

That said, there exist a network of trails that parallel the Wenatchee River downstream of the Wenatchee State Park on the Northwest side of the river (same side as Midway Store). This is the Sea-to-Ski network of trails used for Nordic skiing in winter and for mountain biking and hiking in the summer.



Motor vehicles should be excluded from this forested, riverfront area. Last summer, dispersed camping increased to alarming levels. One weekend, during COVID lockdown, a group of ~20 campers blocked the well-established trail with trucks and pitched tents. As I slowly made my way along the trail (through the middle of their camp, bacon frying), I rode by a firepit, then was startled to see a Honey Bucket/Sanican set up on the trail, not more than 50' from the river's edge. Multiple other contacts occurred during the spring and summer with vehicles in this area, some of which contains very wet tracks and wetlands, which get trenched and badly damaged by motor vehicles. The fire-burning activities create a wildfire risk. The garbage and human waste is inexcusable.

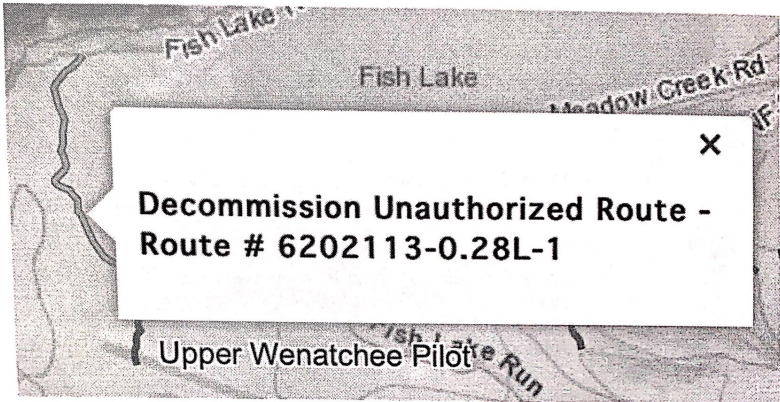
- With regard to USFS' proposed "decommissioning" of roads, except as noted in my comments below, I also support the exclusion of motorized vehicles from the identified roads. However, the METHOD of decommissioning is important. There is a many-decades history in this area of hiking, mountain biking, Nordic skiing and snowshoeing. I support decommissioning methods that block road entrances by motorized vehicles, while still preserving the long-established routes for use by bicyclists and hikers and winter non-motorized users. Many of the suggested "roads" for decommissioning are nothing more than Jeep trails or doubletracks that are used daily during snow-free months for motor-free recreation, and are highly valued by residents and tourists. Some are also used in winter by skiers and snowshoers. One "road" (identified below) is an overland foot/bike route that provides emergency egress for residents in the event the main road were to be blocked.

Please do not cut down swaths of tree and brush to completely block these "roads", such a method of decommissioning is unnecessary to the fire-reduction and ecology objectives of the proposed USFS program.

The alternatives for decommissioning are discussed here: [https://www.fs.fed.us/t-d/pubs/pdfpubs/pdf16771804P/1677-1804P\\_GuideStoreDecomRoads\\_Sec508\\_07-02-18a\\_400dpi.pdf](https://www.fs.fed.us/t-d/pubs/pdfpubs/pdf16771804P/1677-1804P_GuideStoreDecomRoads_Sec508_07-02-18a_400dpi.pdf)

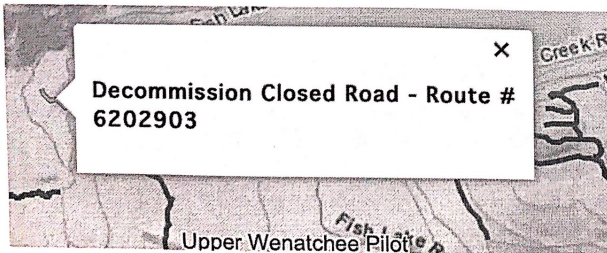
Comments on specific roads:

- Root Trail (Fish Lake Road to Lake Wenatchee Airport)



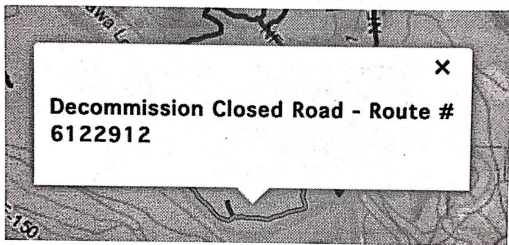
This doublewide jeep track provides a safety route for residents living on the northshore of Fish Lake (including my wife and me) in the event that egress is blocked on USFS 6202/Fish Lake Road. This route has been used for decades as an established mountain bike route and by hikers. In winter, until recently, this was the route for the snowmobile Fish Lake Loop, which now is closed. I support blockage of the route by berms or other methods to exclude motorized vehicles, but keeping the route open for non-motorized recreational use and as a non-motorized safety egress route for residents.

- Sofa trail



This short trail, known as Sofa (for the forsaken furniture that previously adorned the USFS route for years), is a mountain bike trail that connects to the Root Trail (above) and to various other hiking, horse, and mountain bike trails that are more proximate to Dirty Face and the south shore of Lake Wenatchee. Exclusion of motorized vehicles – no objection. However, this well-established route should be preserved for non-motorized recreational use. In recent years, some woodcutters have been using this route to cut live trees in the area, as well as to run their saw blades around the trunk of mature Doug Firs, apparently to cause them to die for intended future harvesting. The saw cutters vandalism is especially bad on the trail known as Carwash, which exits out onto Fish Lake Road. Carwash is not identified for decommissioning, but it should be considered. Excluding the trucks should assist this unlawful tree harvesting from continuing.

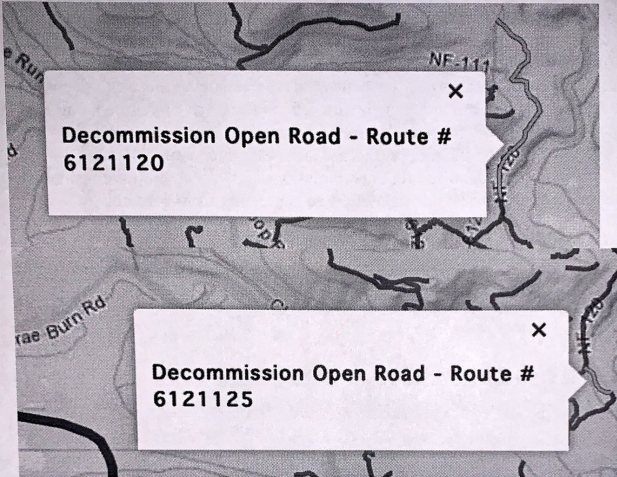
- **Sea-to-Ski trails**



- This network of roads and trails are adjacent to the Wenatchee River. Some of the roads run through wetlands and some have seasonal springs and streams. Motorized vehicles should be excluded from the entire area. Non-motorized recreational activities should continue, including hiking, winter sports, and mountain biking. Hike-in camping is fine. But a posse of pick-up trucks and a Honey Bucket is going way too far for sustainable dispersed camping. USFS has not diligently cleaned up the trash and human waste left behind on the banks of the Wenatchee River at the camping locations. A good solution would be to close the area to further degradation incident to car/truck camping in this area.



- Chiwawa River/Loop Hill trails



These routes are located on the west side of the Chiwawa River, north of the Wenatchee River, along the east side of Loop Hill. Mountain bikers have been riding these trails for decades, which tie into the Sea to Ski trails, Squirrel trail, and to the Fish Lake trails. Continued recreational use of these routes would benefit the mountain biking community.

**USFS 6202 (aka Fish Lake Road)**

This road provides access to residences on the North Shore of Fish Lake. The road has multiple areas where water runs across and/or pools on the surface of the road surface, including one spot draining into Fish Lake and multiple others that drain into adjoining wetlands. USFS has deferred maintenance on this road, including after timber harvesting conducted on USFS permits damaged the road. USFS 6202 is in need of installation of one or more culverts to reduce sedimentation being carried into Fish Lake and its associated wetlands. Some of the road, near the residences, is Chelan County's jurisdiction. Rather than point to the other and disclaim responsibility, USFS and Chelan County jointly should assess the road condition and jointly mitigate the conditions.

Thank you for considering my comments.

Chris Weiss

## LAKE WENATCHEE Ranger District

continued...

### North Shore Fish Lake Area Restoration

The primary purpose of this project is to control the litter and human sanitation problems currently occurring along the north shoreline of Fish Lake due to the dispersed camping activity, and to protect wildlife and riparian habitats near sensitive lake shores while still providing for recreational use of the area. The proposed action is to develop a day parking area from where visitors can access the north shore of the lake for hiking, picnicking or fishing. A vault toilet and informational bulletin board would be placed at this day parking area. This proposal would also designate overnight campsites, and includes a vault toilet. This proposal would close roads segments that provide access to shoreline areas. These decommissioned road segments would include the southern most portions of spur roads No. 6202-133 and No. 6202-131.

Sections 14 and 15, T27N, R17E

Scoping Began: 7/2003

Estimated Decision Date: 5/2004 EA/DN

Estimated Implementation Date: Summer 2006

Contact: Roger Ross (509) 763-3103 ext. 230

### Upper Little Wenatchee Trail Relocation Project

This project proposes to relocate approximately 1.5 miles of the existing trail where tread conditions are braided and difficult to drain of the upper portion of the Little Wenatchee trail between Meander Meadows and the Pacific Crest Trail. This project proposes to completely move this section of trail to the slope north of Meander Meadows.

This project also proposes to relocate several short sections of the Little Wenatchee Trail approximately 2 miles in from the Little Wenatchee trailhead. About 1500 feet of total trail would be relocated in that area over a series of three separate reroutes.

T28N, R14E, Section 1

T29N, R14E, Sections 28 and 29

Scoping Began: 7/2003

Estimated Decision Date: 5/2004 CE/DM

Estimated Implementation Date: Summer 2006

Contact: Roger Ross (509) 763-3103 ext. 230

### Goose-Maverick ORV Tie Trail

This project proposes to construct a tie trail from the Lower Chiwawa Trail No. 1548 at Goose Creek Campground to the Mad River Trail No. 1409 at Maverick Saddle. The proposal to construct a steel lattice trail bridge at the existing trail ford of the Mad River, on the Mad River Trail No. 1409 at Maverick Saddle has now been incorporated into the Mad River Trail project being conducted by the Entiat Ranger District. In August 1997, an Environmental Assessment for the Goose-Maverick Tie trail project was completed and a Decision Notice was signed. Construction work began on the project in June 1999. As a result of a subsequent lawsuit, the United States District Court in the Western District of Washington issued a Preliminary Injunction in August 1999 that enjoined the Forest Service from proceeding further with construction work on this project without further environmental analysis. The original Decision Notice for the Goose-Maverick Tie Trail project was subsequently withdrawn in December of 1999.

Currently, additional analysis is being conducted to revise the original Environmental Assessment and to reflect the changes to the original proposal. Sec. 17, 19, T27N, R18E  
Scoping Began: 7/1996

Estimated Decision Date: 6/2004 EA/DN

Estimated Implementation Date: 9/2004

Contact: Roger Ross (509) 763-3103 ext. 230

### Outfitter-Guide Use Allocation

The Lake Wenatchee and Leavenworth Ranger Districts currently administer an outfitter and guide program that yearly, on average, consists of 25-30 special use permit authorizations. Existing outfitter and guide permits authorize a variety of commercial recreational activities on the districts. Most of these existing permits have one-year terms that are renewed yearly. The districts are currently proposing to authorize an outfitter guide program that is similar in scope to the existing program with some changes in the total number of permits authorized and with some changes in the amount of total use allocated. The amount and type of commercial outfitter guide recreational use to be authorized is the consideration in this analysis, rather than who the individual outfitters are that would be providing that service.

Scoping Began: 1/2002

Estimated Decision Date: 5/2004 EA/DN

Estimated Implementation Date: Summer 2004

Contact: Roger Ross (509) 763-3103 ext. 230



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STOEL RIVES LLP

## Decision Memo

USDA Forest Service

### North Shore Fish Lake Restoration Project

Wenatchee River Ranger District  
Lake Wenatchee Ranger Station  
Okanogan and Wenatchee National Forests  
Chelan County, Washington

#### Introduction

The north shoreline of Fish Lake, on the Wenatchee River Ranger District, is currently a very popular area for picnicking and dispersed overnight camping. Access to this area is provided by Forest Service Road #6202. About a mile of this road runs parallel to the north shoreline of Fish Lake. The road is situated less than 100 feet from the lakeshore in many places. Despite frequent patrols in the summer months by Forest Service recreation and fire prevention technicians, the dispersed campsites along the north shoreline of Fish Lake have been noted in the past to have had serious litter and human sanitation problems, an inordinate number of abandoned campfires, and unauthorized improvements such as makeshift docks. These dispersed campsites have also resulted in heavy impacts to the lakeshore vegetation at those sites. No toilet facilities currently exist to serve these dispersed campsites which are continually occupied during the summer season, and on weekends in the off season.

The north shoreline of Fish Lake also has several areas that are currently being used as nesting and roosting sites by bald eagles. This lake shore also provides habitat for waterfowl, and the associated riparian area provides areas for deer fawning. This Decision will help to protect the riparian habitats being used by waterfowl and bald eagles while also continuing to provide for recreational opportunities in the area.

#### The Decision

This documents my decision to convert  $\frac{3}{4}$  mile of Forest Service Road #6202 to a trail during the spring through fall use seasons. Motor vehicle access and camping along this road will be restricted from early April to late November. This portion of road, though, will continue to be open to non-motorized uses such as hiking and bicycling. There will be no change in winter recreation as a result of this action, and this road will continue to be part of the existing groomed snowmobile trail system in the winter months.

My decision is also to develop a small day parking area from where visitors can access, on foot, the north shoreline of Fish Lake along FS Road #6202 for hiking, picnicking or fishing. A vault toilet and informational bulletin board will be placed at this day parking area, which will be located about 200 feet beyond the current location of the temporary gate that I placed on FS Road #6202 in the summer of 2003. My decision is to move this gate to just beyond this new day parking area. The existing dispersed campsites that are located beyond this gate on FS Road #6202 will be closed to overnight camping, except for the first campsite located about 150 feet beyond the new gate. This proposed day parking area will also provide a designated hardened foot path to the lake shore where visitors will be able to launch a car topped canoe or raft.



The day parking area will be constructed by using a portion of the existing Road #6202 and by developing an additional 200 feet of new road to provide a one-way loop with side-of-the-road parking. The total new area of disturbance will be less than ¼ acre. To develop this parking area, 11 trees will need to be cut.

\* Of the existing 13 dispersed campsites identified within the project area, six campsites are along the north shoreline of Fish Lake and will be closed to overnight camping, but these sites will remain available for day use. Rehabilitation of these sites will occur by planting or seeding native vegetation and by removing the user made fire rings and other makeshift facilities at these sites.

\* Seven of the existing dispersed campsites in the project area will remain open to overnight use. These designated campsites will utilize existing dispersed campsites that are situated along Road #6202 before the new gate. These seven campsites are located away from the lake shore. Steel fire rings will be installed at these sites, but picnic tables will not be provided at these campsites in order to maintain the desired primitive nature of the area.

\* This Decision will also close, to motor vehicle traffic, several other roads that provide access to shoreline areas near Fish Lake where there are known bald eagle roosting sites. These closed roads will include the southern-most portions of spur roads #6202-133 (200 feet) and #6202-131 (750 feet). These roads will be closed with the use of earth mounds, large rocks, and logs to restrict motor vehicle traffic on them, but they will remain open to non-motorized use.

**The following Design Criteria and Conservation Measures will be required:**

Construction of the new parking area will not result in any side casting of soil and sediment into Fish Lake. The proposed parking area is located in a relatively flat area with minimal side slopes and is located away from the immediate lake shore. During unseasonably wet weather, construction work on the day parking area will be halted to limit any potential soil erosion at the site.

To reduce shore line erosion, the designated foot access to the lake for launching car-topped canoes or boats will be hardened with rocks and gravel. Boat ramp facilities will not be provided at the new parking area for vehicles pulling trailers. Boat launching facilities requiring trailer access is currently already provided for the public at the Cove Resort located on the west end of the lake.

All construction activities for the day parking area will begin after August 15 to reduce disturbance to nesting bald eagles. This timing restriction period encloses the mule deer and elk fawning/calving period of April 15 to July 15. Although no spotted owls currently nest near this site, this timing restriction also encloses the spotted owl nesting period.

The new day parking road will be routed around standing trees in order to maintain canopy cover and habitat base for wildlife. Only seven trees over 10" DBH and 5 trees less than 10" DBH will need to be cut to accomplish the construction of the day parking area. Any trees felled will be left on site to serve as coarse woody debris for wildlife habitat and for vehicle barriers.

To retain standing snags for wildlife habitat, all snags will be retained where they do not pose an immediate hazard to workers or the public using the proposed day parking area. In future years, only those snags will be cut that pose a hazard to vehicles or to the public using the area.

## Categorical Exclusion

I have determined that this project can be categorically excluded from documentation in an environmental assessment or in an environmental impact statement. This decision is consistent with direction contained in Forest Service Handbook 1909.15, Environmental Policies and Procedures, Chapter 30, specifically 31.2 (6) for *Wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction.*

This decision was made considering the following factors; no floodplains, wetlands, Native American religious sites or cultural resources will be disturbed. In addition, the project is not located within any identified research natural areas, national recreation areas, designated roadless areas, or wilderness areas. Furthermore, no threatened or endangered species of wildlife, plants or fish will be adversely affected and there will be no significant increase in soil erosion or sediment delivery to streams due to project activity.

A summary of these effects determinations and the findings are reported below.

### **Findings that the extraordinary circumstances related to this action do not warrant further analysis**

Scoping did not reveal any extraordinary circumstances upon which this action will have a significant effect, either individually or cumulatively. This decision is made considering the following factors:

### **Proposed, Threatened and Endangered wildlife species or their critical habitat**

The threatened or endangered wildlife species considered during project analysis included gray wolf (threatened), grizzly bear (threatened), bald eagle (threatened), northern spotted owl (threatened), northern spotted owl critical habitat (designated), Canada lynx (threatened), and marbled murrelet (threatened).

A Biological Assessment for threatened and endangered wildlife has been completed and is on file and available for review at the Lake Wenatchee Ranger Station office. The Biological Assessment for wildlife also included consideration of the cumulative effects of the Fish Pole Ecosystem Restoration Project which overlaps this project area. The US Fish and Wildlife Service reviewed the Biological Assessment in a Level I consultation meeting conducted on October 27, 2004 and concurred with the findings described below.

All known sites and those discovered prior to or during implementation of ground disturbing or noise generating activities will be protected. The project will be modified if protective measures prove inadequate, new species are discovered, or if a new species is listed. When these criteria are implemented, the likelihood of disturbance is reduced and the risk of adverse effects becomes discountable.

**Lynx:** It has been determined that the implementation of this project will have "no effect" on Canada lynx and/or its habitat. This determination is consistent with the Canada Lynx Conservation Agreement (USDA and USDI 2000) and was made because the project occurs at low elevations well outside of lynx habitat and there will be no disturbance to lynx. The wildlife cumulative effects model (Gaines et al. 2003) shows "no change" for the Lynx Assessment Index. Based on this analysis, cumulative effects of linear recreation routes on Canada lynx will be neutral as a result of this project.



**Gray Wolf:** It has been determined that the implementation of this project “**may affect, not likely to adversely affect**” gray wolf and/or its habitat. This is due to possible disturbance during construction activities, although construction will not occur until deer fawning season is over as deer is a prey species of gray wolf. There will also be a long-term “beneficial effect” from the 950 feet of road closures and the spring through fall road-to-trail conversion that will reduce motorized road densities and disturbance to gray wolf and its prey.

The project area currently provides low quality gray wolf habitat, since it has a high density of roads and constant human disturbance. Potential gray wolf mortality from poaching or motorized collisions is not expected to increase due to the road closures and the spring through fall road-to-trail conversion in this project. The wildlife cumulative effects model (Gaines et al. 2003) shows “no change” for the Wolf/Wolverine Assessment Index.

**Grizzly Bear:** It has been determined that the implementation of this project “**may affect, not likely to adversely affect**” grizzly bear and/or its habitat. This is due to possible disturbance during construction activities, although construction will not occur until deer fawning season is over as deer is a prey species of grizzly bear. The implementation of this project will be consistent with the interim direction for the management in the North Cascades Grizzly Bear Recovery Zone for “no net loss” of grizzly bear core area. There will be no net loss of grizzly bear core in this watershed.

The area does not provide typical grizzly bear habitat, as it has a high-density of roads and a high level of human habitation. Human/bear interactions and camping sanitation conditions will improve by reducing camping potential in the Bear Management Unit (BMU) along the north shoreline of Fish Lake. The wildlife cumulative effects model (Gaines et al. 2003) shows no change for the Grizzly Bear Assessment Index as road density is already high in the project area.

**Spotted Owl:** This project is located outside of the home ranges of any identified spotted owl activity centers. It has been determined that the implementation of this project “**may affect, not likely to adversely affect**” the northern spotted owl. This “may affect” determination was due to the potential degrade of dispersal habitat.

The day parking area is outside of the previously identified SO657, SO644, and SO649 spotted owl home range areas. The project area and spotted owl habitat within several miles distance of the project area has been surveyed. No new spotted owl use was recorded at these locations in the 2003-2004 field seasons. An active barred owl nest was discovered within 0.5 miles of the project area in 2004 (Singleton et al 2004). The wildlife cumulative effects model (Gaines et al. 2003) shows no change for the Late Successional Security Habitat Index as this project is not located in an LSR which are the analysis areas for that model.

**Designated Critical Habitat For Northern Spotted Owls:** This project is located within the W-6 CHU. It has been determined that the implementation of this project “**may affect, not likely to adversely affect**” designated critical habitat for the northern spotted owl. This “may affect” determination was due to a potential degrade of dispersal habitat. The project will retain function for dispersal habitat and not preclude future development where it is capable to grow trees. At the site level, there is no spotted owl nesting/roosting/foraging (NRF) habitat and there will be no removal of NRF habitat.



**Bald Eagle:** It has been determined that the implementation of this action "may effect, not likely to adversely affect" bald eagles. This is because construction activities could result in some disturbance to bald eagles. Timing restrictions on construction during the bald eagle breeding period will reduce the potential disturbance to bald eagles.

This project will be consistent with the Bald Eagle Recovery Plan (USDI Fish and Wildlife Service 1986), and Bald Eagle Management Guide for the Wenatchee National Forest (Rees 1989). For the long term, there will be a "beneficial effect" for bald eagle, due to the 950 feet of road closures and the 0.75 mile of spring through fall road-to-trail conversion which will reduce potential disturbance to bald eagle roosting and nest sites. The day parking area is over 0.5 miles from the nearest bald eagle nest sites.

Winter snowmobile use is a cumulative effects concern near the bald eagle nest sites. Snowmobiles though tend to stay on the groomed routes, and snowmobile activity on Road #6202 is usually no longer occurring by mid-April due to snow having melted from the Road #6202 by that time. Bald eagle nest surveys conducted in the area from mid-March to early-May have found bald eagles do not utilize their nest sites at Fish Lake or Pole Ridge until late March or mid-April.

**Marbled Murrelet:** It has been determined that the implementation of this project will have "no effect" on marbled murrelet and/or its habitat. This project is located outside the marine foraging zone for marbled murrelets so there will be no direct or indirect effects.

#### **Proposed, Threatened and Endangered fish species or their critical habitat**

There will be "no effect" on TES fish species, anadromous fish species, or their habitat as there are no TES fish species or habitat present in Fish Lake or in the Fish Lake Run. This project will not contribute any sediment to the Wenatchee River or affect any occupied or potential habitat for salmon or bull trout. This project is not likely to generate increased sediment delivery to fish-bearing waters. The Conservation Measures listed in this decision will be employed to minimize sediment generation and delivery.

The *Northwest Forest Plan* (USDA 1994) established Riparian Reserves along streams, stream channels, wetlands, lakes and unstable slopes. These areas are important for providing key components of healthy waterways and riparian areas including shade, channel and bank stability, woody debris for fish habitat, connectivity corridors for fish and wildlife, balanced sediment delivery and transport, and high water quality. The road closures and the summer road-to-trail conversion in this project will help to protect vegetation in the Riparian Reserves adjacent to Fish Lake. Hardening of lake access at the day parking area will reduce shoreline erosion. The proposed action would be consistent with Riparian Reserves Standards and Guidelines. There will be no change in the condition of the Mainstem Wenatchee River Watershed as a result of implementing this project.

#### **Proposed, Threatened and Endangered plant species or their critical habitat**

The effects of implementing this action have been evaluated for plant species that are federally listed under the Endangered Species Act. Implementation of this project would have "no effect" on federally listed plant species or critical habitat and "no impact" on sensitive plant species within the planning area. No federally listed or sensitive plant species were found in the project area.

### **Noxious Weeds**

The Okanogan and Wenatchee National Forests Weed Prevention Strategy will be fully implemented as it applies to this project. The Best Management Practices (BMP's) described in Appendix A (Parts I-4, I-5 and III-14) of the Weed Prevention Strategy will be followed prior to and during project implementation to prevent the introduction of new weed species and the spread of existing weed species.

### **Floodplains, wetlands, or municipal watersheds**

There would be no negative long-term effects to any wetland, floodplains, or to any municipal water supplies. Due to the conservation measures in this action, it is unlikely that this project would increase sediment delivery to any stream, lake, or water course.

### **Congressionally designated areas, such as wilderness, wilderness study areas, or National Recreation Areas**

This project is not located within any wilderness area, national recreation area, or wilderness study area.

### **Inventoried Roadless Areas and Research Natural Areas**

The project is not located within an inventoried or designated roadless area or research natural area.

### **American Indians or Alaska Natives religious or cultural sites**

Formal consultation via government-to-government letters were conducted with the Yakama Nation and with the Confederated Colville Tribes. These letters were mailed on July 30, 2003. No responses were received.

### **Archaeological sites, or historic properties or areas**

Based on the cultural resource surveys conducted within the project area, it is unlikely that this action would disturb any unknown cultural resources, but it is recommended that the day parking site be monitored during construction. It is also unlikely that the installation of the proposed toilet would disturb any cultural resources.

Based on survey results, there was a finding of "no historic properties affected". This project is in compliance with Section 106 of the National Historic Preservation Act (NHPA), as amended

## Public Involvement and Scoping

Public scoping for this project began in July of 2003 by placing it on the Schedule of Proposed Actions for the Okanogan and Wenatchee National Forest. Additionally, a project scoping letter was mailed to 236 individuals and organizations on July 30, 2003. The district received 2 written responses, 1 email, and several phone calls in regards to this initial project scoping.

Separate Government-To-Government scoping was also conducted with the Confederated Tribes of the Colville Reservation and with the Yakama Nation.

Internal scoping included consulting with Forest Service specialists in wildlife, botany, fisheries, hydrology, heritage resources, and engineering.

## Management Direction

This action is consistent with and tiered to the Wenatchee National Forest Land and Resource Management Plan and Record of Decision (Forest Plan, 1990); as amended by the Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl (Northwest Forest plan or NWFP, 1994); as further amended in 2001 and 2004.

In March 2004, the *Record of Decision (ROD) to Remove or Modify the Survey and Manage Mitigation Measure Standards and Guidelines in Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl* was issued. This ROD determined that conservation of rare and little known species on National Forest System lands will rely on other elements of the Northwest Forest Plan and on the Forest Service Sensitive Species Policies. The ROD also determined that 152 of the 296 Survey and Manage species were eligible for inclusion in the Special Status Species Programs (including the Sensitive Species Program). With respect to surveys completed for this project, I have determined that this action will be in compliance with this 2004 ROD and amendment (Analysis File – Wildlife BA).

Also in March 2004, the Northwest Forest Plan was further amended to *Clarify Provisions Relating to the Aquatic Conservation Strategy*. I have reviewed the analysis in light of the March 2004 amendment related to the Aquatic Conservation Strategy and I conclude that the analysis for this project is in compliance with the Northwest Forest Plan as amended. Thus, this project is consistent with direction in the Northwest Forest Plan (NWFP) and the Standards and Guidelines established in the NWFP, as amended. The analysis for this project incorporated relevant information contained in the Mainstem Wenatchee River Watershed Assessment and the analysis included a description of the existing watershed conditions and included a description of the effects of the project on these existing conditions (Analysis File – Fisheries BA).



## Findings Required by Other Laws

In accordance with the requirements of the Endangered Species Act, Biological Assessments for botany, fisheries, and wildlife have been completed and are in the project analysis file. Consultation with the U.S. Fish and Wildlife Service occurred on October 27, 2004 for federally listed wildlife species and followed the Streamlined Consultation Procedures for Section 7 of the Endangered Species Act (dated July 1999). The USFWS reviewed and concurred with the findings in the Wildlife Biological Assessment in a letter dated December 10, 2004.

The project area does not have federally listed plants or fish, therefore consultation with the USFWS was not initiated for plants or fish or with NOAA Fisheries. A summary of the findings of the Wildlife Biological Assessment and other project analysis was included in the "Findings that extraordinary circumstances related to this action do not warrant further analysis" section of this decision document

This project is in compliance with Executive Order 12898 for Environmental Justice. Scoping did not identify any potential disproportionately high or adverse human health or environmental effects that will adversely affect minority or low-income populations as a result of this project.

This project is in compliance with Executive Order 13186, regarding the Migratory Bird Treaty Act (MBTA) of 1918, as amended. I have determined that this project is also in compliance with Forest Service policy regarding migratory bird conservation. Habitats for migratory birds will not be affected and there will only be 11 trees removed in association with this project. Thus habitat for migratory birds will be maintained at existing levels.

## Implementation Date

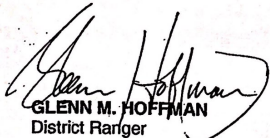
Implementation of this project may begin immediately.

## Appeal Opportunities

This decision is not subject to appeal pursuant to 36 CFR 215.8 (a) (4).

## Contact Person

For further information, contact Roger Ross at the Lake Wenatchee Ranger Station office, 22976 Highway 207, Leavenworth, WA 98826, or by phone at (509) 763-3103 ext. 230.

  
GLENN M. HOFFMAN  
District Ranger

Date: 12-27-04