Hayman Fire Roads Management Project – Wildcat Canyon Supplemental Information Report

Hayman Fire Roads Management Project Decision Notices signed:

September 9, 2004 by Sara Mayben, District Ranger, South Park Ranger District
September 9, 2004 by Randy Hickenbottom, District Ranger, South Platte Ranger District

The ***purpose*** of the Hayman Fire Roads Management Project (Hayman Roads EA) was to restore needed roads to a safe, environmentally sound condition and decommission (obliterate) unneeded roads and those causing excessive erosion, water degradation and/or habitat degradation. There was a ***need*** to provide a safe transportation network in the burn area that is responsive to public needs, realistic to projected budgets, and sensitive to wetlands, riparian areas, and wildlife habitat.

The analysis presented in the EA was the basis for five Decision Notices and Findings of No Significant Impact (DN's) signed in September 2004: one for each of the three ranger districts affected by the fire (Pikes Peak, South Park, and South Platte), and one for each ranger district managing roads within the Wildcat Canyon area, the South Park and South Platte Ranger Districts (the DN's referenced above).

For the South Park Ranger District, the decision specific to the Wildcat Canyon area states:

> *The decision will allow for the opening of the following roads, if and only if a written easement, agreement or special use permit is entered into with a public road management agency with respect to each road, and such easement, agreement or permit contains an agreed maintenance standard for each road:*
>
> - *Forest Service Road 220, also known as Hackett Road (7.16 miles)*
> - *Forest Service Road 220.A, also known as Crossover (1.35 miles)*
> - *Forest Service Road 220.B, also known as Widow Maker (0.53 miles)*
> - *Lower (southern) section of FSR 540, also known as Corral Creek Road (2 miles)*

For the South Platte Ranger District, the decision specific to the Wildcat Canyon area states:

> *The decision will allow for the opening of the following roads, if and only if a written easement, agreement or special use permit is entered into with a public road management agency with respect to each road, and such easement, agreement or permit contains an agreed maintenance standard for each road:*
>
> - *Forest Service Road 205, also known as Metberry Road (4.63 miles)*
> - *Forest Service Road 221, also known as Longwater Road (4.63 miles)*
> - *Upper (northern) section of FSR 540, also known as Corral Creek Road (2.9 miles)*

In 2005, the USDA Forest Service granted an easement to Teller County for maintenance of NFSRs 205, 220 (plus 897), 220.A, and 221 within Teller County boundaries, and those roads are now open to use by the public. Shortly after, Jefferson County was granted an easement a small segment of NFSR 205 in the area. No other

roads have been opened to the public for motorized use within Wildcat Canyon under these decisions. Barriers were installed across the roads to physically communicate that designation at the Teller and Park county line and at the intersection of FSR 540 with FSR 211 (Matukat Road). The public initially respected the closure and habitat conditions began to improve in Wildcat Canyon. In particular, herbaceous plants and shrubs noticeably increased in height and percent cover along and in the roadways by 2013 (J. Spohn, CPW Aquatic Biologist, personal communication). Subsequently, anecdotal and official reports of unauthorized vehicles violating the standing closure gradually started to rise and habitat conditions had visibly deteriorated by 2017 (D. Swanson, CPW District Wildlife Manager, personal communication).

The CEQ NEPA regulations require supplementation when "there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." (40 CFR 1502.9(c)(ii)). This Supplemental Information Report (SIR) summarizes the new circumstances within the Wildcat Canyon area in order to inform the Responsible Officials about whether additional NEPA analysis or a new Decision may be warranted prior to opening additional roads in the area.

Wildlife Resources

In 2016 the Pawnee montane skipper (*Hesperia leonardus montana*; "skipper"), which is federally protected as threatened under the Endangered Species Act, was confirmed to be present in Wildcat Canyon near the confluence of Corral Creek and South Platte River, next to NFSR 540 (Pilgrim et al. 2017). This occurrence location is four miles south of the mapped range that was available at the time of the original analysis (Wildlife Specialist Report, pg. 46). Observations of post-fire vegetation succession and skipper population recovery (Sovell 2019) indicate that the original analysis underestimated the timeframe of skipper habitat recovery. The original analysis stated, "…large openings created by the Hayman Fire may diminish habitat quality [for the Pawnee montane skipper] in the short term (10-50 years)" (Wildlife Specialist Report, pg. 47). Even with an active tree planting program, it will likely take much longer than 50 years for suitable forested conditions to re-establish across the Hayman burn area, and some locales may remain open grass or shrubland for the foreseeable future (Romme et al. 2003). The occurrence of the skipper in Wildcat Canyon and the slow recovery of vegetation following the Hayman fire represent significant new information relevant to the potential environmental consequences compared to those documented in the Hayman Roads EA.

Rocky Mountain bighorn sheep (*Ovis canadensis canadensis*) is now a Region 2 sensitive species as recognized by the Regional Forester, and was not present in the Hayman burn area at the time of the original analysis. Beginning in 2010, Colorado Parks and Wildlife conducted three releases of bighorn sheep into the Hayman burn area, with the goal of establishing a permanent herd around Cheesman Reservoir. That herd has persisted and may eventually make contact with the Tarryall herd west of Wildcat Canyon. Since bighorn sheep were not included in the original analysis, the new herd represents another change in conditions that would need consideration before further efforts to re-open roads in Wildcat Canyon were pursued.

Conditions regarding the Pawnee montane skipper and Rocky Mountain bighorn sheep have changed significantly since the original analysis for the Hayman Roads EA and Decision Notices. Neither of these species were originally considered present in the Wildcat Canyon area, and should be evaluated for potential effects prior to further implementation to re-open roads in Wildcat Canyon. Such analyses may include re-initiating consultation with US Fish and Wildlife Service regarding potential affects to the Pawnee montane skipper.

Hydrologic Resources

As stated previously, the vegetation in the Hayman burn area has recovered more slowly than anticipated. The analyses of potential impacts to hydrological resources in the Hayman Roads EA were based on typical post-fire recovery conditions, and as a consequence, the decisions did not consider the cumulative effect of unorthodox vegetative recovery exacerbated by vehicles on nutrient-lacking soils. As a result of the slow vegetation recovery, hydrologically connected roads with unstable soils are transporting abundant sediment loads into the South Platte River, impairing riparian habitat. As of April 10, 2019 the South Platte River is listed on the State of Colorado 303d list as an impaired water for sedimentation, meaning consultation with the State of Colorado, Army Corp of Engineers, and others would be necessary before any permits and/or new construction activities could be implemented.

These conditions of a slow vegetation recovery, hydrologically connected roads delivering sediment to the South Platte River, and the continued listing of the river as impaired water for sedimentation, all represent significant new information relevant to the potential environmental consequences to hydrologic resources compared to those documented in the Hayman Roads EA.

Fisheries and Riparian Ecosystems

The analyses of potential effects to riparian systems and fisheries in the Hayman Roads EA found that the alternatives would not jeopardize the eligibility of the area under the South Platte Wild and Scenic River Study (USFS 2004). However, the analysis was based on assumptions of low OHV use levels and/or extensive road and trail repair and rehabilitation within the project area (Hayman Roads EA page 4-59). Increased levels of OHV recreation may be one of the most significant changed conditions since the Hayman Roads EA. Sales of OHVs grew over 270% nationwide between the years of 1995 to 2006 (USFS 2008), a trend that has likely continued. Additionally, the state of Colorado, and more specifically communities along the Front Range, have been growing in population at a substantial rate (US Census Bureau 2019), consistent with the increasing numbers of OHV users observed by local Forest Service personnel each year. The original analyses of impacts to riparian resources and fisheries did not consider increases in use levels in Wildcat Canyon.

Another changed condition within the Wildcat Canyon area is the recovery of the trout fisheries since the original analyses were completed. Since the Hayman fire and subsequent erosion events, the naturally-reproducing fishery has begun to recover. However, in 2012 the Wildcat Canyon population was observed to be half the size it was prior to the fire. Fish populations have not been sampled in Wildcat Canyon since 2012, so the current condition of the fishery is not known (Tyler Swarr, CPW Aquatic Biologist, personal communication 2019). Habitat conditions for adult trout usually recover most rapidly following wildfire, but may take up to 15 years to reach optimal conditions. Spawning and rearing habitat recover much more slowly, especially if activities occur that contribute to additional degradation to the watershed (Minshall et al. 1990, Dunham et al. 2003, and Dwire and Kauffman 2003). Vegetation recovery within Wildcat Canyon has been much slower than anticipated, and human activities, particularly unauthorized motorized use, have amplified the effects of the fire.

The slower successional recovery of the vegetative and aquatic habitats in the South Platte River and the increased frequency of OHV users on National Forest System land, including within Wildcat Canyon, are two conditions not analyzed in the Hayman Roads EA. As a result of the changed conditions, the lack of fisheries data, and the lack of scrutiny specific to reopening the roads in Wildcat Canyon within the original assessment, additional analyses would be necessary to determine the effects to riparian systems before further implementation of the Hayman Roads Decision Notices could occur.

Finding of Changed Conditions or New Information: I have determined that new information or changed conditions have occurred relative to the decision that cause the existing environmental analysis and decision to no longer be fully current and sufficient. Therefore, a correction, supplement, or revision of the environmental document, as appropriate, would be necessary before additional implementation actions are authorized.

Signature: J S Voorhis Date: 4/24/2019

JOSH VOORHIS

District Ranger, South Park Ranger District

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Signature: Brian Banks Date: 4/24/2019

BRIAN BANKS

District Ranger, South Platte Ranger District

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