Skinny Dipper Hot Springs (BLM-ID-B010-2013-0025-EA) – No Effects Determination

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Purpose and Need for Action: Skinny Dipper Hot Springs, a tributary of the South Fork Payette River, has been developed by the public for recreational use. Human uses of this unauthorized development have caused substantial and continuing health and safety hazards. Per 43 CFR 2920.1-2 and the Cascade Resource Management Plan, the BLM is required to address trespass and unauthorized uses.

Description of Proposed Action: Drain and render inoperable the unauthorized soaking pools and remove piping at Skinny Dipper Hot Springs, approximately 4 miles east of Banks, Idaho. The BLM would use hand-held tools to breech the soaking pool dams. The removed material would be carried out or left on site above the mean high water mark of the stream. The BLM would dismantle and remove the surface pipes. Hot and cold water pipes that are cemented into the bedrock would be removed or plugged. The unauthorized access trail (0.25 miles) would be re-contoured and revegetated with forb and grass species known to grow on the site. Fire-killed trees would be felled across the rehabilitated trail to discourage used and to stabilize the site during revegetation. Waterbars would be constructed across the slope to divert water away from the rehabilitated trail. The estimated project completion date would be Spring of 2017.

Project Location and Site History

The project is located in T. 09 N, R. 03 E, Sec. 25. Unauthorized development began sometime during the 1990s. Water is piped from various locations to four concrete soaking pools. Overflow from the lowest pool feeds into the historic drainage approximately 0.12 miles from the Banks-Lowman Highway where it then flows along the north side of the highway for approximately 0.11 miles before draining through a culvert into the South Fork Payette River. Vegetation in the immediate vicinity of the spring is characterized by early seral and disturbance tolerant species; however, native species (e.g., willow, dogwood, cattail, rush, and sedge species) dominate the remainder of the drainage. Ponderosa pine, mountain shrub, and grassland communities characterize the surrounding uplands.

The 6,160-acre 2012 Springs Fire was started by hot springs users. During the recovery period (primarily Spring 2013), rain on snow events caused significant erosional events, primarily in drainages feeding the North Fork Payette River. Three other human-caused fires and one lightning-caused fires have occurred in the area since 2010. Although the surrounding ponderosa pine communities are adapted to periodic fires, recent increased fire frequency would likely result in degraded watershed conditions dominated by invasive annuals that provide poor watershed stability.

ESA-Listed Species and Critical Habitat

South Fork Payette River provides habitat for bull trout which were listed as a threatened species under the Endangered Species Act) by the US Fish and Wildlife Service (FWS) effective November 1, 1999 (64 FR 58909). The Middle Fork Payette River and South Fork Payette River are designated critical habitat above their confluence, approximately 3.3 miles upstream of the proposed project (October 30, 2010; 75 FR 63898). Although this portion of the river contains many of the primary constituent elements (PCEs), it was not designated as critical habitat. Habitat destruction or modification (e.g., changes in water quality and spawning habitat) is one of the primary threats identified in the listing notice.

Effects Analysis
Among the PCEs, sediment and, consequently, substrate embeddedness are the primary indicators that could be affected by this action. These indicators are included in five of the nine identified PCEs (see below). Bull trout will not be adversely affected by the proposed action based on; 1) the area disturbed by the action is very small (<0.1 acres) and vegetation should recover and stabilize the spring within one to two years; 2) existing vegetation below the proposed project should capture the majority of sediment until vegetation cover stabilizes banks; and 3) the 0.11 segment of the spring flow along the Banks-Lowman Highway is very low gradient that would trap any remaining sediments prior to flowing into the South Fork Payette River.

The disturbed site is currently susceptible to invasive weed establishment due to proximity to the road, but disturbance risk would not exceed current disturbances already occurring at these sites, e.g. badger activity for example. These sites also contain, or are in proximity to inclusions consisting of native species and moderately established biological soil crusts (BSC) which limit cheatgrass establishment.

Primary Constituent Elements (PCEs) for bull trout (as defined in the Federal Register [75 FR 63898]) include:

PCE 1 – "Springs, seeps, groundwater sources, and subsurface water connectivity (hyporheic flows) to contribute to water quality and quantity and provide thermal refugia.**"**
PCE 2 – "Migration habitats with minimal physical, biological, or water quality impediments between spawning, rearing, overwintering, and freshwater and marine foraging habitats, including but not limited to permanent, partial, intermittent, or seasonal barriers.**"**
PCE 3 – "An abundant food base, including terrestrial organisms of riparian origin, aquatic macroinvertebrates, and forage fish.**"**
PCE 4 – "Complex river, stream, lake, reservoir, and marine shoreline aquatic environments and processes that establish and maintain these aquatic environments, with features such as large wood, side channels, pools, undercut banks and unembedded substrates, to provide a variety of depths, gradients, velocities, and structure.**"**
PCE 6 – "In spawning and rearing areas, substrate of sufficient amount, size, and composition to ensure success of egg and embryo overwinter survival, fry emergence, and young-of-the-year and juvenile survival. A minimal amount of fine sediment, generally ranging in size from silt to coarse sand, embedded in larger substrates, is characteristic of these conditions. The size and amounts of fine sediment suitable to bull trout will likely vary from system to system.**"**

Conclusion
In conclusion, because of the low potential for the proposed action to increase sediment input to the South Fork Payette River, a No Effects Determination is warranted.

Determination
Given the information in the above analysis, it is determined that conducting spring restoration as identified in the proposed action would have "no effect" on bulltrout in the vicinity of the proposed project site.

/s/ Matthew McCoy