

Finding of No Significant Impact
For the
RATTLESNAKE BRIDGE ENVIRONMENTAL ASSESSMENT
DOI-BLM-ID-I040-2015-0002-EA
IDI-37837

Introduction and Background

In 2015, the BLM completed the Rattlesnake Bridge EA (DOI-BLM-ID-I040-2015-0002-EA), which analyzed and disclosed environmental impacts of implementing two management alternatives on the BLM administered lands in the Salmon Field Office. Lemhi County Road and Bridge staff developed the alternatives in consultation with the BLM, Lemhi County Commissioners, other state and federal agencies, and public scoping.

The alternatives fully analyzed in the EA were developed by the Lemhi County Road and Bridge staff in consultation with the Lemhi County Commissioners, Idaho Department of Fish and Game, the County's consultants Deere and Ault, Inc., and the BLM interdisciplinary team. The alternatives are aimed at replacement of the condemned Rattlesnake Bridge. The existing Rattlesnake Bridge has been in service since 1956. The bridge provides access from U.S. Highway 93 (the highway) to public lands on the west side of the Salmon River, including the Bureau of Land Management Salmon Field Office (SFO) Dugout Dick recreation site, active mine claims, and two private properties, one of which includes the Salmon River Properties' Twin Peaks guest ranch. In 2013, Idaho Transportation Department inspected the bridge and gave it a sufficiency rating of 21.2 out of a possible 100 points. Based on this rating, the bridge was deemed structurally deficient due to substandard load carrying capacity. In July 2015, the bridge was barricaded and closed to all vehicles, including emergency vehicles with the exception of all-terrain vehicles, motorcycles, and snowmobiles. The bridge is open to pedestrians and bicycles.

This document incorporates by reference the Rattlesnake Bridge EA. Additional information is available in the EA which is available on the BLM's ePlanning website at:

<https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=dispatchToPatternPage¤tPageId=64975>

Finding of No Significant Impact (FONSI)

I have reviewed the EA including the explanation and resolution of any potentially significant environmental impacts, and reviewed and thoroughly considered public comments regarding the EA. I have also reviewed the ten Intensity Factors for significance listed in 40 CFR 1508.27 and have determined that the Proposed Action (Alternative B), along with the best management practises, conservation measures, design criteria, implementation monitoring criteria, and post-construction site restoration actions described, does not constitute a major federal action

affecting the quality of the human environment or causing unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement has not been prepared.

Implementing regulations for the National Environmental Policy Act (NEPA) (40CFR 1508.27) provide criteria for determining the significance of effects. 'Significant', as used in NEPA, requires consideration of both context and intensity. The bold and italicized text are repeated from 40CFR 1508.27 for completeness and an explanation follows for relevance to the decision.

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance will usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27):

This project is a site-specific action that by itself does not have international, national, region-wide, or state-wide importance. The analysis has shown that the project's significance is local in nature and that the 30-year term renewable, assignable ROW on BLM lands to the County for the installation, use, and maintenance of the bridge infrastructure, as well as the temporary construction areas; a one-time use of an existing, closed pit located on federal land on the west side of the river for up to 700 cubic yards for the Deer Creek Road base; and the restoration of the construction sites associated with the ROW will have no significant impact on existing resource values.

The Proposed Action is in conformance with the 1987 Lemhi Resource Management Plan objectives to consider any valid use, occupancy, or development including ROWs, leases, and permits subject to environmental review and possible limitations or stipulations to protect and preserve natural resources.

(b) Intensity. This requirement refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

(1) Impacts that may be both beneficial and/or adverse.

The *Affected Environment and Environmental Consequences* section of the EA DOI-BLM-ID-I040-2015-0002-EA (pages 26-47) describes the direct and indirect impacts of the Proposed Action and the No Action alternatives.

The No Action alternative will presumably result in a continuation of limited access to the west side of the river similar to conditions described in the Affected Environment (EA page 29). The Proposed Action will provide restored vehicle access to the west side of the private property owners and for the public wishing to visit public lands. Vehicle access to the public land will essentially be limited to the Dugout Dick recreation site, as it is now. The completed bridge will allow the County to plow the public roads which will provide year-round access to the Dugout Dick recreation site and the private roads. Access to the active mine claims on public land will continue to be restricted to ATVs, motorcycles, and snowmobiles as it is now, unless permission to drive the private roads is obtained from the private landowners.

The Proposed Action will result in short-term, temporary impacts to recreation within the project area which will cease upon completion of the project.

The Proposed Action would have little impact on the existing visual resources due to vegetative screening; the winding nature of the highway and the river; and the weathering steel used to construct the bridge.

The Proposed Action will impact the upland vegetation at the site during construction. The post-construction site restoration including seeding with a BLM seed mix and weed treatment will result in an improved native plant community and reduced invasive plant impacts to the area.

The Proposed Action will have short-term adverse impacts on listed fishes, designated critical habitat (DCH), Snake River spring/summer Chinook salmon essential fish habitat (EFH), resident fishes, and riparian areas during the construction phase. This section of the river is relatively low quality habitat because it lacks habitat complexity (e.g. pools, boulders, overhanging banks, large wood). The project area is used primarily as a migratory corridor and some limited juvenile rearing/adult holding/overwintering habitat. The proposed in-water work will occur during a period of low migration activity for Chinook salmon, sockeye salmon, and bull trout. Adult steelhead may be migrating through the project area during the construction. The project best management practices (BMPs), design criteria, conservation measures, monitoring criteria, and post-construction restoration actions will reduce these short-term impacts to the extent practicable.

The Proposed Action will have little effect to wildlife and their habitats. During the construction phase wildlife species in the area will mostly likely be displaced to areas both upstream and downstream of the bridge location. This displacement will be short in distance and in a stretch of the river that provides additional habitat of the same type for miles in both directions. Once constructed, the bridge will provide a visible obstacle for avian species moving up and down the river; these species will have no trouble avoiding the bridge as they move through the area. A small amount of habitat will be permanently removed from the landscape. This area will be small, approximately 3,400 feet², and similar habitat is present over many miles of the Salmon River both upstream and downstream of the new bridge. The effect to wildlife will be small and concentrated to the project area which is surrounded by similar habitat that will remain usable by those species.

(2) The degree to which the proposed action affects public health or safety.

In July 2015, the bridge was barricaded and closed to all full-size vehicles, including emergency vehicles to protect public safety. A new bridge will restore access for emergency vehicles such as fire engines, search and rescue, and ambulances to the west side of the river, improving safety for the County residents and providing them with these emergency services.

During construction a temporary work platform will be constructed that will block the majority of the river to boat traffic and create a serious safety hazard to anyone trying to float through the project site. As a result, the Lemhi County Sheriff will close a 3.5-mile long stretch of the river to boating when the temporary bridge is in place. Boats will be required to take-out of the river 3.5 miles upstream of the project site at the Elk Bend boat ramp. Boaters will be able to launch their crafts at any legally accessible site 100-yards or more downstream of the old Rattlesnake bridge. The outfitters holding a BLM Special Recreation Permit for this stretch of river will be contacted by the County Sheriff to ensure that they were aware of the closure. This is not a high use section of the river, and the closure dates coincide with a season of low use by anglers and boaters so the closure will have minimal impacts.

(3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The environmental analysis documented no major effects on unique geographic features of the area. The status of these unique resources is documented in Table 1: *Resources Considered in the Impact Analysis* (EA pages 27-29).

There are no prime and unique farmlands, park lands, Wild and Scenic Rivers, designated Wilderness, Wilderness Study Areas, lands with Wilderness characteristics, Areas of Critical Concern, paleontological resources, or Wild Horse and Burro Management Areas in the project area. However, the BLM Salmon Field Office manages this section of the Salmon River as a recreational wild and scenic river.

This section of the Salmon River is a migratory corridor and DCH for listed Snake River sockeye salmon, Snake River spring/summer Chinook salmon, Snake River Basin steelhead, and Columbia Basin bull trout. It is also overwintering and juvenile rearing habitat for the Chinook salmon, steelhead, and bull trout, and Chinook salmon EFH.

(4) *The degree to which the effects on the quality or the human environment are likely to be highly controversial.*

The EA concluded that impacts are anticipated to be very localized (roughly project boundaries) and of relatively short duration (mid-September through November 2015). The implementation of the Proposed Action will not result in the production of vehicle or equipment emission or particulate matter above incidental levels as required by the 1972 Clean Air Act.

This section of the Salmon River is on Idaho's 2014 Category 5 303(d) list of water quality impaired streams for not supporting cold water aquatic life, "causes unknown". The project actions will follow all provisions of the CWA and provisions for maintenance of water quality standards as described by IDEQ, and will be in compliance with all applicable state and Federal laws and processes (e.g., Section 402 and 404 CWA permits). Construction spill prevention and control will be in accordance with *The Catalog of Stormwater BMP, Idaho Department of Environmental Quality, for Idaho Cities and Counties* (IDEQ 2005) BMP 8: *Spill prevention and control*. In addition, the Pollution Control Measures, Minimization of Equipment Fluid Leaks, Materials Disposal, and Spill Prevention, Containment, and Reporting BMPs were developed for this Proposed Action to ensure water quality is maintained during and after construction. The water quality monitoring required by NMFS will require the contractor to stop work if maximum turbidity levels in excess of State standards (50 nephelometric turbidity units over background) at the measurement point approximately 600 feet downstream of the discharge point are exceeded during construction until turbidity levels dissipate.

The public did not raise any other issues of concern, and the nothing in the EA indicated that the effects on the environment are likely to be highly controversial.

(5) *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The environmental analysis did not identify any effects on the human environment which are highly uncertain or involve unique or unknown risks. The actions and associated effects

identified in the EA are routine in nature in the area of the Proposed Action. The effects on the human environment are not highly uncertain, and do not involve unique, or unknown risks.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action does not set precedent or represent a decision in principle about a future management consideration. The Proposed Action was considered cumulatively and analyzed in the *Cumulative Impacts Of Alternatives* section (EA pages 53-55). No significant cumulative impacts were identified within the EA. Implementation of this decision will not trigger other actions, nor will it represent a decision in principle about future consideration. The activities are not connected to any other future actions.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The Proposed Action does not set precedent or represent a decision in principle about the future management considerations. No significant cumulative impacts were identified in the EA. The Proposed Action is within the scope of current regulations.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The proposed action and alternatives will not adversely affect districts, sites, highways, structures, or objects in or eligible for listing in the National Register of Historic Places. The EA noted that Cultural Resources were not present and will not be impacted. All Section 106 compliance work (intensive Class III cultural resources inventory) was completed for proposed undertakings related to the new bridge placement and attendant surrounding impacts on BLM land just upstream of the old bridge. The Idaho State Historic Preservation Office (SHPO) has concurred in a finding of No Effect, and permission to proceed with these undertakings is recommended. Effects pertaining to the existing bridge were not addressed in this Section 106 investigation because no undertakings relative to the fate of the existing bridge were proposed.

The proposed action will not cause loss or destruction of significant scientific, cultural, or historic resources.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.

The SFO initiated emergency consultation for the Salmon River Rattlesnake Bridge Replacement Project with NMFS and USFWS on October 23, 2014. NMFS provided a memorandum that described the emergency consultation process, documented NMFS' recommended BMPs and monitoring and reporting requirements specific to this emergency action, and provided a record of the initial steps of emergency consultation with cc to: the Corps, Lemhi County Road and Bridge, USFWS, IDFG, IDWR, and IDEQ (K. Murphy, NMFS October 31, 2014). The memorandum stated, "Human safety and protection of property are top priority, and NMFS does not advocate any action that may put people or property at risk.....Chapter 8 of the Section 7 Consultation Handbook (50 CFR § 402.5) describes the emergency consultation process. Even

in an emergency, the Action Agency (i.e., the federal agency responding to an emergency situation) has a duty to meet their section 7(a)(2) and 7(d) obligations under the ESA”.

BLM, NMFS, and Corps staff have coordinated development of project specific BMPs, conservation measures, design criteria, monitoring criteria, and site restoration actions since May 2015. The biological assessment and emergency consultation will be completed post-construction because the bridge design changed significantly in July 2015.

The short-term impacts of the Rattlesnake Bridge construction are likely to adversely affect ESA listed fishes. The project BMPs, conservation measures, design criteria, monitoring criteria, and site restoration actions that were developed cooperatively developed with BLM, NMFS, Army Corps of Engineers, the County, and Deere and Ault, Inc. staff are expected to reduce the short-term construction effects to the lowest extent practical. However, short-term, localized impacts are likely to adversely affect the few, if any, listed fishes remaining in the project area during the permanent pier drilling and the in-water work. NMFS turbidity monitoring requirements, the BMPs, conservation measures, design criteria, and post-construction restoration actions that were developed for this Proposed Action will ensure adverse impacts to the DCH, EFH, riparian habitat, and water quality are minimized to the extant practicable during and after construction. In the long-term, the proposed channel-spanning bridge and maintenance of the bridge are expected to have no effect on listed fishes, DCH, or EFH.

(10) Whether the action threatens a violation of Federal, state, or local law or requirements imposed for the protection of the environment.

The environmental analysis documents that the Proposed Action is consistent with Federal, State, and local laws or requirements imposed for the protection of the environment.

I find that implementing Alternative B does not constitute a major federal action that will significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both positive and negative effects, as well as the direct, indirect and cumulative effects of this action and reasonably foreseeable future actions. I have found that the context of the environmental impacts of this decision is limited to the local area and I have also determined that the severity of these impacts is not significant. This document is adequate and in conformance with the Lemhi Resource Management Plan, as amended and as required by 43 CFR 4100.0-8.

/s/ Vincent L. Guyer

Acting Salmon Field Office Manager

September 14, 2015