

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

Twin Falls District
Shoshone Field Office
400 West F Street
Shoshone, Idaho 83352

**CATEGORICAL EXCLUSION REVIEW
for the
Little Beaver Creek Road and Big Beaver Creek Road Remediation and
Erosion Control Project**

NEPA No. DOI-BLM-ID-T030-2015-0031-CX

Project Name: Little Beaver Creek Road and Big Beaver Creek Road Remediation and
Erosion Control Project

Applicant: Not applicable

Project/Case File Number: Not applicable

A. Project Description

BLM Office:

Shoshone Field Office

Proposed Action Title/Type:

Little Beaver Creek road and Big Beaver Creek road Remediation and Erosion Control Project

Location of the Proposed Action:

Boise Meridian, Camas County Idaho; T. 1 N., R. 16 E., sections 4 & 5 and T. 2 N., R. 16 E.,
sections 32, 33, & 34 (refer to Map 1).

The project area is classified as ‘general’ Greater Sage-grouse habitat. There are no known leks
in proximity to the project area.

The project area for the Proposed Action encompasses the following areas:

Big Beaver Creek road

- The length of Big Beaver Creek road within the boundary of the Little Beaver Allotment. The section of road begins at its junction with the Little Beaver Creek road, parallels Big Beaver Creek and ends at the gate in the boundary fence between Little Beaver Allotment and Big Beaver Allotment.

Little Beaver Creek road

- The Little Beaver Creek road from its junction with the Willow Creek Road to the point identified as the ‘hairpin curve’; and

- The four intermittent/ephemeral tributaries that cross the Little Beaver Creek road and drain into Little Beaver Creek which are known as: 1st Fork, 2nd Fork, 3rd Fork, and Haystack Canyon.

Background Information for the Proposed Action:

In August 2013, the lightning-caused Beaver Creek Fire started in Camas County, just south of the Little Beaver Creek road, and burned approximately 1,235 acres within the analysis area of this project (refer to Map 2). Ultimately, the Beaver Creek Fire burned into Blaine County and consumed a total of 111,497 acres (including State, private, National Forest and BLM-administered acres).

In late August 2013, an emergency closure for public safety and resource protection purposes was implemented for all areas affected by the burn, including the entire Little Beaver Creek and Big Beaver Creek area. This closure was in effect through June 30, 2015, when the Beaver Creek area was re-opened to public use. A separate closure was implemented on March 19, 2014, which closed the burned portion of Little Beaver Allotment to livestock grazing; this closure is still in effect.

Following the fire, two separate meteorological events occurred which caused substantial, large-scale erosion of the area burned in the Beaver Creek Fire. The first meteorological event happened in early September 2013. This high-intensity rain event triggered a basin-scale flood and sediment response that resulted in enormous debris flows in the upper watershed (first and second order streams), resulting in the formation of major sediment fans at the mouth of the three forks and Haystack Canyon. These sediment fans consisted of several feet deep of unconsolidated rock and woody material and extended across the Little Beaver Creek road.

A second meteorological event, a rain-on-snow event, occurred in early February 2014 and caused further bedload movement, debris flows, and down-cutting of the stream channels in the Little Beaver Creek and Big Beaver Creek watersheds. During this event, the bedload accumulations resulted in Little Beaver Creek leaving its natural channel and downcutting through and washing out the Little Beaver Creek road for approximately 340 feet. Additionally, the same storm event inundated a beaver pond in Big Beaver Creek which flooded and overflowed and ultimately downcut through and washed out approximately 200 feet of the Big Beaver Creek road.

Since 1988, the Camas County Road and Bridge has had a right-of-way grant for the Little Beaver Creek road from its junction with the Willow Creek Road to the 'hairpin curve'. The current right-of-way is 60 feet wide.

During a March 12, 2015 field trip, BLM personnel and Camas County Road and Bridge discussed options for fixing and opening the Little Beaver Creek road. The BLM's objective in re-opening the road was to put the road in a travelable, sustainable condition and to make the area available again to the public, livestock permittees, and BLM personnel. The BLM asked the County to submit engineered drawings to facilitate re-opening of the road.

The County submitted a general conceptual design dated April 9, 2015, generated by Forsgren Associates Inc. of Boise, Idaho. The conceptual design identified two potential areas for realigning the road, including the initially discussed option of the two hardened crossings across Little Beaver Creek with the road situated to the east of its former location, which would require stream alteration permits. The other option for re-opening the road was relocating and constructing the road outside of the riparian area and along the upland hillslope to the west of its former location (refer to Map 3). After reviewing these two options, the BLM gave the County verbal permission to construct the Little Beaver Creek road along the upland hillslope to the west of its former location.

During May and June 2015, the Camas County Road and Bridge performed work on the Little Beaver Creek and Big Beaver Creek roads including:

- the relocation and construction of the portion of the Little Beaver Creek road that was eroded and gullied;
- the removal of sediment fans on the Little Beaver Creek road that were deposited during the first meteorological event; and
- the creation of multiple pull-outs along the Little Beaver Creek road.

During this same timeframe, work was also performed outside of the designated right-of-way along Little Beaver Creek road, including:

- the excavation and removal of valley bottom material from the four intermittent/ephemeral tributaries that drain into Little Beaver Creek; and
- the construction of unstable earthen berms upstream of the road in the four tributaries.

At the same time the above work was being done, the BLM asked the Camas County Road and Bridge to perform additional work outside of the designated right-of-way along Big Beaver Road. BLM asked the County to make the road passable for a full-size vehicle; no further details or specifics were discussed. The new road work resulted in:

- the relocation and construction of approximately 1,100 feet of the Big Beaver Creek road, including the portion that was eroded and gullied, as well as portions of the road that extended beyond the inundated beaver pond which were not damaged by either of the meteorological events.

On July 1, 2015, BLM personnel who were doing work in the Little Beaver and Big Beaver Creek area observed the work done in conjunction with the two roads and reported their concerns regarding the finished road work to BLM management. On July 7, 2015, the area was visited by the Shoshone Field Manager and resource staff. On July 21, 2015, BLM personnel contacted Idaho Department of Environmental Quality (DEQ) because of water quality concerns related to the road work.

The road work conducted by the Camas County Road and Bridge was not based on a formal description or engineering designs and was not supervised by the BLM, which resulted in work that is not consistent with BLM erosion control policies or State water quality standards supportive of the Clean Water Act. The final roadwork resulted in a public safety and resource hazard because of the construction of unstable and unconsolidated earthen berms in the tributaries upstream from the Little Beaver Creek road. Also, the work was performed without

the necessary authorizations and general construction permits or Stormwater Pollution Prevention Plan as required by the appropriate federal regulatory agencies (i.e., U. S. Army Corps of Engineers, Idaho Department of Water Resources, IDEQ, and the Environmental Protection Agency) which oversee compliance with water quality standards under the Clean Water Act.

On July 22, 2015, IDEQ made a site visit of the Little Beaver Creek and Big Beaver Creek area. Subsequent to the site visit, IDEQ summarized their findings in an investigation report dated July 31, 2015.

On August 31, 2015, BLM personnel met with federal and State agencies to discuss resource issues and long-term objectives regarding construction activities in relation to the Little Beaver Creek road and Big Beaver Creek road and the need for implementation of best management practices and other measures to reduce short and long-term chronic sediment contributions to the affected streams.¹

Description of the Proposed Action:

In early September 2015, the BLM hired North Wind Resource Consulting (North Wind) in Idaho Falls, Idaho, to perform a detailed evaluation and site survey of the identified area in efforts to utilize the best available methods and information to develop mapping of the Little Beaver Creek and Big Beaver Creek area, including pre- and post-road construction (refer to the enclosed *Little and Big Beaver Creek Road Survey* and *Little and Big Beaver Creek Survey, Camas County, Idaho, Delineation of Waters of the United States, Including Wetlands*). The work performed by North Wind included an initial survey for 3.13 miles of road (2.94 miles of road along Little Beaver Creek and 0.37 miles along Big Beaver Creek). The survey work also included the areas around the four tributaries (1st Fork, 2nd Fork, 3rd Fork, and Haystack Canyon) that were impacted outside of the 60-foot Right-of-Way (ROW) boundary.

The types and locations of road remediation treatments that will be implemented under this Categorical Exclusion, as recommended by North Wind, are described below:

- **Big Beaver Creek road**
 - Pull back and remove side-cast fill materials that are along the road and adjacent to the riparian area/wetlands which are either in, near, or threatening entry into the creek.
 - Stabilize the fill slope and cut slope along the newly constructed portion of the Big Beaver Creek road and establish desirable vegetation.
 - Add drainage features to the newly constructed portion of Big Beaver Creek road.

- **Little Beaver Creek road**
 - Pull back fill material that is encroaching into the stream channel/floodplain.
 - Stabilize the fill slope and cut slope along the newly constructed portion of Little Beaver Creek road and re-establish desirable hydric vegetation.

¹ Agencies or government organizations present include Idaho Department of Environmental Quality, Idaho Department of Water Resources, Army Corps of Engineers, Camas County Board of Commissioners, and Camas County Road and Bridge.

- Add drainage features to the newly constructed portion of Little Beaver Creek road.
 - Install drive-thru armored dips where tributaries intersect the road.
 - Remove the placed rip-rap that is encroaching on the stream and re-establish a functioning floodplain.
 - Re-establish stabilizing riparian/wetland plants.
 - Install erosion control measures along the entire length of road, from its junction with the Willow Creek Road to the ‘hairpin curve’.
- **1st Fork (Little Beaver Creek)**
- Grade, reshape, and re-vegetate the tributary channel above the road to allow drainage and prevent head-cutting of the tributary.
 - Construct a rolling-dip across the road to allow drainage of water and stabilize the road.
 - Armor the rolling-dip and outlet with large rock.
- **2nd Fork (Little Beaver Creek)**
- Breach the constructed earthen berms in the excavated channel.
 - Drain the ponded portion of the tributary to its lowest point and stabilize the outlet.
 - Place rock rip-rap in tributary channel and allow it to fill in naturally over time with material.
 - Construct a rolling-dip across the road to allow drainage of water and stabilize the road.
 - Armor the rolling-dip with rock.
 - Re-vegetate with desired stabilizing vegetation.
 - Install erosion control measures.
- **3rd Fork (Little Beaver Creek)**
- Breach the constructed earthen berms in the excavated channel.
 - Drain the ponded portion of the tributary to its lowest point and stabilize the outlet.
 - Place rock riprap in tributary channel and allow it to fill in naturally over time with material.
 - Construct a rolling-dip across the road to allow drainage of water and stabilize the road.
 - Armor the rolling-dip with rock.
 - Re-vegetate with desired stabilizing vegetation.
 - Install erosion control measures.
- **Haystack Canyon**
- Breach the constructed earthen berms in the excavated channel.
 - Drain the ponded portion of the tributary to its lowest point and stabilize the outlet.
 - Place rock riprap in tributary channel and allow it to fill in naturally over time with material.
 - Construct a rolling-dip across the road to allow drainage of water and stabilize the road.
 - Armor the rolling-dip with rock.
 - Re-vegetate with desired stabilizing vegetation.

- Install erosion control measures.

Objectives of the Proposed Action are to:

- remove fill material from the Big Beaver and Little Beaver stream channels and associated wetlands and floodplains and re-establish desirable hydric riparian/wetland plant species;
- install necessary BMPs and erosion control features to prevent the transport and deposition of sediment into water ways;
- ensure all activities meet the appropriate level of State and federal permitting requirements;
- eliminate the unstable earthen berms and re-establish valley bottom stability, function, and vegetation in the intermittent tributaries above the Little Beaver Creek road; and
- remove existing threats to human life and safety that are presented by the excavated channels in the three tributaries plus Haystack Canyon.

Livestock use or adjustments in the project area will be identified through a separate decision or agreement to ensure full attainment of remediation measures in the project area.

Timeline for Implementation of the Proposed Action:

The items identified under the Proposed Action are planned to be implemented in December 2015. The proposed remediation and erosion control work would continue as long as weather conditions allow. Project related work that is not completed before inclement weather would resume in the spring/summer of 2016.

B. Land Use Plan Conformance

Land Use Plan Name: Sun Valley Management Framework Plan, North Camas Analysis Unit.
Date Approved/Amended: 1981.

_____ The Proposed Action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions): Page NC-6 of the Sun Valley Management Framework Plan states:

“Minimize stream sedimentation by stabilizing deteriorating streambanks. Improve to at least fair condition all riparian areas, and reduce sediment from high source areas such as mine tailings, poorly located or designed roads, areas of active channeling, etc.”

The Proposed Action also complies with the Decision Record for the Habitat Management Plan (HMP) dated May 25, 1994, which provides guidance and direction for the management of the Little Beaver/Big Beaver Crucial Elk Winter Range Area of Critical Environmental Concern (ACEC). Part of the project area is located within the boundary of the ACEC (refer to Map 4). The Little Beaver/Big Beaver Crucial Elk Winter Range was designated an Area of Critical Concern in the Sun Valley Management Framework Plan (MFP) of 1981.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation pursuant to 516 DM 11.9, item I., Emergency Stabilization. This categorical exclusion is applicable to this situation because there are no extraordinary circumstances potentially having effects that could significantly affect the environment. The Proposed Action has been reviewed, and none of the extraordinary circumstances described in 43 CFR §46.215 applies. Included is the Categorical Exclusion Review Sheet, Consideration of Extraordinary Circumstances.

D. Consideration of Extraordinary Circumstances

This Categorical Exclusion Review Sheet documents the review of the proposed action to determine if any of the extraordinary circumstances described in 40 CFR 1508.4 and 43 CFR 46.215 apply. If any of the extraordinary circumstances apply to the proposed action, then an EA or EIS must be prepared. Any evidence or concerns that one or more of the exceptions may apply must be brought to the attention of the manager who is authorized to approve the proposed action.

1. The proposed action would not have any significant impacts on public health or safety.

Part of the purpose for the proposed action is to directly address public safety issues as a result of work that was done within and outside of the 60-foot ROW, in particular, work that was done in the tributaries which were excavated.

The primary intent of the proposed action is to remove or at least reduce potential threats to public health and safety. Consequent to the road construction and maintenance work, potentially hazardous situations were created when the tributaries to Little Beaver Creek (particularly the 3rd Fork and Haystack Canyon) were excavated and formed into very large channels with earthen berms which have the capacity to hold considerable volumes of water. Because the materials in the channel are unconsolidated, there is a substantial amount of risk in the earthen berms and the channels failing and flooding, especially during a high-intensity rainstorm.

During the time the unauthorized excavation was occurring, the areas immediately downstream from the excavated channels were cleared of flood-deposited material (i.e. sediment, large wood, cobble, and boulders from the first meteorological event). Just below the excavated channel, flat, open areas were created which would be appealing for parking and camping. During a significant precipitation event, the unconsolidated berms and channels could potentially breach, thereby discharging substantial amounts of sediment and water onto the parking/camping area and into Little Beaver Creek. A failure of the earthen berms and a breach in the channels would compromise the health and safety of individuals parked or camping in these areas.

The proposed action would help to eliminate existing threats to property, life, and public safety.

2. *The proposed action would not have significant impacts on such natural resources and unique geographic characteristics such as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.*

The entirety of the project area is located within an Area of Critical Environmental Concern (ACEC) known as the Little Beaver/Big Beaver Crucial Elk Winter Range. Emphasis and management direction for the ACEC calls for maintenance and improvement of elk winter range and other wildlife habitat. A Decision Record dated May 25, 1994, approved the Habitat Management Plan (HMP) for the Little Beaver/Big Beaver Crucial Elk Winter Range ACEC. According to the HMP the ACEC was designed to protect and enhance wildlife habitat, improve riparian resources, enhance biological diversity, and allow for multi-resource objectives (page 3, ACEC Decision Record, May 25, 1994). The ACEC is closed to motor vehicle use annually from December 1 to April 30 and the gate at the beginning of the Little Beaver Creek road is locked during this time. Administrative access to conduct remediation work and related project activities could occur during the period of time the ACEC is closed. The BLM has notified and discussed this possibility with the Idaho Fish and Game Department and supports the road work occurring during the closure period, if necessary.

The proposed action would involve surface-disturbing activities; however, the proposed action would not have any significant impact on the ACEC or its values. Implementation of the proposed action would help to preserve the values associated with the ACEC by increasing the stability of the tributaries and creeks and reducing the potential for large-scale erosion and its effects.

Executive Order 11990 calls for federal agencies “to avoid to the extent possible...the destruction, loss, or degradation of wetlands”. Likewise, Executive Order 11988 calls for federal agencies “to reduce the risk of flood loss, to minimize the impact of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains...”. The proposed action would remove side-cast road materials that were placed over the wetlands along Little Beaver Creek and adjacent to Big Beaver Creek and remedy impacts to the wetlands that were caused during reconstruction of the Big Beaver Creek road. Also, the proposed action would reduce the existing risk of loss by flood that is presented by the excavated channels, as well as, eliminating or minimizing hazards to human safety associated with the channels.

Prior to commencing any project activities in the spring or summer, a clearance or survey would be conducted by a wildlife biologist to identify potential habitat for migratory birds, including raptors. Adjustments to the timing of project activities would be made if the findings of the clearance warrant it. Project activities do not include the removal of vegetation (e.g., willow, river alder, red-osier dogwood, cottonwood, aspen) that could be potential nesting habitat for migratory birds.

There are no park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; national monuments; or other ecologically significant areas within the project area.

3. *The proposed action would not have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].*

The proposed action entails remedial actions to correct specific aspects of the road construction and maintenance work that took place on the Big Beaver Creek road and the Little Beaver Creek road, as well as the tributaries that were excavated. In their existing condition the roads and the excavated portion of the tributaries have the potential to produce substantial damaging environmental effects. The proposed action would implement measures to stabilize the roads, drain the excavated channels, and reduce erosion. The rehabilitative measures would help to prevent possible damaging environmental effects that would likely occur if no remedial or corrective action was taken.

The action of rehabilitating and stabilizing these areas would not produce highly controversial environmental effects or result in any unresolved conflicts in regard to other uses of available resources.

4. *The proposed action would not have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

All remediation treatments, including erosion and sediment control measures, would be based on the site survey and evaluation of pre- and post-road maintenance and construction conducted by North Wind Resource Consulting. The remediation treatments would not entail highly uncertain and potentially significant environmental effects and they would not involve any unique or unknown environmental risks.

5. *The proposed action would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.*

The proposed action is for the remedy of a specific, singular situation. This proposed action would not trigger other actions, nor would have any bearing in representing a decision in principle about other future actions with potentially significant environmental effects.

6. *The proposed action would not have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

Past, present, and reasonably foreseeable actions in the project area include:

- Sheep and cattle grazing are permitted on an annual basis in the Little Beaver Allotment, in which the project area is located. Cattle grazing is permitted from May 20 to June 30 and during the month of August. Sheep grazing is permitted from June 1 to July 15.
- The Little Beaver/Big Beaver Crucial Elk Winter Range ACEC as established by the 1981 Sun Valley Management Framework Plan.

- The 2001 Beaver Creek Fire (348 acres of the project area).
- The 2001 Willow Creek Fire (510 acres of the project area).
- The 2010 Willow Creek Fire (140 acres of the project area).
- The 2013 Beaver Creek Fire (1,235 acres of the project area).
- The ongoing livestock grazing closure within the Little Beaver Allotment as a result of the 2013 Beaver Creek Fire.
- Currently, there are 18 to 24 cubic yards of mine tailings at the ‘hairpin curve’ that are planned for removal with a front-end loader and dump truck. The mine tailings are planned for removal to the Princess Blue Ribbon mine and where they will be relocated and capped.

The proposed action does not have any direct relationship to any of the above actions. The implementation of remedial and stabilizing measures would not have any additive effect to the above actions in the project area and therefore, would not contribute to any individually insignificant effects which could result in significant cumulative impacts.

7. *The proposed action would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.*

The proposed action of rehabilitating and stabilizing the roads and tributaries would not have the potential to cause significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places.

8. *The proposed action would not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated critical habitat for these species.*

There are no known federally listed Endangered or Threatened Species nor is there any designated critical habitat within project area. The project area is in an area that is identified as ‘General’ habitat for the greater sage-grouse. The greater sage-grouse, a BLM Sensitive Animal Species, has been known to utilize this allotment for brood-rearing purposes. The action of rehabilitating and stabilizing would not affect the greater sage-grouse or its habitat beyond current levels.

9. *The proposed action would not violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.*

The proposed action is consistent and compatible with Federal, State, local, and Tribal laws and requirements that have been imposed for the protection of the environment.

10. *The proposed action would not have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

There are no low income or minority populations in the area of the proposed action.

11. *The proposed action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).*

The proposed project activities would not change or limit access by Indian religious practitioners to Indian sacred sites on Federal lands for ceremonial use. The proposed action would not significantly adversely affect the physical integrity of such sacred sites.

12. *The proposed action would not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).*

Diffuse knapweed has been designated as a noxious weed by the State of Idaho and is known to occur in the project area. Camas County chemically treats diffuse knapweed in the project area on a regular basis.

The project action is not expected to further contribute to the spread of noxious weeds or their continued existence, nor would it contribute to an introduction of noxious weeds.

E. Consultation and Preparation

Name of Participant	Position Title	Date
Codie Martin	Field Manager, Shoshone Field Office	11/30/2015
Bryce Bohn	Hydrologist	11/30/2015
Katharine Crane	Fish Biologist	11/30/2015
Clare Josaitis	Rangeland Management Specialist	11/30/2015