

Decision Memo

Haigler Creek Aquatic and Riparian Habitat Enhancements
Pleasant Valley Ranger District
Tonto National Forest
Gila County, Arizona
Township 10 North, Range 12 East, Sections 12 and 14

Background

Haigler Creek is located east of the Town of Payson in Gila County, Arizona. The project sites are located entirely on lands managed by the Pleasant Valley Ranger District Tonto National Forest (Tonto NF). The Arizona Game and Fish Commission (Commission), through the Arizona Game and Fish Department (Game and Fish), has been coordinating efforts to enhance the existing aquatic habitat and riparian characteristics of Haigler Creek (see figure 1). Game and Fish conducted a series of aquatic habitat assessments documenting current conditions of the creeks within the project area. Stream morphology, geomorphic condition, and potential for aquatic habitat enhancement and restoration are addressed in these assessments, which include:

- *Natural Channel Design, Inc. 2010a. Haigler Creek Aquatic Habitat Improvement. Design Report. Submitted to the Arizona Game and Fish Department.*
- *Natural Channel Design, Inc. 2010b. Haigler Creek Aquatic Habitat Improvement. Site Assessment Report. Submitted to the Arizona Game and Fish Department.*
- *Tonto National Forest Land Management Plan (Forest Plan, 1985, as revised)*

The results of these assessments and recent surveys indicate that stream restoration action is necessary. Over the past decade, the condition of aquatic habitat has declined due to severe flooding from high intensity fires in the watershed. Flooding in streams with steep slopes has scoured stream channels to bedrock. Stream substrate has been transported downstream reducing pool and run habitat due to sedimentation. A decrease of pool and run habitat causes a reduction in the number and size of trout that can occupy the impacted stream reach. Additionally, some reaches lack enough riparian vegetation to prevent increases in water temperature that are unfavorable for coldwater fishes, such as trout.

Purpose and Need for Action

The purpose of this project is to enhance aquatic habitat in approximately 1.25 miles of Haigler Creek. This action is needed because the creeks have deteriorated in the past decade from severe fires and flood events (NCD, 2010a; NCD, 2010b).

Haigler Creek includes two reaches (figure 1):

- Reach 1 is approximately one mile upstream of Forest Road (FR) 200 crossing at the Haigler Canyon Campground extending downstream approximately 0.5 miles below the road crossing
- Reach 2 is approximately 0.75 mile length of stream located on Tonto NF lands downstream of the Alderwood Campground.

This action responds to the goals and objectives outlined in the Forest Plan and helps move the project area toward desired conditions described in that plan. The project area is located in Management Area 5D. Management direction for Area 5D as described in the Forest Plan is to “manage for a variety of renewable resource outputs with primary emphasis on intensive, sustained yield timber management, timber resource protection, creation of wildlife habitat diversity, increased populations of emphasis harvest species, and recreation opportunity” (p. 151). The proposed action will improve habitat for wildlife, specifically aquatic and riparian obligate wildlife species and sustain recreational fishing opportunities.

Conservation Measures and Best Management Practices

The following conservation measures would be used to protect the soil and water, and biological resources within the project areas of the creeks and thus reduce construction related impacts to the watershed and biological resources (Tonto National Forest Plan, 1985):

- When possible, trees that have fallen naturally and are still suitable for use would be used instead of felling live trees;
- If no fallen trees are available living trees will be used. No trees greater than 18 inches diameter at breast height (dbh) would be felled (larger diameter downed logs can be used) (Forest Plan pp. 40-8 to 40-12);
- Tree removal would focus on trees that are suppressed or subordinate in growth form and/ or diseased, when possible;
- Slash would be lopped and scattered in such a manner so that no slash pile is over three feet high and is not in contact with living trees (Forest Plan pp. 40-8 to 40-12.);
- Slash would be used to cover disturbed areas when possible; and
- No Douglas fir or riparian obligate trees would be felled.
- A Forest Service biologist would assist in the identification of trees (living or downed) to be used within designated critical habitat for the Mexican spotted owl. No trees would be felled from a goshawk post fledging area (PFA) or Mexican spotted owl protected activity center (PAC). No trees with a raptor nest that has been active in the past year would be felled (Forest Plan pp. 40-8 to 40-12).
- The active stream channel would not be crossed by heavy equipment.
- Soil raking, distributing slash from felled trees, and replacing ground litter would be used to return the terrain to a natural condition immediately after ground-disturbing activities such as, but not limited to:
 - Heavy equipment use--trucks, trailers, tractors, back hoes, front end loaders, etc.;
 - Skid marks (drag marks) caused by dragging felled trees into place;
 - Divits caused by removing boulders from the uplands and moving into place; and
 - Any other ground disturbing activities associated with securing logs or boulders into place.
- Willow and cottonwood pole cuttings would be taken during the dormant season; after leaf fall and before bud burst.
- No more than two-thirds of the willow or cottonwood pole source tree would be harvested.
- Pole planting on freshly worked banks would be accompanied by seeding with a mix of local native grasses.
- Project related construction activities would only occur September 1 through November 30. Restricting construction activities to the autumn would reduce or eliminate impacts to

recreational users of the creek, nesting migratory birds, nesting goshawk and Mexican spotted owl, and other sensitive avian species (Forest Plan pp. 40-8 to 40-12).

- Construction of enhancement features within the active channel would not occur during high flows, such as during heavy local storms.
- Construction activities would be subject to standard Forest Service best management practices (BMPs) contained in FSH 2509.

Cultural and historic properties mitigation measures include:

- Cultural sites and historic properties will be flagged for avoidance.
- Only at the point of rehab, may rehab materials (sand, soil, gravel, etc.) be piled adjacent to site boundaries (Forest Plan, Appendix H, pg. 251).

Reasons for Categorically Excluding the Proposed Actions

My assessment is that this proposal falls within the categories of actions listed in the Forest Service National Environmental Policy Act Handbook (FSH) that are excluded from documentation in an Environmental Assessment or Environmental Impact Statement. This category is found in FSH 1909.15, Chapter 32.2 (7) "Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices."

I have determined that there are no extraordinary circumstances associated with this project that would preclude the use of this category. This determination is based on the absence or the negligible level of adverse effects on the following resource conditions:

- Federally-listed threatened, endangered and/or Region 3 sensitive species or designated critical habitat.** A biological assessment and biological evaluation (BABE) was prepared by the Tonto NF to determine potential project related impacts to federally-listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or forest service sensitive (TES) species (USFS, 2010a). A wildlife specialist report (WSR) was prepared to assess potential project related impacts to Forest Service management indicator species (MIS) and migratory birds (USFS, 2010b). The WSR determined that actions proposed in this project are not expected to cause a trend in migratory bird species toward federal listing as threatened or endangered. No significant effects will occur to rangewide populations of migratory bird species, because the proposed action will not affect the suitability of migratory bird habitat and will not alter forest structure.
- Floodplains, wetlands, or municipal watersheds.** The proposed action would authorize aquatic habitat improvements within the active stream channel of Haigler Creek. Perennial streams, riffle and pool complexes, and semi-continuous fringe wetlands are present throughout the Haigler Creek project area. With the exception of a few isolated rocky locations, the banks along the creek meet the requirements for classification as a wetland fringe, including the presence of hydrophytic vegetation and wetland hydrology. The Tonto NF conducted a *Clean Water Act Section 404* Jurisdictional Delineation Report (USFS 2010f) for the delineation of "waters of the United States" (Waters) which may be affected by dredge or fill associated with the proposed aquatic habitat restoration of Haigler Creek, and has submitted this report to the U.S. Army Corps of Engineers (COE) for review.

Approximately 3.3 acres are located in the Haigler Creek survey area. Based upon the estimated width of semi-continuous wetland fringe along Haigler Creek, it is

approximated that 0.9 acres of wetlands are located in the Haigler Creek survey area. The project would require a Pre-Construction Notification to be submitted to the COE, Notifying Nationwide Permit Number 27. Subsequently, the Tonto NF has determined that the proposed project will manipulate the streambed morphology of portions of Haigler Creek, and will enhance the geomorphic stability of these streams as well as improve riparian habitat and habitat conditions for trout.

- c. **Congressionally-designated areas, such as wilderness, wilderness study areas, or National Roadless Areas.** The project is outside any of these areas, therefore no discussion is warranted.
- d. **Inventoried Roadless Areas.** The project area is outside any of these areas, and therefore no discussion is warranted.
- e. **Research Natural Areas.** The project area is outside any of these areas, and therefore no discussion is warranted.
- f. **American Indian religious or cultural sites; and archaeological sites, or historic properties or areas.** A cultural resources specialist report (CRSR) was prepared for the Haigler Creek project area (Logan Simpson Design, 2011). The CRSR recommended the project area should be surveyed for heritage resources before the implementation of the aquatic habitat enhancement project. A Class III survey was subsequently conducted. One historic period site and three prehistoric sites were identified in Haigler Creek project area; all four sites were previously recorded. The historic site and one of the prehistoric sites have been previously determined eligible for inclusion in the NRHP. Avoidance of all unevaluated sites and sites that are eligible for listing in the NRHP is recommended.

The implementation of the proposed action may encroach on cultural sites that are eligible for listing in the NRHP or that are unevaluated for NRHP eligibility. Direct effects from this action would be mitigated through minor adjustment to the access location, native material gathering areas and construction activities to avoid cultural sites. Additionally, appropriate soil erosion measures and requirements would be implemented during construction to stabilize any cultural resources site adjacent to an enhancement site. There are no anticipated effects from the proposed action because cultural resources sites located and documented from pre-construction surveys would be avoided. Sites will be flagged by a qualified archaeologist prior to construction, and monitoring will occur during all ground-disturbing activities to ensure the sites are avoided. If previously unrecorded cultural resources are encountered during project activities, these activities must be discontinued in the immediate vicinity of the discovery, and work should not resume until the Tonto NF archaeologist has been allowed time to properly address the nature and significance of the discovery.

Additional comments received during scoping. Few comments were received during the scoping process that voiced concerns with the scope of this decision. Subsequent to comments received during the scoping period, the Interdisciplinary Team concluded that no additional field review of the proposed action is warranted and did not constitute extraordinary circumstances.

Public Involvement

On August 10, 2012, a notice of 30-day comment period was published in the *Payson RoundUp* and a scoping letter was mailed out to 39 individuals and organizations outlining the proposed action. Five letters were received during the comment period:

- The Gila River Indian Community requested a copy of the Archeological Survey, so they can evaluate the project.
 - *A copy of the Archeological Survey was provided to the Gila River Indian Community.*
- Bill Lowell-Britt asked that project effects on existing karst (cave) features be considered.
 - *The karst area of his concern is outside of the project area.*
- Dave Cook, Chairman of American Cattle Growers' Association, asked what the economic benefit of the project would be on the local economy and if cattle grazing would be affected.
 - *The economic effects on the local economy would be positive, because the project will improve the stream habitat, allowing for more fish, and thereby, more fishermen, who will spend money locally.*
 - *There will be no negative effect on cattle grazing.*
- Wendy LeStarge of the Arizona Department of Environmental Quality was neutral toward the project, stating that project activities may require a *Clean Water Act Section 404* permit issued by the U.S. Army Corps of Engineers and also an Arizona Pollutant Discharge Elimination System's Construction General Permit issued by the Arizona Department of Environmental Quality, Water Quality Division.
 - *The proper permits have been obtained.*
- Larry Boeschling, OW Ranch Manager, expressed concern that the log structures could negatively affect his fences and that in-stream structures were unsuccessful previously, because they failed during high water events.
 - *The log structures will be buried and cabled into the streambank, providing stability.*
 - *The new structures have been designed to withstand high water events.*

Findings Required by Other Laws and Regulations

This decision is consistent with the Forest Plan, Forest Service Policy, and other management considerations. The project was designed in conformance with the Forest Plan and other federal and state law, policy, and direction applicable to the resources present in the Tonto NF. *The National Forest Management Act of 1976 (Public Law 104-33, as amended)* requires the U.S.F.S. to provide for biological diversity on National Forest Service lands consistent with overall multiple-use objectives and to maintain viable wildlife populations in the planning area. The Forest Plan discloses forestwide standards and guidelines and management area direction.

Implementation of this decision will not violate any Federal, State, or local laws or requirements imposed for the protection of the environment including:

- *Clean Water Act*, as amended
- *Clean Air Act*, as amended
- *Endangered Species Act of 1973*, as amended

- *American Antiquities Act of 1906 and Historic Preservation Act of 1966*
- *Executive Order 13186 of 2001, Migratory Bird Treaty Act*
- *Executive Order 12898 of 1994, Environmental Justice*
- *Executive Order 11988 Floodplain Management*
- *Executive Order 11990 Protection of Wetlands*

Decision

I have decided to enhance aquatic habitat in approximately 1.25 miles of Haigler Creek, specifically:

- Installation of spawning gravel, mini-weirs, root wads, tree or rock barbs, cross-over and loose-crossed logs, boulder clusters, log overhangs, and brush revetments;
- Excavation of pools; bank sloping; willow pole and seeding plantings along banks; and
- Replacement of Jersey barriers.

Heavy machinery will be used only in areas that are currently accessible to heavy equipment. In areas that cannot accommodate heavy equipment access, the enhancements will be accomplished using hand tools. These structures can be installed in phases over a period of approximately 4 months to 4 years, depending on the availability of funds.

In addition to enhancement of fish habitat, some minor trail work may be included in the project design such as designation of paths, placement of steps and stream access points to remove braided trails and improve streamside vegetation establishment.

In general, material for construction of enhancement features will include relocation of existing boulders and/or logs from within the active stream channel. When material is not available in the active channel, it will be obtained from within a 100-foot radius of the proposed feature. Some structures will require steel cable and anchors to keep them in place; however, the use of cable will be minimized and native materials will be utilized as much as possible. In areas without machine access, structures will be installed by hand crews, which will limit the size and types of materials utilized.

Administrative Review (Appeal) Opportunities

This decision is subject to appeal pursuant to regulations at *36 CFR 215*. Individuals or organizations who provided comment or otherwise expressed interest in the proposed action during the comment period may appeal. Interest expressed or comments provided on this project prior to or after the close of the comment period do not have standing for appeal purposes. The appeal must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer. Submit appeals to: Appeal Deciding Officer, Donal Luhrsen, District Ranger, c/o Pleasant Valley Ranger District, P.O. Box 450, Forest Road 63, Young, AZ 85554 or by fax to (928) 462-4346. If hand delivered, the appeal must be received at the above address during business hours (Monday through Friday 8:00 am to 4:30 pm), excluding holidays. Electronic appeals may be submitted to: appeals-southwestern.tonto@fs.fed.us (.doc, .rtf, or .txt formats only). The appeal must have an identifiable name attached or verification of identity will be required. Names, addresses, and comments of appellants will become part of the public record. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with 36 CFR 215.14, and filed (postmarked) within 45 days following the date this notice is published in the *Arizona Capitol Times* and the *Payson Roundup*. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframes provided by any other source.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Implementation Date

If no appeals are received in the 45-day appeal period, then I anticipate implementing this project five business days from the close of the appeal filing period.

Contact

For additional information, contact Donal Luhrsen, District Ranger, Pleasant Valley Ranger District, P.O. Box 450, Young AZ 85554; 928-462-4300; dluhrsen@fs.fed.us.

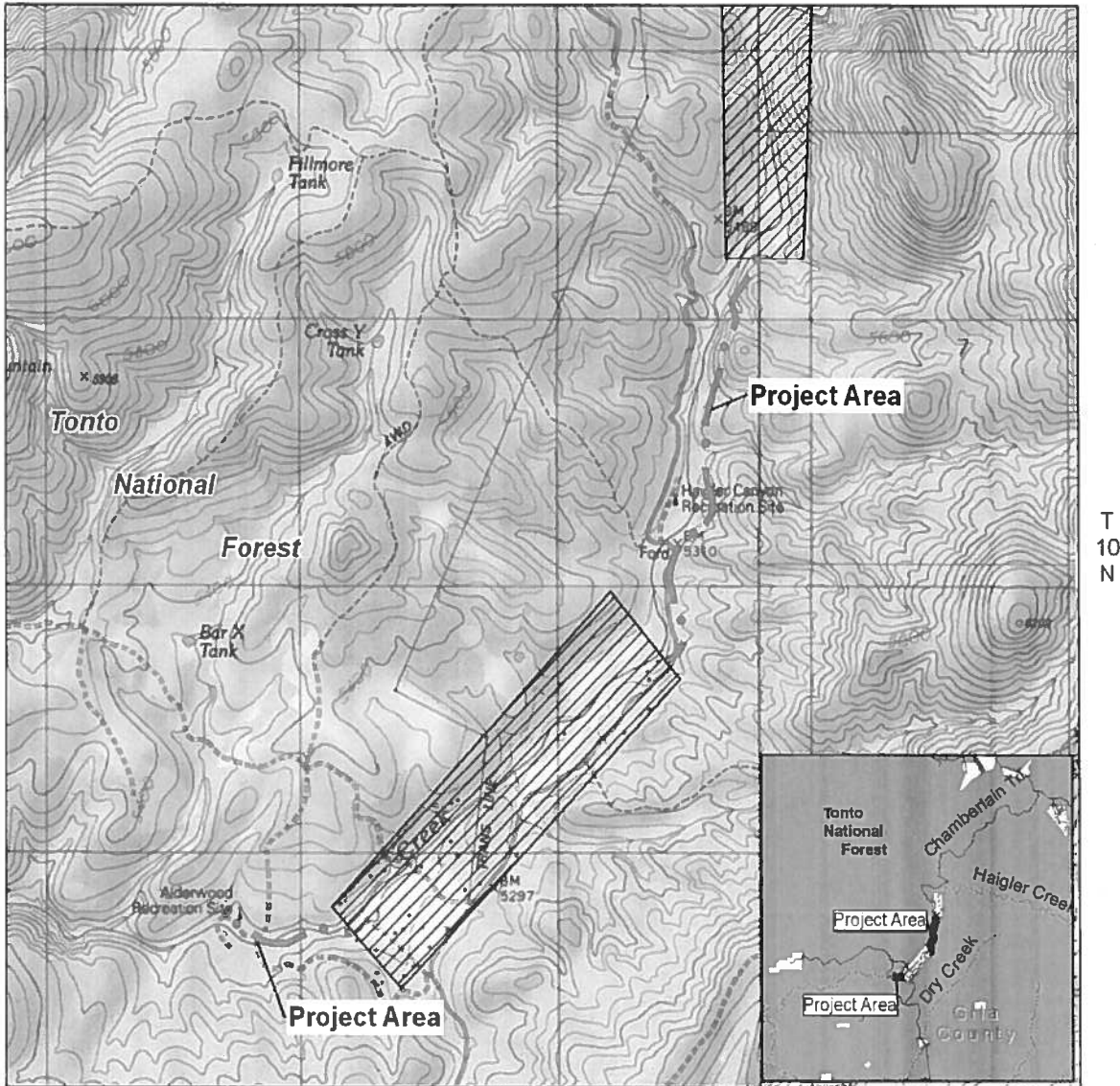


DONAL L. LUHRSEN
Pleasant Valley District Ranger

10/05/12
Date

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Sources: USGS 7.5 Quadrangles Oxbow Mountain, Ariz (1992)
Arizona Transportation System GIS Coverage (2007);
Land Ownership GIS Coverage provided by Arizona State Land Department

Key

- — Project area
- ▨ Private Land



Figure 1 Map of Haigler Creek Aquatic Habitat Enhancement Project Area.

Decision Memo

Canyon Creek Aquatic and Riparian Habitat Enhancements
Pleasant Valley Ranger District
Tonto National Forest
Gila County, Arizona
Township 10.5 North, Range 14 East, Sections 27

Background

Canyon Creek is located east of the Town of Payson in Gila County, Arizona. The project site is located entirely on lands managed by the Pleasant Valley Ranger District, Tonto National Forest (Tonto NF). The Arizona Game and Fish Commission (Commission), through the Arizona Game and Fish Department (Game and Fish), has been coordinating efforts to enhance the existing aquatic habitat and riparian characteristics of Canyon Creek (see figure 1). Game and Fish has conducted a series of aquatic habitat assessments documenting current conditions of Canyon Creek within the project area. Stream morphology, geomorphic condition, and potential for aquatic habitat enhancement and restoration are addressed in these assessments, which include:

- *Natural Channel Design (NCD), Inc. 2008a. Canyon Creek Aquatic Habitat Assessment and Enhancement Design. Submitted to the Arizona Game and Fish Department.*
- *Natural Channel Design, Inc. 2008b. Canyon Creek Watershed/Aquatic Habitat Draft Assessment. Submitted to the Arizona Game and Fish Department.*
- *Tonto National Forest Land Management Plan (Forest Plan, 1985, as revised)*
- *United States Department of Agriculture Forest Service (USFS). 2010a. Addition of gravel to Canyon Creek as part of the Mogollon Streams project.*
- *USFS. 2010b. Jersey Barrier Replacement with Natural Boulders and Material.*

The results of these assessments and recent surveys indicate that stream restoration action is necessary. Over the past decade, the condition of aquatic habitat has declined due to severe flooding from high intensity fires in the watershed. Flooding in streams with steep slopes has scoured stream channels to bedrock. Stream substrate has been transported downstream reducing pool and run habitat due to sedimentation. A decrease of pool and run habitat causes a reduction in the number and size of trout that can occupy the impacted stream reach. Additionally, some reaches lack enough riparian vegetation to prevent increases in water temperature that are unfavorable for coldwater fishes, such as trout.

Purpose and Need for Action

The purpose of this project is to enhance aquatic habitat in approximately four miles of Canyon Creek. This action is needed because the creek has deteriorated in the past decade from severe fires and flood events (NCD, 2008a; NCD, 2008b).

This action responds to the goals and objectives outlined in the Forest Plan and helps move the project area toward desired conditions described in that plan. The project area is located in Management Area 5D. Management direction for Area 5D as described in the Forest Plan is to “manage for a variety of renewable resource outputs with primary emphasis on intensive, sustained yield timber management, timber resource protection, creation of wildlife habitat

diversity, increased populations of emphasis harvest species, and recreation opportunity” (p. 151). The proposed action would be anticipated to improve habitat for wildlife, specifically aquatic and riparian obligate wildlife species and sustain recreational fishing opportunities.

Conservation Measures and Best Management Practices

The following conservation measures would be used to protect the soil and water, and biological resources within the project areas of the creeks and thus reduce construction related impacts to the watershed and biological resources (Tonto National Forest Plan, 1985):

- When possible, trees that have fallen naturally and are still suitable for use would be used instead of felling live trees;
- If no fallen trees are available living trees will be used. No trees greater than 18 inches diameter at breast height (dbh) would be felled (larger diameter downed logs can be used) (Forest Plan pp. 40-8 to 40-12);
- Tree removal would focus on trees that are suppressed or subordinate in growth form and/ or diseased, when possible;
- Slash would be lopped and scattered in such a manner so that no slash pile is over three feet high and is not in contact with living trees (Forest Plan pp. 40-8 to 40-12.);
- Slash would be used to cover disturbed areas when possible; and
- No Douglas fir or riparian obligate trees would be felled.
- A Forest Service biologist would assist in the identification of trees (living or downed) to be used within designated critical habitat for the Mexican spotted owl. No trees would be felled from a goshawk post fledging area (PFA) or Mexican spotted owl protected activity center (PAC). No trees with a raptor nest that has been active in the past year would be felled (Forest Plan pp. 40-8 to 40-12).
- The active stream channel would not be crossed by heavy equipment.
- Soil raking, distributing slash from felled trees, and replacing ground litter would be used to return the terrain to a natural condition immediately after ground-disturbing activities such as, but not limited to:
 - Heavy equipment use--trucks, trailers, tractors, back hoes, front end loaders, etc.;
 - Skid marks (drag marks) caused by dragging felled trees into place;
 - Divits caused by removing boulders from the uplands and moving into place; and
 - Any other ground disturbing activities associated with securing logs or boulders into place.
- Willow and cottonwood pole cuttings would be taken during the dormant season; after leaf fall and before bud burst.
- No more than two-thirds of the willow or cottonwood pole source tree would be harvested.
- Pole planting on freshly worked banks would be accompanied by seeding with a mix of local native grasses.
- Project related construction activities would only occur September 1 through November 30. Restricting construction activities to the autumn would reduce or eliminate impacts to recreational users of the creek, nesting migratory birds, nesting goshawk and Mexican spotted owl, and other sensitive avian species (Forest Plan pp. 40-8 to 40-12).
- Construction of enhancement features within the active channel would not occur during high flows, such as during heavy local storms.
- Construction activities would be subject to standard Forest Service best management

practices (BMPs) contained in FSH 2509.

Cultural and historic properties mitigation measures include:

- Cultural sites and historic properties will be flagged for avoidance.
- Only at the point of rehab, may rehab materials (sand, soil, gravel, etc.) be piled adjacent to site boundaries (Forest Plan, Appendix H, pg. 251).

Reasons for Categorically Excluding the Proposed Actions

My assessment is that this proposal falls within the categories of actions listed in the Forest Service National Environmental Policy Act Handbook (FSH) that are excluded from documentation in an Environmental Assessment or Environmental Impact Statement. This category is found in FSH 1909.15, Chapter 32.2 (7) "Modification or maintenance of stream or lake aquatic habitat improvement structures using native materials or normal practices."

I have determined that there are no extraordinary circumstances associated with this project that would preclude the use of this category. This determination is based on the absence or the negligible level of adverse effects on the following resource conditions:

- Federally-listed threatened, endangered and/or Region 3 sensitive species or designated critical habitat.** A biological assessment and biological evaluation (BABE) was prepared by the Tonto NF to determine potential project related impacts to federally-listed threatened or endangered species or designated critical habitat, species proposed for federal listing or proposed critical habitat, or Forest Service sensitive (TES) species (U.S.F.S., 2010b). The BAE determined the proposed action may affect, but is not likely to adversely affect Mexican spotted owl critical habitat. Additionally the proposed action may affect individual forest sensitive species, but will not result in a trend toward listing or loss of viability (U.S.F.S., 2010b). A wildlife specialist report (WSR) was prepared to assess potential project related impacts to Forest Service management indicator species (MIS) and migratory birds (U.S.F.S., 2010c). The WSR determined that actions proposed in this project are not expected to cause a trend in migratory bird species toward Federal listing as threatened or endangered. No significant effects will occur to rangewide populations of migratory bird species, because the proposed action will not affect the suitability of migratory bird habitat and will not alter the forest structure.
- Flood plains, wetlands, or municipal watersheds.** The proposed action would authorize aquatic habitat improvements within the active stream channel of Canyon Creek. Perennial streams, riffle and pool complexes, and semi-continuous fringe wetlands are present throughout the Canyon Creek project area. With the exception of a few isolated rocky locations, the banks along each of the creeks meet the requirements for classification as a wetland fringe, including the presence of hydrophytic vegetation and wetland hydrology. The Tonto NF conducted a *Clean Water Act Section 404* Jurisdictional Delineation Report (U.S.F.S., 2010f) for the delineation of "waters of the United States" (Waters), which may be affected by dredge or fill associated with the proposed aquatic habitat restoration of Canyon Creek, and has submitted this report to the U.S. Army Corps of Engineers (COE) for review.

Approximately 6.8 acres are located in the Canyon Creek survey area. Based upon the estimated width of semi-continuous wetland fringe along Haigler Creek, it is approximated that 4.3 acres of wetlands are located in the Canyon Creek survey area. The project would require a pre-construction notification to be submitted to the COE,

Notifying Nationwide Permit Number 27. Subsequently, the Tonto NF has determined that the proposed project will manipulate the streambed morphology of portions of Canyon Creek, and will enhance the geomorphic stability of this stream as well as improve riparian habitat and habitat conditions for trout.

- c. **Congressionally designated areas such as wilderness, wilderness study areas, or National Roadless Areas.** The project is outside any of these areas, therefore no discussion is warranted.
- d. **Inventoried Roadless Areas.** The project area is outside any of these areas, and therefore no discussion is warranted.
- e. **Research Natural Areas.** The project area is outside any of these areas, and therefore no discussion is warranted.
- f. **American Indian religious or cultural sites; and archaeological sites, or historic properties or areas.** A cultural resources specialist report (CRSR) was prepared for the Canyon Creek project area (Logan Simpson Design, 2011). The CRSR recommended the project area should be surveyed for heritage resources before the implementation of the aquatic habitat enhancement project. A Class III survey was subsequently conducted. Four previously recorded historic period sites were documented in the Canyon Creek project area; two of the sites are recommended eligible for inclusion in the National Register of Historic Places (NRHP) and two sites require further research before a NRHP eligibility recommendation is possible. Avoidance of all unevaluated sites and sites that are eligible for listing in the NRHP is recommended.

The implementation of the proposed action may encroach on cultural sites that are eligible for listing in the NRHP or that are unevaluated for NRHP eligibility. Direct effects from this action would be mitigated through minor adjustment to the access location, native material gathering areas and construction activities to avoid cultural sites. Additionally, appropriate soil erosion measures and requirements would be implemented during construction to stabilize any cultural resources site adjacent to an enhancement site. There are no anticipated effects from the proposed action because cultural resources sites located and documented from pre-construction surveys would be avoided. Sites will be flagged by a qualified archaeologist prior to construction, and monitoring will occur during all ground-disturbing activities to ensure the sites are avoided. If previously unrecorded cultural resources are encountered during project activities, these activities must be discontinued in the immediate vicinity of the discovery and work should not resume until the Tonto NF archaeologist has been allowed time to properly address the nature and significance of the discovery.

Additional comments received during scoping. Few comments were received during the scoping process that voiced concerns with the scope of this decision. Subsequent to comments received during the scoping period, the Interdisciplinary Team concluded that no additional field review of the proposed action is warranted and did not constitute extraordinary circumstances.

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 - *The log structures will be buried and cabled into the streambank, providing stability.*
 - *The new structures have been designed to withstand high water events.*

Findings Required by Other Laws and Regulations

This decision is consistent with the Forest Plan, Forest Service Policy, and other management considerations. The project was designed in conformance with the Forest Plan and other federal and state law, policy, and direction applicable to the resources present in the Tonto NF. The *National Forest Management Act of 1976 (Public Law 104-33, as amended)* requires the U.S.F.S. to provide for biological diversity on National Forest Service lands consistent with overall multiple-use objectives and to maintain viable wildlife populations in the planning area. The Forest Plan discloses forestwide standards and guidelines and management area (MA) direction.

Implementation of this decision will not violate any federal, state, or local laws or requirements imposed for the protection of the environment including:

- *Clean Water Act, as amended*
- *Clean Air Act, as amended*
- *Endangered Species Act of 1973, as amended*
- *American Antiquities Act of 1906 and Historic Preservation Act of 1966*
- *Executive Order 13186 of 2001, Migratory Bird Treaty Act*
- *Executive Order 12898 of 1994, Environmental Justice*
- *Executive Order 11988 Floodplain Management*
- *Executive Order 11990 Protection of Wetlands*

Decision

I have decided to enhance aquatic habitat in approximately 4 miles of Canyon Creek, specifically:

- Installation of spawning gravel, mini-weirs, root wads, tree or rock barbs, cross-over and loose-crossed logs, boulder clusters, log overhangs, and brush revetments;
- Excavation of pools; bank sloping; willow pole and seedling plantings along banks; and
- Replacement of Jersey barriers.

Heavy machinery will be used only in areas that are currently accessible to heavy equipment. In areas that cannot accommodate heavy equipment access, the enhancements will be accomplished using hand tools. These structures can be installed in phases over a period of approximately 4 months to 4 years, depending on the availability of funds.

In addition to enhancement of fish habitat, some minor trail work may be included in the project design such as designation of paths, placement of steps and stream access points to remove braided trails and improve streamside vegetation establishment.

In general, material for construction of enhancement features will include relocation of existing boulders and/or logs from within the active stream channel. When material is not available in the active channel, it will be obtained from within a 100-foot radius of the proposed feature. Some structures will require steel cable and anchors to keep them in place; however, the use of cable will be minimized and native materials will be utilized as much as possible. In areas without machine access, structures will be installed by hand crews, which will limit the size and types of materials utilized.

Administrative Review (Appeal) Opportunities

This decision is subject to appeal pursuant to regulations at *36 CFR 215*. Individuals or organizations who provided comment or otherwise expressed interest in the proposed action during the comment period may appeal. Interest expressed or comments provided on this project prior to or after the close of the comment period do not have standing for appeal purposes. The appeal must be filed (regular mail, fax, email, hand-delivery, express delivery, or messenger service) with the appropriate Appeal Deciding Officer. Submit appeals to: Appeal Deciding Officer, Donal Luhrsen, District Ranger, c/o Pleasant Valley Ranger District, P.O. Box 450, Forest Road 63, Young, AZ 85554 or by fax to (928) 462-4346. If hand delivered, the appeal must be received at the above address during business hours (Monday through Friday 8:00 a.m. to 4:30 p.m.), excluding holidays. Electronic appeals may be submitted to: appeals-southwestern.tonto@fs.fed.us (.doc, .rtf, or .txt formats only). The appeal must have an identifiable name attached or verification of identity will be required. Names, addresses, and comments of appellants will become part of the public record. A scanned signature may serve as verification on electronic appeals.

Appeals, including attachments, must be in writing, fully consistent with *36 CFR 215.14*, and filed (postmarked) within 45 days following the date this notice is published in the Payson Roundup. This publication date is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframes provided by any other source.

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are

filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Implementation Date

If no appeals are received in the 45-day appeal period, then I anticipate implementing this project five business days from the close of the appeal filing period.

Contact

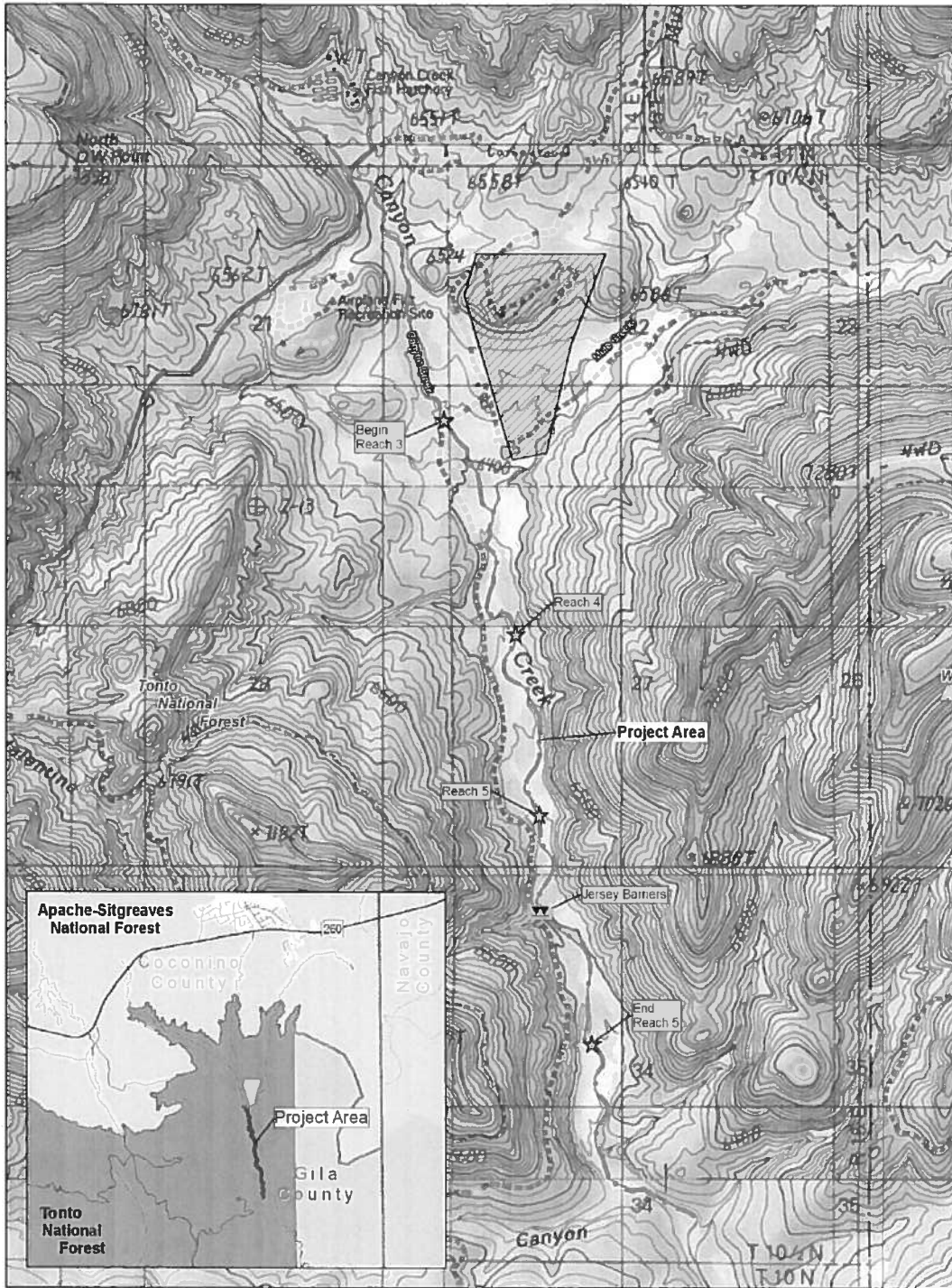
For additional information, contact Donal Luhrsen, District Ranger, Pleasant Valley Ranger District, P.O. Box 450, Young AZ 85554; 928-462-4300; dluhrsen@fs.fed.us.



DONAL L. LUHRSEN
Pleasant Valley District Ranger

10/05/12
Date

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Key

- Project Area
- ▨ Private Land
- ▼ Jersey Barrier
- ★ Reach Location



Figure 1 Map of Canyon Creek Aquatic Habitat Enhancement Project Area.

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- U.S. Department of Agriculture Forest Service (USFS). (1985, as revised). Tonto National Forests Land and Resource Management Plan as amended. U.S.D.A. Forest Service, Southwestern Region.
- _____.(1991) Forest Service Handbook 2509 Soil Management Handbook. Effective September 3, 1991
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- _____.(2010d). Forest Service Handbook 1909.15. National environmental policy act handbook Chapter 30– Categorical Exclusion from Documentation. Effective September 30, 1991
- _____.(2010e). Section 404 Jurisdictional Delineation Report Aquatic Habitat Restoration of Christopher, Haigler and Canyon Creeks. In review August 2010.