

**Decision Notice
and
Finding of No Significant Impact
Lower Dillman Gravel Pit Expansion Project
USDA Forest Service
Tusayan Ranger District, Kaibab National Forest
Coconino County, Arizona
[T. 28 N., R. 3 E., Section 13]**

Decision and Reasons for the Decision

Background

The 5-acre Lower Dillman gravel (or materials) pit was originally developed in 1981 as a source of surfacing materials for Forest Road (FR) 320 that provided access to the Hammer Timber Sale. It has been inactive since that single year of use with the exception of some minor entries for road maintenance purposes since that time.

The project area is on National Forest System Lands within Kaibab National Forest's Ecosystem Management Area (EMA) 8, Arizona Game and Fish Department's Game Management Unit 9, and the Anita Grazing Allotment. The 9-acre project area is located approximately 12 miles south of the community of Tusayan and 6 miles east of State Highway 64 with access from Forest Roads (FR) 320, 305, and 318 (see attached vicinity map).

This action is needed in order to provide a local Forest Service source of limestone gravel/aggregate for district road re-surfacing and maintenance projects. This action will also provide a less expensive option over a non-local private source for the processing and transportation of materials.

Decision

I have decided to implement Alternative 2, the Forest Service Proposed Action and Preferred Alternative. I selected Alternative 2 because it is the only alternative of the two analyzed in detail that will best serve the district's need for road re-surfacing and maintenance materials. It will also serve the public interest by reducing costs by providing a local source of Forest Service owned aggregate materials and improving access to the national forest.

The following are features of the decision:

- Reopen the existing 5-acre Lower Dillman Gravel Pit initially; exhaust the limestone aggregate source in the existing pit prior to expanding the pit an additional four acres.
- Reconstruct a 3/4-mile section of FR 318 where it joins FR 305; the existing roadbed would be rehabilitated by backfilling and seeding; the new roadbed would be moved about 300 feet out of the drainage to the south on a side hill. This work will be done by the Forest road crew and consists of clearing and grubbing (stumps would be piled at the edge of the pit for later disposal) and construction of a 12 foot wide, outsloped roadway with outsloped drains every two to three hundred feet. All disturbed areas along the

roadway will be seeded with a native seed mix provided by the district. This alignment may receive some spot surfacing once material hauling begins.

- Expand the Lower Dillman Gravel Pit by an additional four acres. Initial work will involve tree cutting and removal of pinyon and juniper trees. No ponderosa pine will be cut since the site does not support this species. There is no longer a commercial fuelwood market in that area (in part due to the remoteness of the location). Felled trees will be left on site and available under district personal-use fuelwood permits over one to two fuelwood seasons. Any trees that remain past that time will be piled and burned on site when conditions are appropriate for pile burning.
- A connector road, or bladed travelway, will be designated as a driving area around the perimeter of the pit to keep traffic out of the pit proper and allow access back to FR 318. This travelway would be bladed within the 9-acre footprint of the project area.

The estimated quantity of material available is 150,000 to 200,000 cubic yards with an estimate at each entry of 2,000 to 8,000 cubic yards, depending on available funding for this kind of work. The pit will generally not be used each year, but more likely every two to four years. Some of the material will be crushed and stockpiled for later use. Equipment involves a crusher, loader, dump trucks, and water tender (for dust abatement as needed). District roads currently planned for re-surfacing include FR's 320, 302, 328, 307, and 311. Other district roads will also be identified and included, as needed.

All equipment used in the extraction and crushing of rock will be located within the nine-acre site and will only be there intermittently while the pit is in operation.

The existing Forest road system provides adequate access for implementation of project activities via Forest Roads 320, 305, and 318. There is a need to reconstruct a three-quarter mile section of FR 318 to improve heavy equipment access into the project area, but there is no need to re-open closed roads, obliterate or close existing roads, or construct new roads. The reconstruction of FR 318 has been analyzed in the forest-level roads analysis process (KNF, Tusayan Ranger District RAP, 2006-07). Therefore, a site-specific roads analysis process (RAP) was not undertaken for this project.

This action responds to the goals and objectives outlined in the Kaibab Forest Plan, as amended (2004). This proposal will help move the project area toward desired conditions described in that document. This project was also developed in consideration of the best available science (EA, pages 29-30; Project Record).

Kaibab National Forest Plan Management Direction

The Kaibab Forest Plan contains the following direction relating to the proposed project:

Transportation Facilities

- Execute construction, re-construction, and maintenance operations to provide transportation facilities that support resource management and protection and safe public access.
- Reconstruct and maintain arterial, collector, and local service roads that are needed for support of continuing long-term resource practices and public access to National Forest System Lands in an open-for-traffic mode.

Mineral Resources

- Prevent development of common variety sites within the visible foreground of Highway 64.
- Restrict or prohibit surface use in areas with habitat of threatened and endangered and sensitive plant and animal species, important recreation sites and facilities, and heritage resources nominated or posted to the National Register.

The environmental assessment (EA) and analysis meets the requirements of the Federal Land Policy and Management Act of 1976, the National Forest Management Act of 1976, and the National Environmental Policy Act of 1969 (and their amendments). It also complies with the following:

Endangered Species Act of 1973, as amended This action complies with the Endangered Species Act, and specifically with Section 7 of this Act, in that potential effects of this decision on listed species have been analyzed and documented.

National Historic Preservation Act of 1966, as amended Section 106 requirements for survey and evaluation have been met for all undertakings in this decision.

Forest Service Manual 7700 – Transportation System Chapter 7710 – Transportation Atlas, Records, and Analysis (also known as the Roads Analysis Process or RAP)

Mitigation Measures for Alternative 2 – Proposed Action

Mitigation measures are measures that are taken to minimize potential negative impacts that may occur from implementing the proposed action. Mitigation measures are also developed to address concerns that might be raised about the proposed action. Following are the mitigation measures developed for the proposed action:

Soils and Watershed

1. During times of activity in the pit, the perimeter of both the existing and expanded sites should be contoured (bermed or ditched) to prevent spoil materials from washing off the site. Both sites should also be returned to their natural contour when they are inactive.
2. The Lower Dillman stock tank is vulnerable to excess sedimentation from pit activities on the northeast side. Emergency measures, such as straw bales, wattles, or temporary berms, will be employed when necessary to protect this tank.
3. Seeding with appropriate native species should be done when the pits are closed/abandoned.

Sensitive Plants

4. Survey for Tusayan rabbitbrush during the appropriate season for detection and identification prior to each re-opening of the pit.

Noxious and Invasive Weeds

5. Wash all vehicles and equipment prior to entering the project site.
6. Survey during the appropriate season for detection and identification of noxious weeds at least every three (3) years throughout the life of the project. New weed populations will be controlled as necessary.

Heritage

7. All sites will be marked for avoidance prior to project activities. Project engineer must consult with South Zone Archaeologist to ensure site boundaries (flagging and/or paint) are still marked and visible prior to implementation.

8. The archaeologists and engineers agreed to expand the pit to within one chain (66 feet) of each heritage site, thus causing no effects to any of the artifact scatters. Following pit expansion, an archaeologist must monitor the sites to confirm that they have been avoided.
9. If any unrecorded sites are discovered during project implementation, work in the vicinity of the site must cease and the Forest Archaeologist must be notified immediately.
10. **Road Maintenance and Reconstruction:** Routine road maintenance activities within existing prisms and features, *where no heritage resource sites are known to exist*, will require no protective or mitigation measures. If ground disturbing activities are proposed in areas of no prior disturbance, project managers must contact the Forest Archaeologist so that protective measures, if warranted, can be devised.
11. During FR 318 road reconstruction activities, an archaeologist or para-archaeologist must be present to ensure avoidance of four heritage sites.

Fire and Fuels

12. Engineers must notify ADEQ and the Tusayan Ranger District for approval prior to any pile burning.

Range

13. Avoid impacting the range monitoring plot in Blue Stem Wash, between Lower Dillman Tank and FR 305, during improvements to FR 318.

Other Alternatives Considered

In addition to the selected alternative, I considered only one other alternative, the No Action Alternative. A comparison of the no action and proposed action alternatives can be found in the EA (April 2007), on pages 12-27. No significant issues were generated during public scoping that required the development of additional action alternatives. The No Action Alternative is summarized below with accompanying rationale for non-selection:

Alternative 1 - No Action: Under the No Action alternative, current management plans would continue to guide management of the project area. The Lower Dillman Gravel Pit would not be re-opened or expanded by four acres, and FR 318 would not be reconstructed. I did not select Alternative 1 because the Forest Service and public interests would not be well served. Further, publicly-used Forest Service district roads would not be maintained in the most efficient and profitable manner.

Public Involvement

The proposal was listed in the Schedule of Proposed Actions (SOPA) on July 2005 and has been listed quarterly since that time. The proposal was provided to the public and other agencies for comment during initial public scoping on February 16, 2006.

The Forest Tribal Liaison conducted scoping (via letter) on January 25, 2006 with the Havasupai, Hualapai, Hopi, Yavapai-Prescott, Pueblo of Zuni, Navajo Nation, and the Navajo Nation Chapters of Bodaway-Gap, Cameron, Coalmine Canyon, Coppermine, LeChee, Leupp, and Tuba City. On September 20, 2005, the Forest Archaeology Staff officially consulted with the Hopi about projects listed on the 4th quarter SOPA that included the Lower Dillman Project.

The Forest Service did not receive any comments or requests concerning the project from the tribes during tribal scoping. During general scoping (2/16/07-3/08/06), one comment was received from an individual that strongly supported the project. Two other responses were requests to receive further documents related to the project (EA, pages 6-7, and 28; Project Record).

The Lower Dillman Pit Expansion Project Environmental Assessment was sent out for 30-day Notice and Comment on May 4, 2007 to 19 individuals and organizations. The EA was also posted to the Kaibab National Forest's website. The Legal Notice for the 30-day Notice and Comment period was published in the Arizona Daily Sun on May 10, 2007. Other scoping efforts included a press release on May 8, 2007 to various media, and a subsequent newspaper article in the Arizona Daily Sun on May 10, 2007. No comments were received during the 30-day Notice and Comment period (5/10/07-6/11/07).

Issues

There were no issues or concerns about the project from either public or tribal scoping.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that these actions will not have a significant effect on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I base my finding on the following:

A. Context: The setting of the proposed action is local as it pertains to short and long-term effects on both human and natural resources. The effects of this site-specific project, including cumulative effects, are limited to a small portion of Coconino County on the Tusayan Ranger District.

B. Intensity: The following discussion is organized around the Ten Significance Criteria described in the National Environmental Policy Act (NEPA) regulations (40 CFR 1508.27).

1. Impacts that may be both beneficial and adverse.

My finding of no significant environmental effects is not biased by the beneficial effects of the action. Both beneficial and adverse effects were considered in the environmental analysis. The adverse effects are short-term in nature, or can be mitigated. Gravel pit expansion will cause the loss of a small amount of forage resources and wildlife habitat.

2. Effects on public health and safety.

The effects of reopening and expanding Lower Dillman gravel pit and reconstructing a ¾-mile section of FR 318, including cumulative effects, are limited to a small portion of Coconino County on the Tusayan Ranger District. There will be no significant effects on public health and safety because the Forest Service will comply with the mitigations identified for this project on pages 3-4. Operation of the pit will be intermittent for short periods of time, and 2-4 years apart over a 15-20 year period.

3. Unique characteristics of the geographic area.

There will be no significant effects on unique characteristics of the area because the project area does not contain unique characteristics, but rather is typical of many areas in the Coconino Plateau Basin regarding geology, soils, vegetative complexes, wildlife species, and heritage resources. The intended action will have no significant or adverse effects on historic or cultural resources, or Park lands. The intended action will have no significant or adverse effects on prime farmlands, wetlands, wild and scenic rivers, fisheries, or ecologically sensitive areas since they do not exist in the project area or in the cumulative effects area. (EA, pages 12-27; Appendix 1 on page 31; and Appendix 2 on pages 32-36.)

4. The degree to which the effects on the quality of the human environment are not likely to be controversial.

Overall, the effects on the quality of the human environment are not likely to be highly controversial because there were no significant issues identified from public comments received, and there is no known scientific controversy over the impacts of the project (EA, pages 6-7, 26-27). The setting of the intended action is local as it pertains to short-term and long-term effects on both human and natural resources.

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

The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risks (EA, pages 12-27). Any adverse effects will be short-term in nature.

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.

This action is not precedent setting, because NFS lands have existing materials/gravel pits. The action is not likely to establish a precedent for future actions with significant effects, because the analysis of effects for Alternative 2 states that there will be no significant effects (EA, pages 12-27). Additionally, future projects within the area or in surrounding areas will be analyzed on their own merits and implemented or not, independent of the actions currently selected.

7. Cumulatively significant effects of action.

Cumulative effects for all resources were considered in the EA (pages 12-17) with the determination that there are no known significant cumulative impacts from implementation of the intended action. Other past, present, and foreseeable future actions were also considered in this determination (EA, Table 1, pages 15-16). The limited size of the project area indicates minimal individual effects as well as minimal cumulative effects to the Tusayan Ranger District, the Kaibab National Forest, and Region 3.

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

This action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or cause the loss or destruction of significant scientific, cultural, or historical resources, because all sites will be treated as eligible for the Register and these sites will be avoided during implementation (EA, page 23). State Historic Preservation Office (SHPO) concurrence is documented in the "Dillman Materials Pit Expansion" report dated 12/21/2005 (Project Record).

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 of 1973, as amended.

Biological Assessments and Evaluations (BA&Es) were prepared for federally listed plant and wildlife species (Johnson, 3/20/06, and Waters, 6/04/07 respectively) and are included in the project record.

The BA&E for Plant Species made the determination that according to the USDI Fish and Wildlife Service (USFWS), there are no federally threatened or endangered (T&E) plant species that occur on the South Zone (Williams and Tusayan ranger districts) of the Kaibab National Forest; therefore, there are no effects from the intended action (EA, pages 17-18, PR). There is also no suitable or critical habitat present for any T&E listed species within the project location. One Tusayan rabbitbrush plant, the only sensitive plant species known to occur on the Tusayan Ranger District, was found in the proposed expansion area. Because Tusayan rabbitbrush is widespread on the Tusayan RD and only a single plant is likely to be destroyed during implementation, there is no cumulative effect on the species.

The BA&E for Wildlife Species (6/04/07) made a determination that the proposed action would result in a “No Effect” for the Kanab ambersnail, Apache trout, humpback chub, little Colorado spinedace, razorback sucker, Chiracahua leopard frog, bald eagle, California brown pelican, California condor, Mexican spotted owl, southwestern willow flycatcher, yellow-billed cuckoo, and black-footed ferret. There was a “No Impact” determination from the proposed action on the plateau giant tiger beetle, Mojave giant tiger beetle, cow path tiger beetle, Mojave giant skipper, northern leopard frog, northern goshawk, and American peregrine falcon. Potential habitat may occur in the project area for desert green hairstreak, desert elfin, and Mogollon vole, so the effects determination is “May Impact Individuals or Habitat, but Will Not Likely Contribute to a Trend Towards Federal Listing or Loss of Viability to the Population or Species”.

10. Legality of the action.

The selected alternative conforms to all applicable Federal, State, and local laws and requirements (EA, page 3). The action complies with the National Forest Management Act and the National Environmental Policy Act. This action responds to the goals and objectives outlined in the Kaibab National Forest Land Management Plan, as amended. Public involvement has occurred during project planning and potential environmental effects were considered and documented in the EA (EA, pages 12-27).

Findings Required by Other Laws and Regulations

The decision to implement Alternative 2, the Proposed Action, meets the requirements of the Federal Land Policy and Management Act of 1976, the National Forest Management Act of 1976, and the National Environmental Policy Act of 1969 (and their amendments).

This decision also complies with the following:

National Forest Management Act The Kaibab National Forest Land Management Plan was adopted on April 15, 1988 and has been amended seven times. Projects are to be consistent with the Forest Plan per regulations at 36 CFR 219.8(e) per 2005 NFMA regulations. The project was designed in conformance with the Kaibab LMP long-term goals and objectives on public land for

minerals resources and transportation facilities. I find that all actions included in Alternative 2 are consistent with direction in the Kaibab National Forest Land Management Plan, as amended.

Endangered Species Act of 1973, as amended This action complies with the Endangered Species Act, and specifically with Section 7 of this Act, in that potential effects of this decision on listed species have been analyzed and documented (BA&E, June 4, 2007).

Management Indicator Species (MIS) Requirements for the relevant Management Indicator Species in the Kaibab National Forest Land Management Plan are summarized in the EA on pages 21-22, and the MIS project-specific specialist report (2/26/06) is filed in the Project Record. Other Management Indicator Species listed for EMA 8 are noted in Appendix 2 (EA, pages 32-36) as not having habitat or potential habitat in the project area (includes pronghorn antelope, Lucy's warbler, yellow-breasted chat, and aquatic invertebrates). Forest Plan management direction for wildlife in EMA 8 is to provide for intensive management, and make habitat surveys, analyses, and formulate plans in concert with the Arizona Game and Fish Department to ensure a high level of habitat diversity and capability. The project-specific report for Management Indicator Species found that the project would not result in significant impacts to species populations or habitat trends for any MIS. This population analysis and habitat information meets NFMA obligations for Management Indicator Species under 36 CFR 219.14(f). This analysis also references the Management Indicator Species for the Kaibab National Forest report (October 15, 2003).

National Historic Preservation Act of 1966, as amended Section 106 requirements for survey and evaluation have been met for all undertakings in this decision (Heritage Clearance, 12/21/05).

Administrative Review or Appeal Opportunities; Implementation Date

Because there were only two comments requesting further information and just one supportive comment as the result of initial scoping, and there were no comments received during the 30-day Notice and Comment period, this decision is not subject to appeal pursuant to 36 CFR 215.12. Implementation may begin immediately.

Contact

For additional information concerning this decision, please contact:

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/s/Richard Stahn

RICHARD STAHN
District Ranger
Tusayan Ranger District

June 12, 2007

Date

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