

**Decision Notice  
and  
Finding of No Significant impact  
CDNST TRAILHEAD AT MACDONALD PASS**

USDA Forest Service  
Northern Region  
Helena National Forest  
Helena Ranger District

Lewis & Clark County, Montana

September 2005

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## **DECISION SUMMARY**

This Decision Notice (DN) documents my decision to select Alternative 2, as described in the Continental Divide National Scenic Trail (CDNST) Trailhead at MacDonald Pass Environmental Assessment (EA) issued August 2005. This decision will allow construction of a new Trailhead and connector trail for the CDNST and a new access road off Vista Point Road (National Forest System Road 4197) to access the trailhead and Quigley Group Use Area. The current access road off Highway 12 onto NFSR 1016 into Quigley will be decommissioned. Approximately 50' of road within Quigley will also be decommissioned.

The new construction will be built in accordance with Forest Service Standards and guidelines. I am the responsible official for this project. The scope of my decision is limited to the actions described in the EA and this Decision and Finding of No Significant Impact. This decision is site-specific.

Please refer to the maps following the text at the end of this Decision Notice. For additional information regarding the selected alternative, please see Decision Notice, page 7 of this document.

## **PROJECT BACKGROUND**

The Forest Service is tasked in making any new portions of the CDNST non-motorized and to align the trail on top of the Continental Divide whenever possible. To provide opportunities for non-motorized recreation, a trailhead at the south of Hwy 12 and east of MacDonald Pass that accommodates horse trailers and passenger vehicles with toilet facilities nearby will accomplish this task.

The CDNST trail on the east side of MacDonald Pass can be accessed from the Vista Point Road (NFSR 4197). Parking at the Vista Point is limiting and the terrain is steep. The closest toilet facilities are approximately one mile away at Cromwell Dixon Campground, accessed from the Vista Point Road, and the old MacDonald Pass Campground, now called the Quigley Group Use area is accessed off Highway 12 onto NFSR 1016. The main access into Quigley off Highway 12 does not have adequate site distance and is difficult to see from the highway. Quigley has a toilet facility and water well. The first and northern most of the two loops in Quigley is where the majority of groups gather. (see maps on pages 12-17) at the end of this document)

## **PURPOSE AND NEED**

The purpose of this project is to have safe access into the existing Quigley Group Use Area to meet the American Association of State Highway and Transportation Officials guidelines and to have a new trailhead and connector trail for the CDNST.

There is a need to improve recreation opportunities for this section of the CDNST as well as mitigate safety concerns by improving access into the Quigley Group Use area. The demand for access to the CDNST from MacDonald Pass is expected to increase over time as the area receives more use every year. A parking area currently exists at the MacDonald Pass Vista Point; however, there are no restroom facilities and due to the location and the steep terrain, opportunities to expand the parking area are limited. Although the current location will not

be improved, there will be no effort to downgrade it. This action responds to the goals and objectives outlined in the Helena National Forest, Forest Plan (pages II/1 and II/2).

The Quigley Group Use Area and proposed trailhead are located in MA T-4 (page T-4 III/42, 44 in the Forest Plan). Management standards for this area permits motorized and non-motorized dispersed recreation activities and may be supported by constructing or maintaining trails and trailhead facilities. It also states that roads will be constructed as needed to meet the management objectives of the area. The proposed non-motorized CDNST connector trail is located within MA T-4 and H-2. Management goals for H-2 (page H-2 III/20 of the Forest Plan) are to provide for dispersed recreation opportunities with a standard of controlling motorized recreation where necessary to protect vegetation, soil, and water to prevent road damage. This action will help move the project area towards desired conditions described in these plans.

Quigley Group Use Area and the proposed trailhead are located to the north and outside the Jericho Mountain Roadless Area (01607). A portion of the connector trail will be within the parameters; however, it will still maintain the Roadless characteristics and objectives (pages C126-C137 of the Forest Plan).

## RESPONSIBLE OFFICIAL

The responsible official for this Decision is the Forest Service Helena Ranger District Ranger.

## PUBLIC INVOLVEMENT

Public scoping for the CDNST Trailhead Project at MacDonald Pass began in February 2005. As part of the public involvement process, a scoping letter was sent out on February 23, 2005 to 24 individuals and interested parties with a map and information on the proposed project. The majority is in support of the proposed project and others requested to be kept informed as the project proceeded. A press release was published in the *Helena Independent Record* on March 5, 2005 and in the *Great Falls Tribune* on March 6, 2005. In addition the proposed project was listed on the Helena National Forest NEPA Quarterly Schedule of Proposed Actions beginning in April 2005.

A legal notice of the 30-day comment period was published in the *Helena Independent Record* on August 12, 2005. The comments received on the project are discussed on page 7 of this document, and are part of the public involvement section of the project record.

## ISSUES

While no key issues were identified during scoping, one issue was identified and addressed in further detail in the EA. It is summarized below and also included in the EA on page 7. A sensitive plant, *Phlox kelseyi* var. *missouliensis* occurs in the area, and the population was found to occupy the site immediately adjacent to the proposed road bed. As mitigation, the location of the road will be moved downhill, farther away from the population. This was

classified under "Environmental Consequences" in chapter 3 with a mitigation measure identified.

Due to the nature of this proposal, other concerns are addressed through design features and mitigation or described within the contexts of the resource analysis in Chapter 3 of the Environmental Assessment.

## **ALTERNATIVES NOT CONSIDERED IN DETAIL**

I considered two alternatives for the proposed CDNST Trailhead at MacDonald Pass. These are described in detail in the EA, page 5. An alternate location for the trailhead parking area was considered, but not analyzed in detail.

This alternative would have located the trailhead and parking area approximately 600' southwest of Quigley Group Use Area. This was eliminated from further analysis due to steep terrain, which would limit the capacity for the parking area and would be further away from existing toilet facilities in Quigley Group Use Area. This alternative would also require additional trees to be removed in the area.

## **ALTERNATIVES CONSIDERED IN DETAIL**

For the two alternatives considered in detail, Alternative 1 – No Action, and Alternative 2 – Proposed Action (CDNST Trailhead), the primary factors I considered in making my decision were how well each alternative met the purpose and need for the proposal, and how it responded to the other concerns raised during scoping. A summary of the issues and the consequences of the alternatives relative to the resources affected appear on page 6 of this decision notice, under Environmental Consequences, and in the EA, pages 7-10.

### **Alternative 1 - No Action**

Under the No Action alternative, current management plans would continue to guide management of the project area. The proposed action would not be implemented and the project goals would not be accomplished. There would not be any restroom facilities at the parking area. The Quigley Group Use Area would continue to be accessed off a blind corner on the east side of MacDonald Pass off Highway 12. The parking area at the MacDonald Pass Vista Point would continue to serve as the trailhead for the south side of MacDonald Pass to provide access to the CDNST Trail. Signing would not be improved, and parking would continue to be a limiting factor. A new trailhead and connector trail would not be constructed, nor would the new access road to the trailhead and group use area be constructed. The partial fence around the Quigley Group Use Area would not be completed. For further details on the no action, refer to the map on pages 13 and 14 at the end of this document.

### **Alternative 2 - Proposed Action**

The proposed CDNST trailhead facility would be located in or adjacent to the old MacDonald Pass Campground, now called the Quigley Group Use Area. The facility would be accessed by constructing approximately 1/3 mile of new road that would connect the Vista

Point Road to the Group Use Area and proposed trailhead. The access road would be a double-lane aggregate surfaced road. The new trailhead parking area would be constructed at the south end of the Group Use Area. The parking area would be designed to accommodate four passenger vehicles and four trucks with horse trailers. The current road that accesses Quigley Group Use Area directly from Highway 12 just east of the divide is a safety issue and would be decommissioned. Approximately 50 feet of existing road within the current Group Use Area would also be decommissioned to separate the Group Use Area from the proposed Trailhead as shown on the maps at the end of this chapter. A cattle guard and gate would be installed at the entrance of the Quigley Group Use Area to control traffic entering the area.

A non-motorized trail, built to Forest Service stock/pedestrian standards, would be constructed with use of mechanized equipment from the parking area to the existing CDNST just south of vista point. This new trail segment would be approximately ½ mile in length. A short trail would also be constructed from the parking area to the existing toilet located in the Quigley Group Use Area. Signs would be installed along Highway 12 and the Vista Point Road directing traffic to the trailhead. At the trailhead a bulletin board and trail signs would direct users to the new trail. The existing toilet in Quigley Group Use Area would serve users of the group site and trailhead. The south and west parameter of the facilities would be fenced with barbed wire and some buck and pole fence to tie into the existing barbed wire fence to keep cattle out.

This action would accommodate equestrian users, hikers, and mountain bike enthusiasts who utilize this portion of non-motorized trail. It would also improve the access to the existing Quigley Group Use Area and help meet the long-term management objectives of the CDNST. For further details on the proposed action, refer to the maps on pages 15, 16, and 17.

## **CUMMULATIVE EFFECTS**

A cataloging of past, present and reasonably foreseeable future actions that were considered useful and relevant to this cumulative effects analysis were compiled onto a table and can be found in the project record. (CEQ Guidance June 24, 2005)

## ENVIRONMENTAL CONSEQUENCES

The following table, from Chapter 2 of the EA, below compares the effects of the alternatives by resource based on the detailed analysis in Chapter 3 of the EA.

	Alternative I - No Action	Alternative II – Proposed Action
Meeting Purpose & Need	This would not meet the objectives and goals of the project proposal.	This would meet the objectives and goals of the project proposal.
Safety	The approach to the Quigley Group Use Area would not be changed and would continue to be a safety concern.	This alternative would alleviate the existing safety concern by constructing a new access road into the Quigley Group Use Area and closing off the existing access off US Highway 12.
Inventoried Roadless Area	No Effect	No Effect The connector trail from the trailhead to the CDNST near the Vista Point will cross through the Northern edge of the Jericho Mountain Roadless Area; however, it will still maintain the roadless values and characteristics.
Access to the CDNST	This will not meet the objectives and goals of the proposed project.	The new trailhead and non-motorized connector trail would meet the objectives and goals of the proposed project. It would also meet the Forest Plan management goals and objectives by providing dispersed recreation opportunities.
Wildlife	No Effect	No Effect
Heritage Resources	No Effect	A field survey was completed and found no negative effect for heritage resources.
Wetlands/Flood Plains	No Effect	No Effect.
Recreation	This alternative would not improve the access into Quigley Group Use area, nor would it accommodate the anticipated increase in dispersed recreation use in the area. It would not address potential social issues at the group use site with cattle in the developed area.	This proposal would better accommodate the needs for visitors accessing the CDNST. It would improve visitor safety and be easier for visitors to locate the trailhead and group use area. This would meet the objectives for the recreation area and would better accommodate dispersed recreation opportunities in the area.
Fisheries	No Effect	No Effect
Range	No Effect	No Effect
Soils	No Effect	This proposed road would remove land from productivity. Best management practices would minimize erosion and sedimentation and other portions of road would be decommissioned.
Sensitive Plants	No Effect	PLANT SPECIES- <i>Botrychium paradoxum</i> (Peculiar Moonwort): No Effect  PLANT SPECIES- <i>Grindelia howellii</i> : No Effect  PLANT SPECIES- <i>Juncus hallii</i> (Hall's Rush): No Effect  PLANT SPECIES- <i>Phlox kelseyi</i> var <i>missoulensis</i> (Missoula Phlox): A large population of this species occurs adjacent to the road construction area. This decision may impact individuals but would not contribute toward a trend for federal listing or loss of viability. The main population occupies habitat that would not be impacted by the construction. The overall population would not be adversely affected by this action.

## **PUBLIC COMMENTS AND RESPONSE TO PUBLIC COMMENTS**

All comments were placed in the project record as they were received. The content of the comments was analyzed, and the interdisciplinary team responded to the comments in identification of issues and other resource concerns for the environmental analysis, and in considering their analysis of the environmental effects of the alternatives. During the scoping one respondent submitted comments and seven phone calls were received. Comments received were generally supportive of the project with one substantive concern due to the proposed new road access in regard to the sensitive plant, *P. kelseyi var. missouliensis*. A project design modification will address this concern.

During the comment period for the EA, there were eight respondents. A content analysis on the comments received along with Forest Service responses is available for review in the project record at the Helena National Forest, Helena Ranger District office. The public responses brought forward by the respondents were supportive of the project.

## **RATIONAL FOR THE DECISION**

My decision is based on the content and analyses presented in the CDNST Trailhead at MacDonald Pass EA (August 2005), the Biological Assessment and Biological Opinion, the Biological Evaluations, and a review of public comments on the EA.

I have reviewed public comments and found no new substantive issues or concerns were raised. All points brought forth were considered in the context of the EA.

I have reviewed the alternatives given detailed study (EA Chapter 2) to determine if they were responsive to the issues and the purpose and need for this analysis. I also reviewed the alternatives that were considered but not given detailed study (EA chapter 2, page 5) to help me decide if a thorough and complete range of alternatives was considered. I find that the range of alternatives considered is thorough and complete.

Alternative 2, the proposed CDNST Trailhead, connector trail and new access road was chosen because it meets the purpose and need for action (EA, chapter 1). It will make entry into the Quigley Group Use Area safer, meeting Montana Dept. of Transportation guidelines. This alternative also provides better parking facilities for access to the CDNST now and for expected future increased use. This parking facility does help provide non-motorized access to the CDNST, meeting CDNST objectives for this National recognized trail.

If Alternative 1 (no action) were chosen, the site distance for visitors entering and leaving the Quigley Group Use Area would continue to be a safety concern. The anticipated increase in dispersed recreation use in the area would not be accommodated and goals outlined for the CDNST encouraging non-motorized access would not be met.

In selecting Alternative 2, this project contributes to the Helena Forest Plan goals in providing a range of outdoor recreation opportunities and does it in a manner that improves public safety in the decommissioning of the current access into Quigley Group Use Area and providing a safer new access location.

## **CONSISTENCY WITH OTHER LAWS, REGULATIONS, OR POLICY**

To the best of my knowledge, this decision is in compliance with all applicable laws, regulations, and policies.

I find that this decision is consistent with the Goals, Objectives, and Standards listed in the 1986 Helena Forest Land Management Plan as described for the management areas specific to the Group Use Area, CDNST Trail and Trailhead.

I reviewed the Biological Evaluations for Region 1 Sensitive Species and determined that management actions resulting from implementation of this decision will not lead to federal listing of any of the sensitive species.

I have reviewed the Biological Evaluation (project record). There will be no effect to threatened, endangered, and general fish or wildlife species or their habitats. I find that my decision is consistent with the Endangered Species Act.

With the EA, I find documentation concerning wetlands and flood plains in compliance with Executive Orders 11988 and 11990. There are no lands in the project area that would qualify as wetlands or flood plains. Therefore, there would be no loss or incompatible use of wetlands or flood plains from implementation of this decision. I find that this project is consistent with the Clean Water Act.

I have reviewed the project for compliance with Executive Order 12898 (Environmental Justice). Based on analysis presented in the EA, I find my decision will not adversely affect human health or minority and low-income populations. There has been ample opportunity for participation in the analysis process, as documented in the public involvement section of the project record. Implementing this decision will not subject anyone to discrimination because of his or her race, color or national origin.

## **FINDING OF NO SIGNIFICANT IMPACT**

In reviewing the analysis within the EA, the Biological Assessment, Biological Evaluations and project record, I have determined that the implementation of Alternative 2 will result in no significant effect on the quality of the human environment. I have reviewed the provision in 40 CFR 1508.27 in terms of project context and intensity relationships in determining project significance. It is my decision that an Environmental Impact Statement (EIS) is not necessary and will not be prepared for this project. My finding for not preparing an EIS includes:

## **CONTEXT**

The setting of this project is localized with implications only for the immediate area. The actions included in this decision are consistent with management direction contained in the Helena National Forest Land Management Plan.

## **INTENSITY**

1. **Consideration of both beneficial and adverse impacts.** This decision will meet the purpose and need, and the desired condition for each of the issues and other concerns



identified in Chapter 1 and 3 of the EA (listed above), as well as meet the intent of Goals and Objectives outlined in the Helena National Forest Plan. Beneficial and adverse impacts of this decision are addressed in Chapter 3 of the EA (summarized above). No significant impacts were identified.

2. **Consideration of effects on public health and safety.** This decision will have no significant impact or unacceptable effect on public health or safety. During scoping, there were some safety concerns identified in relation to the access into Quigley Group Use Area at the intersection of Highway 12 and USFSR 1016. This decision will improve visitor safety by providing new access into Quigley Group Use Area using the Vista Point Road NFSR 4197(EA, Chapter 1 and 3 and the project record).
3. **Consideration of unique characteristics of the area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** None of these unique characteristics were identified in site visits, individual specialists reports, or other project documentation (EA, Chapters 2 and 3, and project record)
4. **Consideration of degree of controversy associated with the effects.** Based on public comment and interdisciplinary analysis of the proposed action and alternative, the effects on the human environment are not likely to be highly controversial. Public comments primarily focused on questions and concerns regarding the location of the project. (EA, Chapter 1, and the Content Analysis in the project record)
5. **Consideration of the uncertainty of effects, or unique or unknown risks.** This project is a modification of existing activities and is not imposing any new activities in the area. (EA Chapter 1)
6. **Consideration of whether the action may establish a precedent for future actions with significant effects or represents a decision in principle about future consideration.** This is a project-level decision. Implementation of this decision is not precedent setting, and does not represent a precedent for any future decision. Any other proposals for this area will be subject to full NEPA disclosure.
7. **Consideration of cumulative impacts.** Based on the specialist's reports and information provided in the project record and given description and conclusions of the direct, indirect, and cumulative impacts displayed in Chapter 3 of the environmental assessment, I find that implementation of Alternative 2 in conjunction with past, present, and reasonably foreseeable future actions will not generate significant cumulative effects on these resources.
8. **Consideration of the degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, or may cause loss or destruction of significant scientific, cultural, or historical resources.** A heritage survey was conducted on July 29, 2004 and found no effect for heritage resources (project record).
9. **Consideration of adverse effects on endangered or threatened species or their critical habitat, as determined under the Endangered Species Act of 1973.** Threatened, endangered, or sensitive wildlife, fish, or plant populations found within the project area will not be adversely affected by this decision. There is no suitable habitat for fish or amphibians. There will be no effect to threatened, endangered wildlife species or their habitats. There will be no effect on sensitive plant populations (EA Chapter 3, and project record).

10. **Consideration of Federal, A State, or local law or requirements imposed for the protection of the environment.** As discussed elsewhere in this decision, the construction of a new trailhead, trail and access road is in compliance with all applicable laws, regulations, and policies, and will not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The proposed action is in compliance with the 1986 Helena Forest Land and Resource Management Plan, the Endangered Species Act, Clean Water Act, and Executive Orders for protection of wetlands, floodplains, and environmental justice (EA Chapter 3 and the project record).

### IMPLEMENTATION OF DECISION

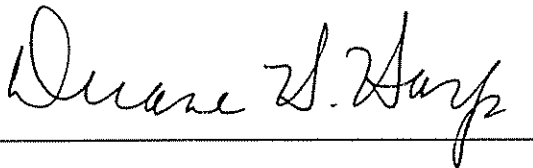
In accordance to 36 CFR 215.9 (c), when a project or activity decision is not subject to appeal, implementation may occur immediately after publication of this decision notice in the newspaper of record.

### ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

- This decision, pursuant to 36 CFR 215.12 (1), is not subject to appeal due to no substantive comments expressing concerns and only supportive comments were received during the comment period for this EA. See project record for comments received during the comment period according to 36 CFR 215.5 (b) (iv) as published in the *Independent Record* (newspaper of record).

### CONTACTS

For additional information concerning this decision contact Jaime Tompkins at the Helena Ranger District Office, 2001 Poplar, Helena, MT 59601, (406) 495-3946. For additional information on the Forest Service appeals process, contact Claire Huking, Northern Regional Office, P.O. Box 7669, Missoula, MT 59807, phone (406) 329-3696.



DUANE H. HARP

District Ranger  
Helena Ranger District  
USDA Forest Service  
Responsible Official

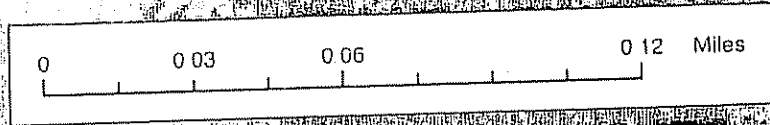
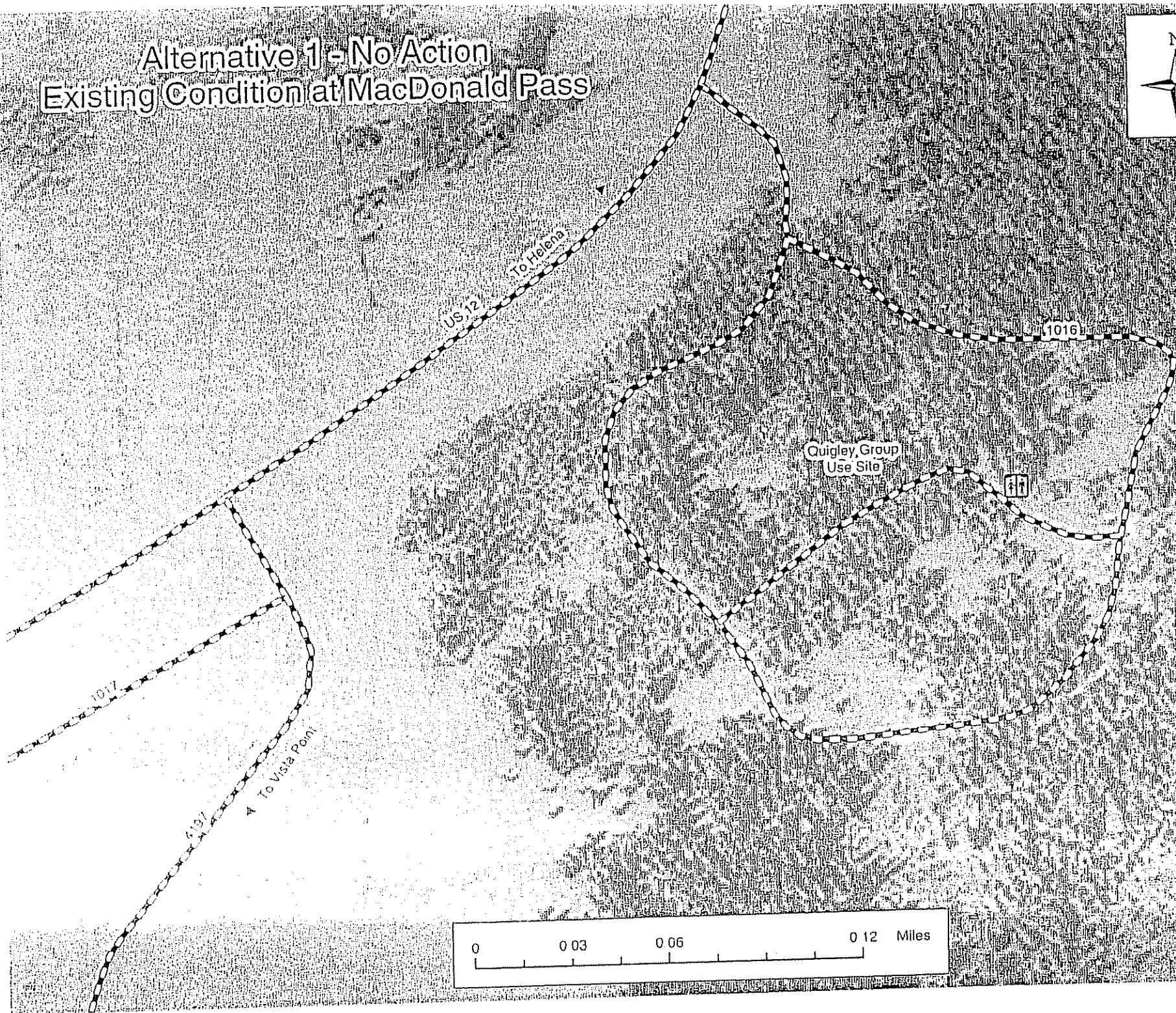
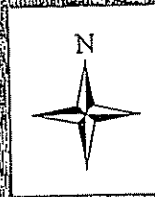


Date

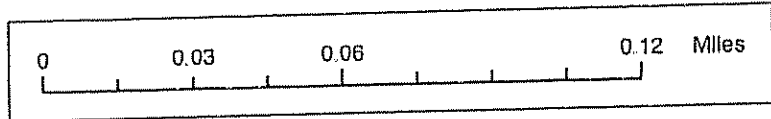
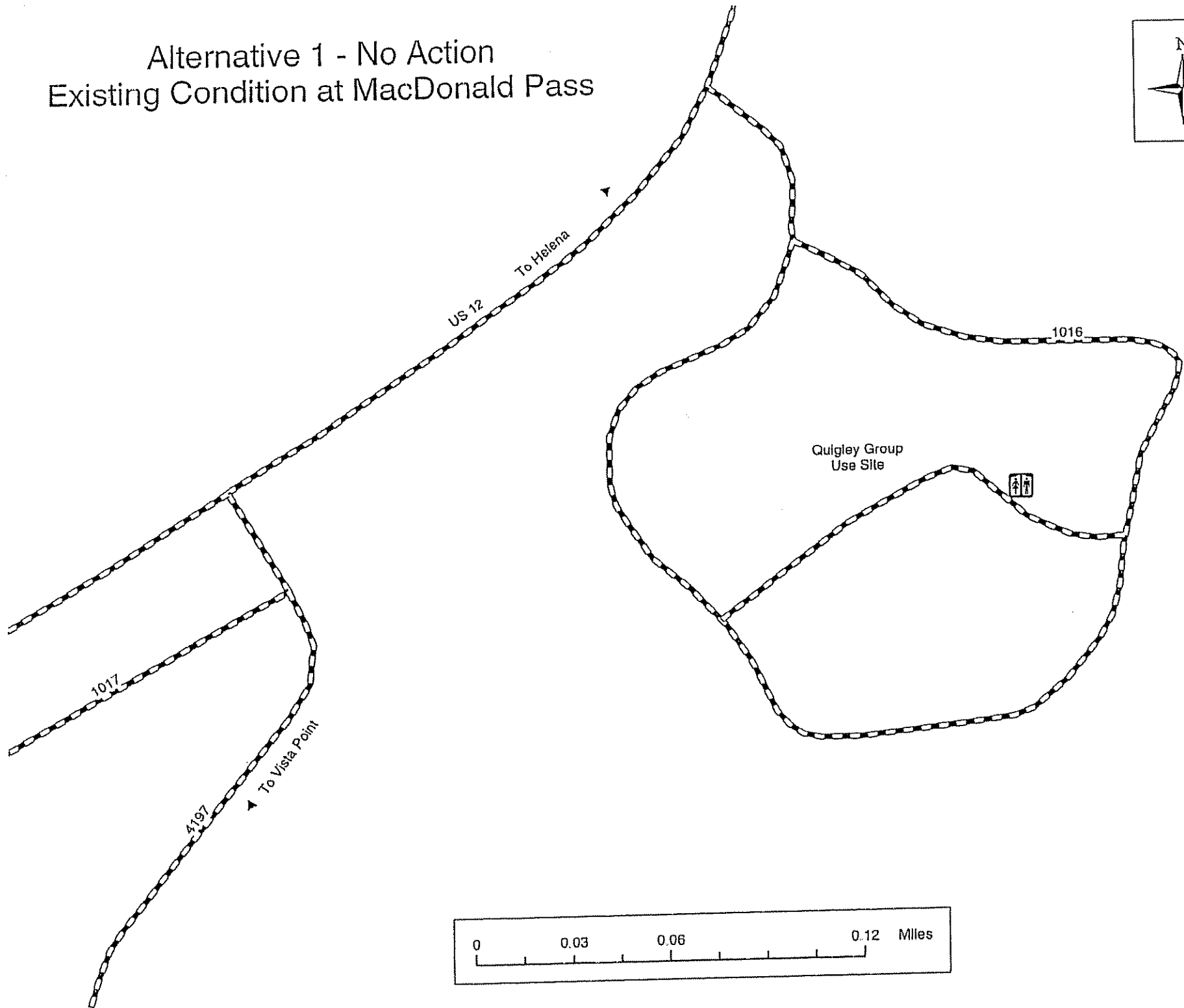
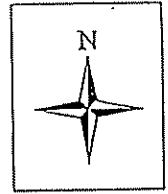
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# Alternative 1 - No Action Existing Condition at MacDonald Pass

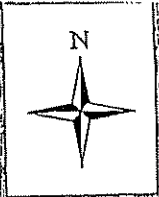


# Alternative 1 - No Action Existing Condition at MacDonald Pass





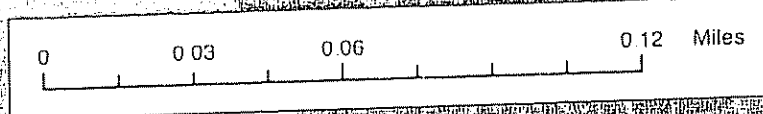
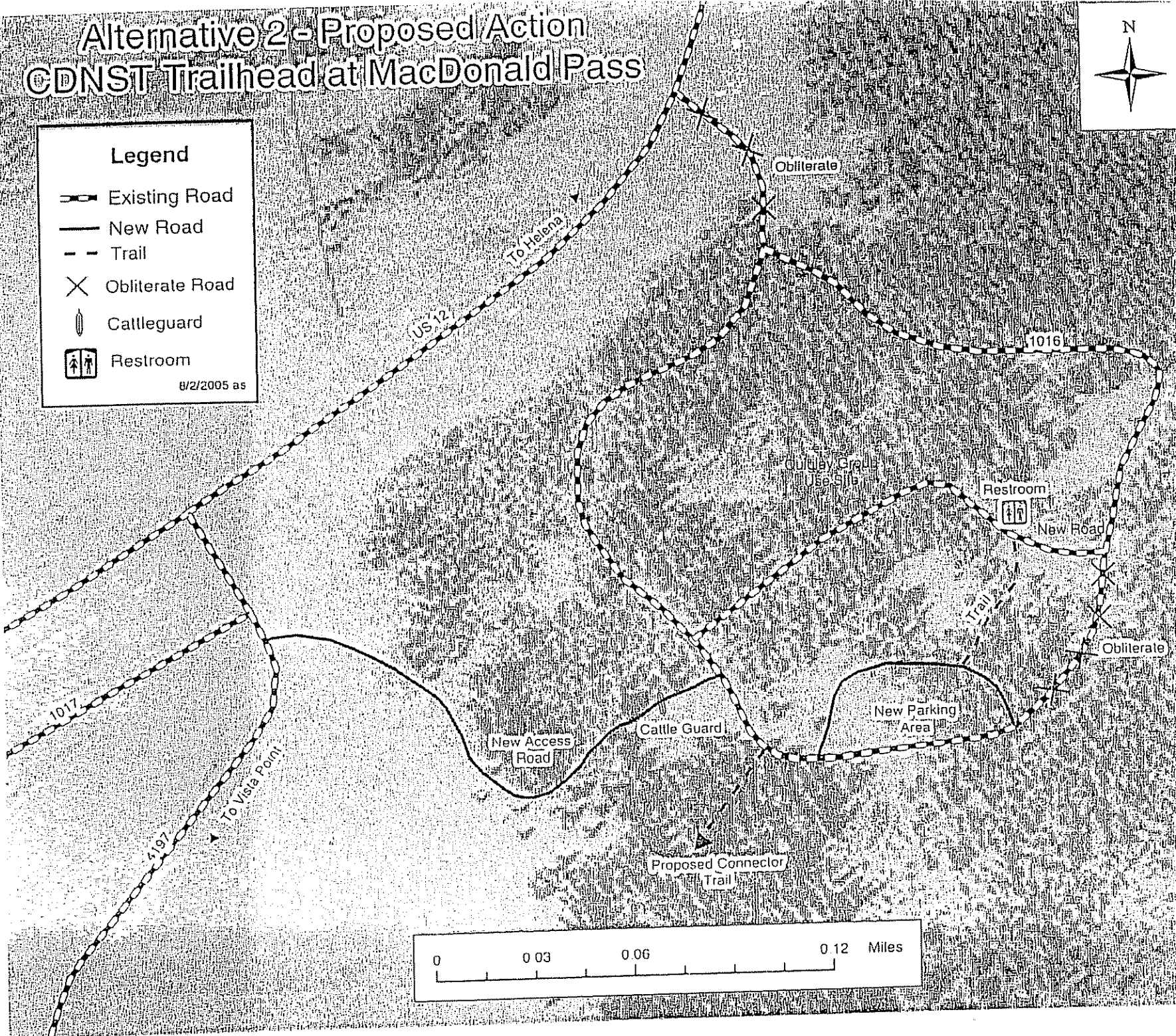
# Alternative 2 - Proposed Action CDNST Trailhead at MacDonal Pass



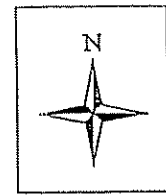
**Legend**

- Existing Road
- New Road
- Trail
- Obliterate Road
- Cattleguard
- Restroom

8/2/2005 as



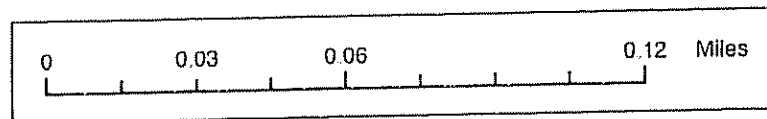
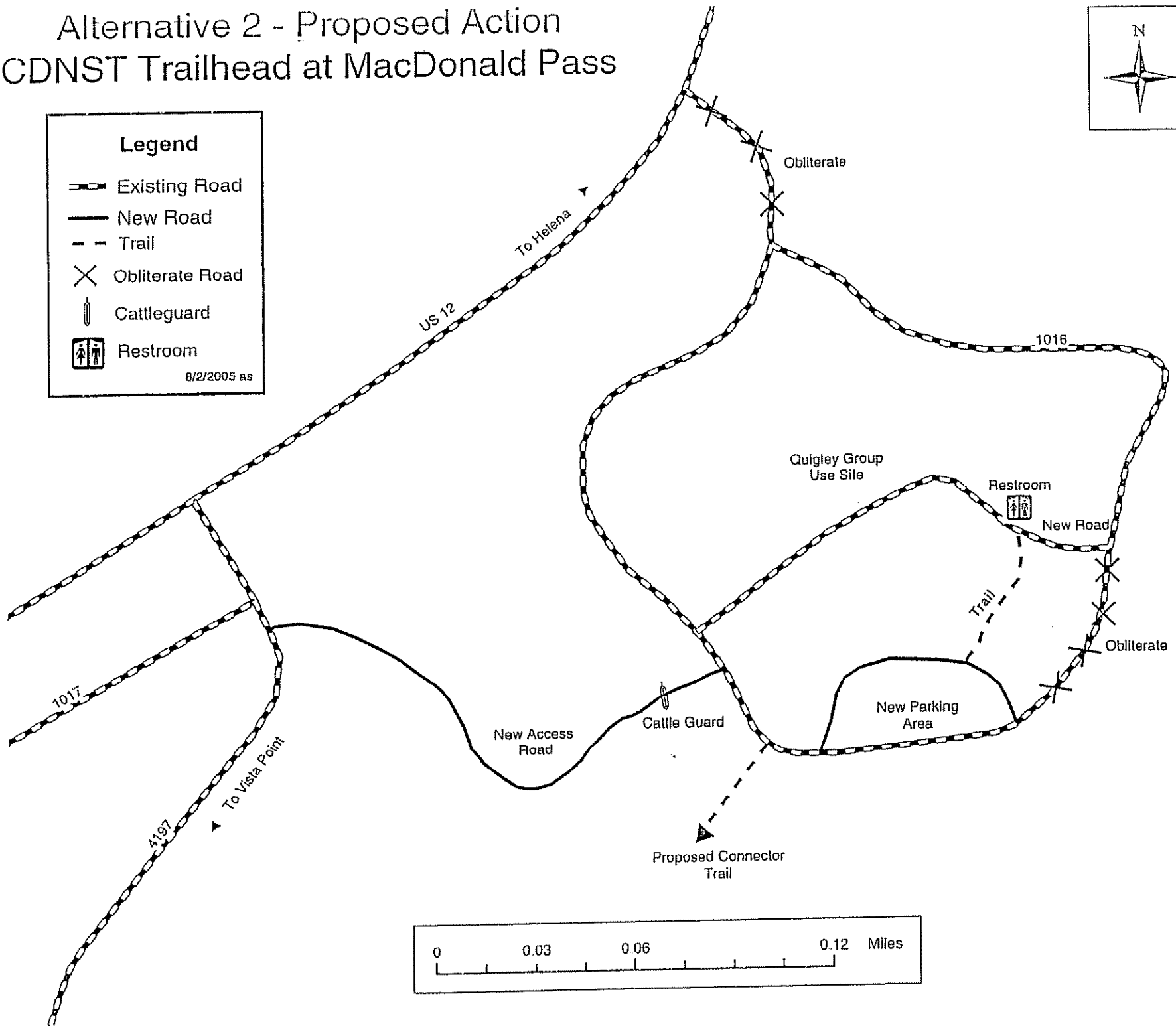
# Alternative 2 - Proposed Action CDNST Trailhead at MacDonald Pass



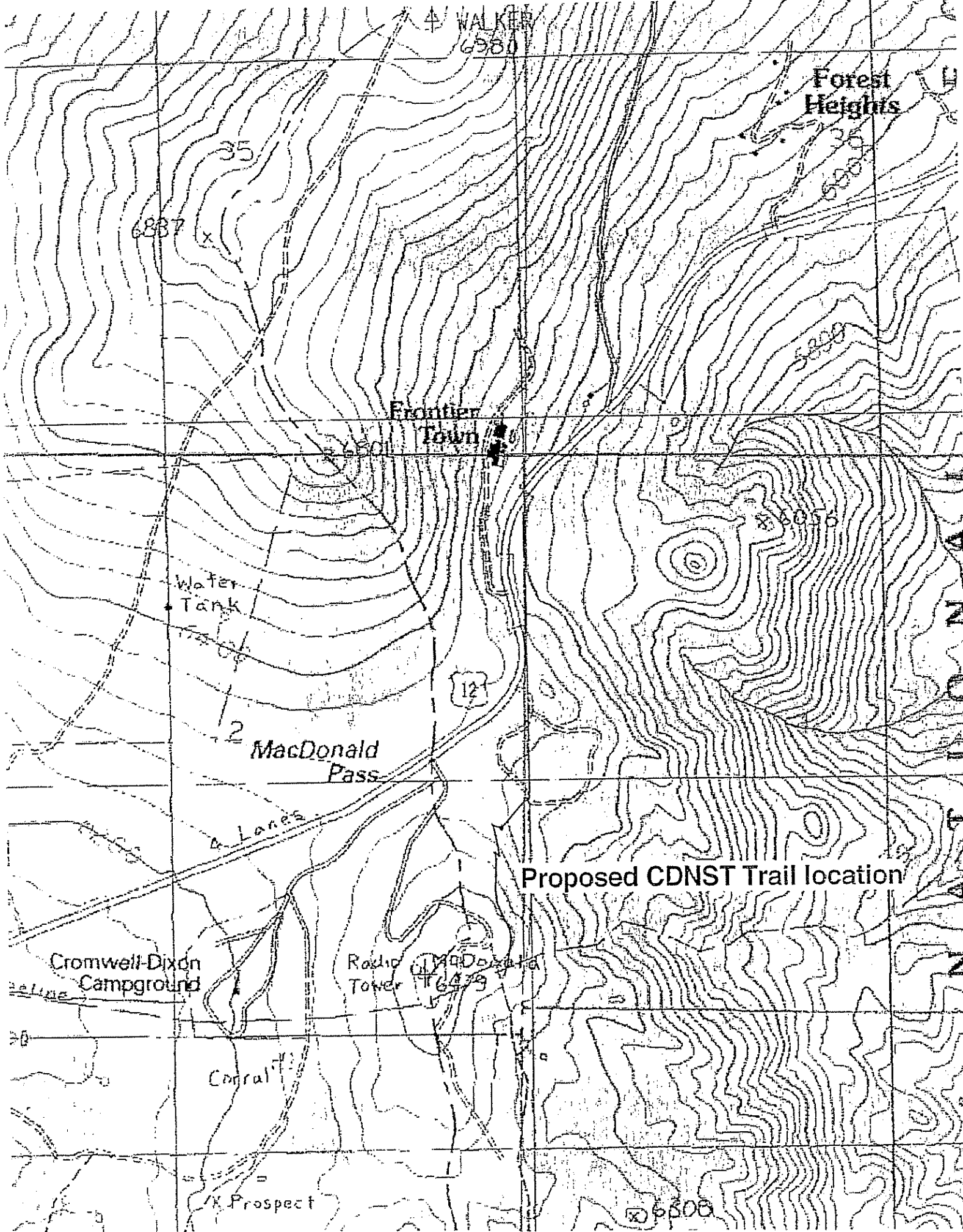
**Legend**

- Existing Road
- New Road
- Trail
- Obliterate Road
- Cattleguard
- Restroom

8/2/2005 as







WALKER  
6980

Forest  
Heights

6837

Frontier  
Town

Water  
Tank

12

MacDonald  
Pass

2  
Lanes

Proposed CDNST Trail location

Cromwell-Dixon  
Campground

Radio  
Tower  
6479

Copral

K Prospect

6506