DECISION NOTICE
AND
FINDING OF NO SIGNIFICANT IMPACT

UNIT 4

DEAD INDIAN FUEL REDUCTION PROJECT

USDA Forest Service
Shoshone National Forest
North Zone/Clarks Fork Ranger District
Park County, Wyoming

I. Introduction

In a previous Decision Notice, based on the analysis documented in the EA and public input received throughout the project planning and analysis, I decided to implement Alternative 3 – the Modified Proposed Action.

The decision to treat unit 4 (aerial ignition within the North Absaroka Wilderness) was deferred, pending completion of a minimum tool[1] analysis for the use of motorized equipment within wilderness that would be reviewed and approved by Regional Forester Rick Cables. This Decision Notice documents the decision and rationale for Unit 4 within the North Absaroka Wilderness Area for the Dead Indian Fuel Reduction Project, which was analyzed in an environmental assessment (EA). This decision document was developed in compliance with the National Environmental Policy Act (NEPA) and its implementing regulations (40 CFR 1501-1508).

This documents explains how issues and concerns were met, and how laws, environmental effects and other factors were balanced in making the decision for the Dead Indian fuel reduction project on the Clarks Fork Ranger District, Shoshone National Forest (SNF). It presents the alternatives considered, summarizes public involvement, discusses compliance with the Forest Plan, and documents a Finding of No Significant Impact (FONSI). In addition, the minimum tool analysis is summarized and the project's conformance to law, regulation, and policy is discussed.

At the end of this Decision Notice is information on the timing of implementation, information on how to appeal the decision, and who to contact for further information.

The fuel reduction project is located in northwest Wyoming approximately 25 miles northwest of Cody, Wyoming in Park County. Ownership is entirely National Forest System lands.

[1] Minimum Tool-The least impactive method, equipment, device, force, regulation, practice, or use that will meet the management objective in a wilderness context. This represents the "how" question that must be asked to ensure that the process to implement the minumum required action will minimize impact on social and biophysical wilderness values. Minimum tool is not synonymous with primitive tool. In some cases, the minimum tool could be a motorized tool or a form of mechanical transport.

II. Decision and Rationale

The minimum tool analysis was reviewed in the Regional Office and approved by the Regional Forester on 8/29/02. The minimum tool analysis and Regional Office approval letter is located in the project file.

The use of the helicopter for aerial ignition for this project was determined to be the minimum requirement[2] and was approved for this project. Subsequently, I am making the decision to proceed with implementation of the treatment in unit 4 so that we may begin implementation of this multiyear project in the spring of 2003. Unit 4 is a crucial treatment unit for the success of this project. By securing the wilderness boundary naturally ignited wildfires within the wilderness would have a greater potential of being able to play their natural role in a fire dependent ecosystem as identified in the North Absaroka Wilderness Fire Plan.

The minimum tool analysis is summarized as discussed below and serves as my rationale for the decision.

All helispots would be located outside the wilderness and no landings would occur within wilderness.

Options for ignition include both hand and aerial systems. Neither methods leave substantial physical impacts on the landscape. However, both have very different impacts on the social aspect of the wilderness landscape. Hand ignition is labor intensive especially for a large area with difficult access. A large ignition/holding crew is needed requiring numerous trips back and forth to the units with fuel and equipment. This operation adversely affects the solitude of the visitor for a longer duration of time. Aerial ignition is not as labor intensive and can accomplish more acres in a shorter time. Aerial ignition involves use of mechanized equipment, which has a disturbing effect on solitude for the short time period it is used. A larger area is also affected.

The probability of success with the use of aerial ignition is high since it involves less time. The probability of success with hand ignition is lower as it involves more time to accomplish the same number of acres. In this mountainous terrain, burn windows are limited and typically are not greater than 3-4 days at a time. The use of a helicopter with aerial ignition also contributes to the success of the project as it provides a platform for observation and quicker and efficient holding capability to reduce risk of fire escape.

The most important factor in determining the minimum tool in this situation is firefighting safety. Hand ignition exposes more people for a longer period than aerial ignition. The use of helicopters also has a high degree of risk but exposes fewer people for a shorter time. For a project of this size and the consideration of exposure to firefighters, it is determined that a combination of hand and aerial ignition both inside and outside wilderness is the best alternative that meets the objectives of the project.

This project would make the wilderness boundary more defensible from a fire escaping the wilderness in this area and allow for a more natural role of fire in this portion of the wilderness.

The modified Alternative 3, to include unit 4, provides the greatest attainment of the project's purpose and need and provides the greatest protection for resource values in the project area. All the project goals will be accomplished with implementation of my decision.

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[2] Minimum Requirement-An action that is determined to be absolutely necessary but results in the least discernible impact on all the wilderness values and is the least manipulative or restrictive means of achieving a management objective in wilderness. This represents the "why" and "is it necessary?" questions that must be answered before deciding that an action, that could potentially leave a mark of human influence in wilderness, is necessary.

I have included unit 4 because it best accomplishes the purpose and need of reducing the accumulation of natural fuels, providing cost effective fire protection, managing activities along the travel routes to maintain and enhance recreation and scenic values, and managing designated wilderness to protect and perpetuate essentially natural biophysical conditions.

In making my decision, I have reviewed the comments of both the scoping and the comments from the EA public comment period. I also participated in the interdisciplinary team meetings and field tour, as well as the EA document development sessions and have considered this information in my decision.

III. Purpose and Need for the Proposal

Consistency with the Forest Plan-We have determined that the EA is appropriately tiered to and consistent with the 1986 Shoshone Land and Resource Management Plan and the programmatic EIS which accompanies it (*see* Section 1.3 and Section 1.4 of the EA).

The EA is tiered to the 36 Code of Federal Regulations (CFR) for National Forest Management Act (NFMA) consistency and the Shoshone National Forest Land and Resource Management Plan. All management prescriptions for resource protection shall be consistent with the relative resource values involved, minimize serious or long-lasting hazards from flood, wind, wildfire, erosion, or other natural physical forces unless these are specifically excepted, as in wilderness (36 CFR 219.27).

Based upon Forest Plan goals and direction, the Dead Indian Fuels Reduction Project was developed to reduce hazardous fuels and the risk and consequences to life and property at the Northwest College Field Camp (NWC), campground, ranches, and other improvements outside the wilderness area. By securing the wilderness boundary, naturally ignited wildfires within the wilderness would have a greater potential of being able to play their natural role in a fire dependent ecosystem.

The overall intent of the project is to move from the existing conditions to the desired future conditions in conformance with the goals described in the Shoshone National Forest Land and Resource Management Plan, pages III-6 through III-10 and direction in Chapter III, pages 41 and 97. The Proposed Action, Purpose and Need, and project goals are found in Section 1.2 and 1.3, pages 1-1 to 1-4 of the EA.

IV. Other Applicable Laws, Regulations, Policies and Plans

The projects would comply with guidance from the National Fire Plan. All prescribed burning would be conducted under a prescribed burn plan that would specify conditions under which the burn can safely occur. Burning would take place both in the spring and fall and would be scheduled to minimally impact other uses of the areas (i.e., hunting, traffic on the highway, etc.) to the extent possible.

Forest Service policy and procedures for use of a helicopter to aerially ignite one burn unit in the wilderness would be followed. This included completing a minimum tool analysis and Regional Forester approval. By completing the minimum tool analyses, consistency with law, regulation, and policy is achieved.

The Shoshone Forest Plan and North Absaroka Wilderness Fire Management Plan allow management ignited fires within the wilderness under specific conditions (EA, Chapter 1, page 1-4).

A cultural resource inventory and the required coordination with the Wyoming State Historic Preservation Office (SHPO) was completed, as well as the cultural resource documentation called for in 36 CFR Part 800. A concurrence letter from the SHPO (Case Number 0900RLC019) is located in the project file.

A biological evaluation (BE), addressing potential effects on all proposed, listed, and sensitive species with known or potential habitat within the project area was completed for this proposal. The BE concluded that there are no anticipated effects on threatened, endangered and sensitive species, which is summarized in the EA (EA, Chapter 4, pages 4-9 to 4-12). The United States Fish and Wildlife Service in their letter to me dated August 6, 2001 concurred with this determination of effects. The BE and concurrence letter are located in the project file.

Watershed Regulatory Framework - The Forest Service is directed by five major federal laws, as amended, to protect watersheds through sound management. Other federal laws and regulations complement these five major laws. The Forest Service must also comply with the Wyoming Environmental Quality Act and regulations pursuant to it. Floodplains and wetlands within the analysis area are regulated by Executive Orders 11988 and 11990.

These projects would be conducted to minimize impacts to air quality. Before implementation of the projects, a burn permit would be requested from the Air Quality Division of the Wyoming Department of Environmental Quality (DEQ). The permit specifies the conditions under which the project can be conducted to minimize air quality impacts. The permit would become a part of the burn plan and will help in the development of the burn prescription by addressing the issues to minimize any air quality impacts.

V. How Issues Were Considered

Scoping was conducted to identify the issues relevant to this proposal. On April 4, 2000, a scoping letter describing the project proposals was sent to over 250 individuals, groups, private landowners, and organizations that have expressed an interest in this type of project. In addition, on February 5, 2001 letters were sent out to twenty-five Indian tribes seeking their comments on the proposal. On March 28, 2001, a copy of scoping statement was faxed to the Greater Yellowstone Coalition per their request.

All comments received through scoping and the public involvement processes were used in developing the issues and alternatives, which directed the analysis process.

VI. Issues Analyzed in Detail

There were several issues identified relative to this proposal. All comments, issues, and concerns were given in-depth review and consideration, however only significant issues are addressed in detail. As the NEPA analysis was issue driven, the significant issues provide focus for analysis. An interdisciplinary team of resource specialists also provided input and reviewed the project proposals. In addition to resource specialist input, ten letters or phone calls from individuals or agencies provided comments on the proposal that were used in the analysis.

The significant issues below helped formulate the alternatives and focus on the resources analyzed in Chapter 3 - Affected Environment and Chapter 4 - Environmental Consequences of

the EA. Detailed discussion of the issues and secondary issues considered but not analyzed in detail can be found in Section 1.8.2, pages II-6 to II-8 of the EA.

- Public Health and Safety/Issue: Air Quality and Control of Wildland Fire
- Aesthetics/Issue: Visual Quality and Recreation
- Vegetation/Issue: Vegetation and Fire History, and Fuel Loading
- Wildlife/Issue: Big Game Security, Winter Range, Proposed, Threatened and Endangered, Sensitive Species and Management Indicator Species
- Watershed/Issue: Soil, Water, Riparian and Aquatic Resources

VII. Alternatives Considered

Introduction - The EA described three issue driven alternatives, including the No Action Alternative, which were developed from the project proposal, interdisciplinary team input, and results of scoping.

Monitoring and Evaluation - The Forest Plan standards and guidelines specify that a historical record will be maintained with each prescribed fire plan, which documents the biological/physical effects and the fire behavior that produced the effects (III-96). The monitoring to accomplish this and to evaluate the implementation of either action alternatives is:

- Monitoring and photo monitoring (before and after): Prior to treatment, monitoring plots and photo points would be established to monitor changes in species composition and fuel loading. The plots would be revisited immediately after the project is completed to evaluate if the project objectives were achieved.
- Monitoring of visibility and organic particulates will be conducted at an Interagency Monitoring of Protected Visual Environments (IMPROVE) aerosol monitor near the summit of Dead Indian Hill.

VIII. Alternatives Considered But Not Analyzed in Detail

A timber harvest alternative to meet the purpose and need was considered, but not evaluated in detail for several reasons. Most of the units are located in designated wilderness and not available for harvest; the two units that are in the suitable timber base have had past harvesting activities, did not contain much merchantable timber, and were not readily accessible by existing roads. Because of these reasons, prescribed fire was the preferred treatment. A 25-acre timber harvest area was considered in Alternative 2.

A non-helicopter ignition alternative was considered, but not evaluated in detail because of safety considerations for hand ignition crews. Continuous fuels, the steepness of the slopes and the amount of fire needing to be ignited at one time to achieve the project objectives make it unfeasible for hand crews to implement in a safe manner.

IX. Alternatives Considered And Analyzed in Detail

Alternative 1 – Current Management [No Action]

Alternative 1 is the No Action Alternative, a continuation of current management. It does not address most of the issues documented in Chapter 1, specifically the purpose and need for action regarding fuel loading, public health and safety, and aesthetics.

Dead Indian Project. Under the No Action Alternative, prescribed fire would not be used to improve conditions so that wildland fires with a natural ignition could be allowed to burn to allow fire to play a more natural role in this portion of the North Absaroka Wilderness. Prescribed fire would also not be used to help make the wilderness boundary more defensible against wildland fire escaping the wilderness.

Future wildland fires with natural ignitions would be analyzed on an individual basis to determine if they should be put under prescription and be allowed to burn in accordance with the Shoshone Forest Plan and North Absaroka Wilderness Fire Management Plan. Without a reduction in fuels, the Forest Service would continue to suppress virtually all new lightning caused fires in the wilderness area to protect property outside the wilderness area.

Alternative 2 – Proposed Action

Alternative 2 is the Proposed Action as described in the scoping statement.

Dead Indian Project. The Proposed Action as described in the scoping statement for the Dead Indian Fuels Reduction Project proposes to prescribe burn areas along the boundary of the North Absaroka Wilderness to create a firebreak between the Dead Indian Creek portion of the wilderness in order to reduce the hazards to other resources, life, and property outside the wilderness. Approximately 675 acres are proposed for burning inside the wilderness and 1,410 acres outside the wilderness. Vegetation targets to burn include grass, sagebrush, down and dead litter accumulation, and live trees. One unit within the wilderness area (unit 4) is proposed for aerial ignition by helicopter for safety reasons. Two units outside the wilderness are proposed for both aerial and hand ignition.

Some fireline construction may be needed but would be limited to hand tools inside wilderness areas. Fire engines will not be used in the wilderness. The Minimum Impact Suppression Tactics (MIST) as specified in the North Absaroka Wilderness Fire Plan would be followed for the Dead Indian fuels reduction project.

Helicopter ignition of Dead Indian Unit 4 in the wilderness is proposed. A minimum tool analysis would be completed to evaluate the proposed helicopter use for aerial ignition in a designated wilderness. Approval from the Forest Service Region 2 Office is required for the helicopter use. If approved, aerial ignition with a helicopter within the wilderness would be limited to ignition only with all landing zones located outside the wilderness.

Alternative 2 (Proposed Action) for the Dead Indian project can be summarized as follows:

- Five units totaling 2085 acres, ranging in size from 86-acres to 1183-acres.
- Slopes range from 35-45%.
- Prescriptions include prescribed burning by hand ignition in three units (1, 2 and 3) and prescribed burning by aerial and hand ignition in two units (5, 6). Unit 4, inside the wilderness is proposed for aerial ignition because of crew safety concerns as discussed previously.
- Of the total 2085 acres of treatment, 479 acres (23%) are estimated to remain unburned, 1043 acres (50%) are estimated to burn at a low intensity, and 563 acres (27%) are estimated to burn at a high intensity.

Alternative 3 – Modified Proposed Action

Alternative 3 is the Modified Proposed Action. The only modifications are for the Dead Indian project, where the large unit 3 was split into two smaller units to mitigate loss of elk hiding cover. This resulted in a smaller amount of treatment acres for the project**.**

In summary, for the Dead Indian project Alternative 3 (Modified Proposed Action) involves (*see* Appendix G):

- Six units totaling 1619 acres, ranging in size from 86-acres to 462-acres.
- Slopes range from 35-45%.
- Prescriptions include prescribed burning by hand ignition in three units (1, 2 and 3) and prescribed burning by aerial and hand ignition in two units (5, 6). Unit 4, inside the wilderness is proposed for aerial ignition because of crew safety concerns as discussed previously.
- Of the total 1619 acres of treatment, 366 acres (23%) are estimated to remain unburned, 818 acres (50%) are estimated to burn at a low intensity, and 435 acres (27%) are estimated to burn at a high intensity.

In addition to the mitigation/monitoring and design features common to Alternative 2 and 3, the Modified Proposed Action incorporates additional project and design features and mitigations that resulted from issues and concerns raised during the scoping process (*see* following section*)*. It is the alternative most responsive to the input received from public scoping and agency coordination. The recommended guidelines/mitigation measures suggested during scoping were considered in developing Alternative 3.

Mitigation

Mitigation measure(s) that are common to both Alternative 2 and Alternative 3:

All prescribed burning and smoke management would be conducted under a prescribed burn plan that specifies conditions under which the burn can occur. An air quality permit would be obtained will be obtained from DEQ that specifies the conditions under which the project can be conducted to minimize air quality impacts. The permit would be incorporated into the burn plan and would guide the development of burn prescriptions to mitigate air quality impacts. Air quality standards would not be exceeded with this project. Prescribed burning would be managed to comply with state and federal air quality regulations and control.

Additional Mitigation for Alternative 3

Based on scoping, modifications were made to unit 3 of the Dead Indian Fuels Reduction project as a result. The center of unit 3 in the southwest quarter of section 20 was deleted from plans to burn in order to maintain the timber stand and retain adequate hiding cover. This reduction into two smaller units was a result of the on-the-ground visit and mitigates concerns over sufficient cover for elk security. Consideration would be given to minimizing the burning of sagebrush to prevent unacceptable decreases in mule deer winter habitat.

Also in burn unit 3 of the Dead Indian project; the 25-acre stand of small diameter lodgepole pine identified in Alternative 2 is deleted from prescribed burning or any treatment.

X. Public Involvement

During on the 30-day public comment period for the EA, two letters were received. The comments are summarized below, along with the response.

Letter/Comment(s) #1: Support was expressed for the two projects. A concern with the Dead Indian project was expressed regarding the loss of hiding cover for elk in unit 3 under Alternative 2. Support was voiced for Alternative 3 – Modified Proposed Action, as it mitigates the loss of elk hiding cover.

Response: Alternative 3 is the alternative selected for implementation, no response needed.

Letter/Comment(s) #2: A primary concern was with the Bald Ridge proposal, which was also included in the EA but is a separate project. The comment pointed out that grizzly bear use in the Bald Ridge area was greater than described in the EA based on personal observations for over 10 years, especially spring use. Both subadult grizzly bears and females with cubs use the area, primarily foraging in the limestone sinks, canyons, and riparian corridors draining the east face of Bald Ridge, including Paint Creek. Black bears also make use of the area.

Because of this bear use of the riparian zones as foraging and travel corridors, it is recommended that all possible precautions be taken to assure that prescribed burning does not enter the riparian zones. It was suggested that riparian buffer strips be widened to twice the recommended guidelines of 150 feet on each side of the stream and avoid any of the steeper slopes of the drainages.

Response: The additional information about bear use of the area has been noted. The burn units in proximity to the Paint Creek drainage are located well away from the steep slopes of the canyon and associated riparian areas. The burn units are located on the relatively flat bench areas above the drainages and expanding to a 300 plus feet riparian buffer would be easily accommodated. This will be done for project implementation. Blue flagging in the area is not part of the burn units or the project.

Finding of No Significant Impact

I have reviewed the Council on Environmental Quality Regulations for significance (40 CFR 1509.27) and have determined that this decision is not a major federal action that would significantly affect the quality of the human environment, either individually or cumulatively. Preparation of an Environmental Impact Statement pursuant to Section 102 [2][c] of the National Environmental Policy Act of 1969 is not required. This determination is based on considering the context of the action as discussed in the EA and the following ten intensity factors, as outlined in 40 CFR 1508.27.

Evaluation of the 10 intensity factors:

Impacts that may be both beneficial and adverse.

- There are no beneficial or adverse effects that are significant. See the effects analysis for the selected alternative in the EA on pages 4-1 to 4-21.

Degree to which the proposed action affects public health and safety.

- There is no significant effect to public health and safety. See the effects analysis for the selected alternative in the EA on pages 4-1 to 4-21.

Unique characteristics of the geographic area.

- This action will not affect any unique characteristics of the geographic area.

Degree to which effects on the quality of the human environment are likely to be highly controversial.

- The effects on the quality of the environment are not highly controversial, as described in the EA on pages 4-1 to 4-21.

Degree of possible effects on the human environment is highly uncertain or involves unique or unknown risks.

- There are no significant effects, which are highly uncertain or involve unique or unknown risks. The results of monitoring activities will be assessed to determine whether the effects are within the range predicted in the EA.

Degree to which action may establish precedent for future actions with significant effects or represents decision in principle about future considerations.

- The action does not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. My decision implements direction found in the Forest Plan (EA, Chapter 1, page 1-2) and does not establish a precedent for future actions. Implementation of my decision will not trigger other actions, nor is it a part of a larger connected action (EA, Chapter 4).

Is action related to other actions with individually insignificant but cumulatively significant impacts?

- There are no significant cumulative effects. The EA (Pages 4-18 to 4-21) found no past, present, or foreseeable activities in or adjacent to the project area that would result in potential significant cumulative effects to the quality of the human environment.

Degree to which action may adversely affect sites or projects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural or historic resources.

- The action is not predicted to have significant effects on heritage resources (EA page 4-21)

Degree to which action may adversely affect an endangered or threatened species or its habitat determined to be critical under the Endangered Species Act.

- The actions do not adversely affect any threatened or endangered species or its habitat that have been determined to be critical under the ESA of 1973 (EA, page 4-20). A Biological Evaluation (BE) was completed for the project area and there was “no effect” to threatened and endangered species. The BE can be reviewed in the project file for the EA.

Whether the action threatens violation of federal, state, or local laws or requirements imposed for protection of the environment.

- This action complies with all federal, state, and local laws and requirements for the protection of the environment (EA, page 1-5). Wilderness, air quality, wild and scenic rivers, farm lands (prime or unique), and native American religious concerns would not be affected by implementation of the selected alternative.

Findings Required by Other Laws and Regulations

This decision is consistent with requirements of other laws and regulations. The major applicable laws are the Organic Act, Multiple Use Sustained Yield Act, Endangered Species Act, Federal Land Management and Policy Act, National Environmental Policy Act, National Forest Management Act (NFMA), Clean Water Act and National Historic Preservation Act.

The National Forest Management Act and implementing regulations require specific findings to be made when implementing the Forest Plan. In deciding on proposed management, the following findings must be made and documented.

Vegetation Manipulation-Provision to alter vegetation (36 CFR 29.27(b). The proposed vegetation management (prescribed burning) complies with this requirement and will occur on lands identified in the Shoshone Forest Plan as both suitable and nonsuitable for timber production. Unit 4 would not involve any suitable timber base acreage. There will be no need to plant additional trees in the project area.

Silvicultural Practices-Provision pertaining to silvicultural practices (36 CFR 219.27 c). No silvicultural practices are part of the project. No commercial timber harvest will occur because of any activities associated with this project. Timber harvest, even-aged logging practices and timber harvest transportation systems are not part of the purpose and need for this project.

Resource Protection and Forest Plan Consistency-The Shoshone National Forest Plan has been referenced in the Bald Ridge/Dead Indian EA and Decision Notice. NFMA and NEPA provide general land management and environmental analysis direction were followed in the EA preparation.

Riparian Areas, Soil and Water, and Diversity. The project was developed with resource protection in mind to have no adverse effects on water quality, wildlife and fish habitat, regeneration of desired tree species, forage production, recreation uses, aesthetic values, and other resource yields. Forest Plan objectives and standards together with resource mitigation measures and project design provide guidance to achieve desired effects of maintaining or enhancing resources. This resource protection and environmental analysis is integrated throughout the EA document.

Executive Order 12898, Environmental Justice. Implementation of the selected alternative would not result in disproportionate impacts to any minority or low-income communities (Executive Order 12898). The effects on social groups such as Indians, women, or the civil liberties of any American citizen would not be significant. Effects on all people, regardless of race, religion, and sex would not be significant.

I have made the finding that this decision is consistent with Forest Plan standards and guidelines.

Appeal Opportunities and Implementation Date

The implementation of this decision is dependent on funding and would be implemented over several years. Proposed start dates are the spring of 2003 and implementation could be over the next five years.

If no appeal is received, implementation of this decision may occur on, but not before five (5) business days from the close of the appeal filing period. If an appeal is filed, implementation may not occur for 15 days following the date of the appeal disposition.

Pursuant to 36 CFR 215.7 this decision can be appealed. Appeals under 36 CFR 215 represent concerns about the analysis. Any written appeal must be postmarked or received by the Appeal

Deciding Officer within 45 days of publication of a legal notice in the *Cody Enterprise*. Appeals must meet the content requirements at 36 CFR 215.9(b)-215.14 (Content of a Notice of Appeal), including the stated reasons for appeal. Notice of appeal must meet these requirements:

- State that the document is an appeal filed pursuant to 36 CFR 215;
- List the name and address of the appellant and, if possible, a telephone number;
- Identify the decision document by title and subject, date of decision, and name and title of the Responsible Official;
- Identify the specific changes) in the decision that the appellant seeks or portions of the decision to which the appellant objects;
- State how the Responsible Official's decision fails to consider comments previously provided, either before or during the comment period specified in 215.6 and, if applicable, how the appellant believes the decision violates law, regulation, or policy.

Pursuant to 36 CFR, Section 215.10(a), if no appeal is filed, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of the appeal disposition (36 CFR. Sec.215.10 (b)). Appeals must be filed within 45 days from the date the legal notice is published in the Cody Enterprise. Send CFR 215 appeals to:

USDA Forest Service, Region 2

Rocky Mountain Region

Attn.: Appeal Deciding Officer

PO Box 25127

Lakewood, Colorado 80225-25127

Contact Persons

For additional information concerning this decision, please contact Project Lead Clint Dawson, NEPA Coordinator Marty Sharp, or the deciding official at North Zone/Wapiti Ranger District, 203 A Yellowstone Ave., Cody, WY 82414, phone (307) 527-6921.

Copies of the EA are available from the Wapiti Ranger District Office.

Responsible Official

/s/ Brent L. Larson 9/12/02

Brent L. Larson **Date**
District Ranger