

# **Decision Memo**

## **Washakie Aspen Regeneration Project**

USDA Forest Service  
Shoshone National Forest  
South Zone / Washakie Ranger District  
Fremont County, Wyoming

(T32N, R101W, portions of Sections 23-26, 34-36; T31N, R101W, portions of Sections 1-3, 10, 11; T32N, R100W, portions of Section 31)

## **Decision**

### **Summary of Decision**

It is my decision to implement the Washakie Aspen Regeneration Project. The intent is to treat existing vegetation through mechanical and prescribed burning methods to increase the amount of aspen within approximately 1,141 acres of the Washakie Ranger District. The project will reduce the intensity and spread of potential wildfire by promoting fire resistant vegetation and improve wildlife forage along the Louis Lake Road (FSR 300) from Bruce's Campground to west of Meyer Lookout. I considered the input and concerns from the public in my decision.

The planned action was evaluated pursuant to Section 31.2(6) of the Forest Service Handbook 1909.15, Environmental Policy and Procedures.

## **Project**

### **Background**

The Shoshone National Forest, Washakie Ranger District has proposed and implemented several vegetation and fuels management related projects along FSR 300 to address issues and concerns related to wildlife habitat improvement, fuel reduction and public and firefighter safety. Values within the corridor include big game winter range, threatened and endangered species habitat, sensitive species habitat, watershed values, economic and social implications associated with potential wildfire destruction.

### **Purpose**

The project is located in Management Area 2A (Semi-Primitive Motorized Recreation (pg III-118 thru 123)), 2B (Rural and Routed Natural Recreation (pg III-124 thru 131)), 4D (Aspen Management (pg III-153 thru 157)), 9A (Riparian Area Management (pg III-207 thru 222)) and 9E (Water Impoundment Sites (pg III-223 thru 230)). The objective of regenerating aspen is consistent with the goals and desired conditions expressed in the Shoshone National Forest Resource and Land Management Plan (as amended). Forest Standard and Guidelines indicate to "manage aspen for retention wherever it occurs" (pg III-21). Additionally, the Forest Goals for this area include (Section III-6 thru III-8):

- Manage vegetation types outside of wilderness to provide multiple benefits commensurate with land capability and resource demands.

- Improve the health and vigor of vegetation types outside of wilderness.
- Integrate vegetation management with resource management in functional areas (i.e. range, recreation, timber, water and wildlife).
- Manage the timber resources on land suitable for timber management to provide sawtimber, roundwood and firewood to meet resource management objectives.
- Improve tree age class and species diversity to benefit forest health, recreation experiences, visual quality and wildlife habitat.
- Reduce the accumulation of natural fuels.
- Improve habitats where vegetation conditions are significantly below biological potential.

## **Need**

The project area consists of remnant stands of aspen that have been and are being overtaken by conifers. Aspen are known for providing important habitat for many species of wildlife, as a source of both forage and cover. Additionally, aspen provide a living fuel break, as aspen are more resistant to fire than conifer species. Aspen clones regenerate almost exclusively from the root system and usually reproduce vigorously following a fire, timber harvest or other vegetative removal treatment. These treatments give the aspen an initial advantage over conifers, which must rely on seed for reestablishment. Conifer encroachment into the project area is reducing forage, reducing protective habitat for larger game species and increasing potential wildfire intensity and rate of spread, reducing public and firefighter safety.

## **Description**

The project will occur along FSR 300 in the Forest Plan Frye Lake Analysis Area within the Washakie Ranger District, southwest of Lander, Fremont County, Wyoming. The 24 treatment units in the project area range in size from 0.4 to 303 acres. Units 1 through 18, which total approximately 555 acres, will be mechanically treated by cutting all conifer and aspen vegetation and then by broadcast burning. Units 19 through 24, approximately 585 acres will be treated using prescribed burning only. The vegetative communities targeted are conifer/aspen, grass meadows, and lodgepole pine/Douglas fir.

Additional project design criteria include:

- Only existing roads will be used for access to implement the project.
- Standard fire protection measures will be used as defined in the Shoshone Forest Fire Management Action Plan.
- Allow one full year rest from livestock grazing following each treatment to allow for the maximum plant re-establishment and improved plant vigor.
- Buffering strips of unburned riparian vegetation as necessary to prevent sediment erosion.
- Notification of the State District Forester in advance of burning to provide for interagency training to local firefighters.
- Monitor treated units for vegetative recovery and slope stability.

Based on my review of the Interdisciplinary Team Reports (project file) and comments by other State, Federal and local agencies and the public, I am including the following additional implementation considerations and mitigation and monitoring requirements:

- Focus implementation in areas that currently provide limited habitat for primary prey species (snowshoe hare and red squirrel) and that have the highest potential to rapidly produce snowshoe hare habitat.
- No more than 600 acres will be treated in any given year to reduce overall effect on watershed resources.
- Prior to treatment, each unit designated for mechanical treatment will be surveyed for waters of the United States (as defined in the Clean Water Act). Such waters will be marked prior to treatment and avoided.
- If mechanical operations occur during winter periods, allow no increase in travel ways (plowed roads and groomed snowmobile routes) other than that necessary for project implementation.
- Design units receiving mechanical treatments that are dominantly lodgepole pine or other conifers to be less than 40 acres. This does not apply to areas receiving treatment by prescribed burning only.
- Where mechanical treatment units are adjacent to one another or adjacent to previously completed regeneration treatments, mechanical treatment should not occur until the adjacent area is no longer considered an opening, as defined in the Forest Plan Standard & Guidelines (0500, pg III-156 thru 157).
- Where mechanical treatment is occurring, all operations should be completed in one unit before work is begun in another unit in order to protect aspen regeneration.
- All cultural and historic properties identified and recorded (project record) will be marked and avoided during project treatment.
- Prescribed burning and mechanical treatments of aspen should occur during the dormant season.
- Prior to treatment, a raptor survey will be conducted in each mechanical treatment unit. If any raptor nests are found within treatment units activities will be delayed until after August 15. If bald eagle nest or roost areas are identified within 1 mile of a treatment unit, activities will not proceed until after fledging or, if timing and/or location of the work cannot be modified, after consultation with the U.S. Fish and Wildlife Service.
- Monitoring will include regeneration surveys one, three and five years after mechanical treatments to ensure that reforestation requirements are being met. Protection measures may be necessary if heavy ungulate or cattle damage is occurring (FS Plan Standard & Guidelines E04, pg III-66 thru 68 and pg III-155.)
- Monitoring will include invasive plant surveys one, three and five years after mechanical treatments to reduce the spread of invasive species through Forest Service projects.

## **Public Involvement**

### **Scoping**

The project proposal was provided to the public, state, Federal and local agencies and organizations for comment during a public scoping period August 30, 2001 through October 1, 2001. The scoping notice was also available online at <http://www.fs.fed.us/r2/shoshone/>. The proposal was also listed on the Schedule of Proposed Actions on the Shoshone National Forest website. All correspondence is retained in the project record. All comments received through public scoping and the public involvement process were considered in developing the project actions, mitigation measures and monitoring requirements. Using these comments, the Interdisciplinary Team developed a list of key issues to address and activities to implement.

### **Key Issues**

Scoping is to determine the scope and significance of issues related to the proposed action that must be addressed and documented (40 CFR 1501.7). Key issues identified included effects to wildlife, range, hydrology, wetlands, historic properties, large-scale clear-cutting and the use of prescribed fire during any other time of the year expect spring. The interdisciplinary team addressed these key issues by adding mitigation and monitoring requirements to the proposed action, which are also included in this decision.

## **Findings Required by Other Laws**

### **Compliance with National Direction**

This project tiers to and is consistent with the National Fire Plan as it identifies the prescribed burning treatments as fuel reduction methods. The project will lessen wildfire behavior that contributes to large, uncontrollable wildfires that could threaten resources, life and property.

### **Compliance with the Forest Plan**

Mechanical treatment and prescribed burning are consistent with activities identified in the Forest Plan. The decision is consistent with the Shoshone National Forest Land and Resource Management Plan as required by the National Forest Management Act. The project was designed in conformance with forest plan standards and incorporates appropriate Forest Plan guidelines for the given management areas.

### **Clean Air Act**

The planned action will maintain air quality in the project area, surrounding airsheds, and local communities using a Smoke Management Plan. Site-specific burn plans are required for all prescribed burns and include smoke management elements (FSM 5140). The plan will identify the appropriate weather conditions for conducting the prescribed fire to maintain air quality in the area.

## **Clean Water Act**

The planned action will comply with the Forest Plan while pursuing project objectives. Best Management Practices (BMPs) will minimize sediment production during and following treatment. Prior to treatment, each unit designated for mechanical treatment will be surveyed with any waters of the United States marked and avoided. No Section 404 (Clean Water Act ) Permit is required for this project.

## **National Forest Management Act**

The planned action will meet all requirements of the National Forest Management Act.

## **National Historic Preservation Act / Section 106 Compliance**

The proposed action was coordinated with the Forest Archeologist and the Wyoming State Historic Preservation Officer (SHPO). Previously recorded sites and newly identified sites will be identified prior to treatment within each unit. All sites, regardless of eligibility on the National Register of Historic Places, will be marked and avoided. A project concurrence letter was received from the SHPO.

## **Endangered Species Act**

Forest Service policy is to protect the habitat of federally listed proposed, candidate, threatened or endangered species from adverse modification or destruction, as well as to protect individual organisms from harm or harassment. Biological assessments shall be prepared to determine possible effects the proposed activity may have on threatened and endangered (T&E) species. Biological assessment processes are intended to conduct and document activities necessary to ensure proposed management actions will not likely jeopardize the continued existence or cause adverse modification of habitat for T&E species.

**Biological Assessment.** The Forest Service consulted with the U.S. Fish and Wildlife Service (USFWS) for this project and its effects on federally listed T&E species, or their critical habitat. Determinations are disclosed in the Biological Assessment (BA) in the project record. The BA was sent to the USFWS, which in turn concurred with our findings. Appropriate survey requirements and mitigation measures are included in this decision to ensure that the project does not adversely affect T&E species and/or their critical habitat; therefore, consultation is completed.

**Biological Evaluation.** The Forest Service also conducted a Biological Evaluation (BE) for the R2 Regional Forester's Sensitive Species List and the appropriate Forest Management Indicator Species. The BE concluded that there will be no adverse effect on any such species and that this action will not have a measurable effect on Forest wide population trends or viability of any species.

**Coordination with Other Agencies.** Applicable plans and decisions of other agencies were reviewed and considered in respect to the project (Grizzly Bear Recovery Plan, Lynx Conservation Strategy, etc.).

## **Rationale for Decision**

It is my decision to proceed with the project, with the included mitigation and monitoring, because it will result in wildlife habitat improvement, improve grazing, reduce hazardous fuels and reduce wildfire behavior. I feel that taking no action with the treatment area will allow aspen stands to continue to deteriorate and to be replaced by conifers, reduce forage for wildlife and cattle grazing, reduce long term visual quality and provide for uncontrollable wildfire behavior, which could risk life, limb and/or property.

I have reviewed the proposal and determined that no significant effects will occur from its implementation, including no adverse effects to actual extraordinary circumstances (FR Vol. 69, No. 108, page 33814). The effects of the actions, as determined through scoping and interdisciplinary review, are not highly controversial and are similar to other actions that have been implemented in the area. I find that the planned action can be categorically excluded from further environmental documentation pursuant to USDA Forest Service Handbook 1909.15, Chapter 30, Section 31.2 (6) - Timber stand and/or wildlife habitat improvement activities which do not include the use of herbicides or do not require more than one mile of low standard road construction (Service level D, FSH 7709.56)

## **Administrative Review or Appeal Opportunities and Implementation**

This decision is not subject to administrative appeal in accordance with 36 CFR 215.4 and may be implemented immediately.

## **Contact Person**

For additional information on this decision, contact: Mark King, South Zone NEPA Coordinator, Washakie Ranger District, 333 E. Main Street, Lander, WY 82520; phone (307) 332-5460 or email at [jmking@fs.fed.us](mailto:jmking@fs.fed.us).

/ Burns Davison /

31 March 2004

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Burns Davison  
District Ranger  
Washakie Ranger District  
Shoshone National Forest

Date