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Department of
Agriculture

Forest
Service

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Decision Memo

Mud Butte Fuels Reduction Project

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

(T43N, R108W, portions of Sections 29 and 30 and T43N, R109W, portions of
Section 24 and 25)

Decision

Summary of Decision

It is my decision to implement the Mud Butte Fuels Reduction Project. The intent is to treat existing vegetation through prescribed burning methods to address concerns identified by the interdisciplinary team related to vegetative condition, fuel loading and potential wildfire severity. The project would include the use of prescribed fire treatment in approximately 660 acres of sagebrush/grass habitat. The desired outcome is a vegetative mosaic of at least 40 percent burned within the target area. I considered both the input of the interdisciplinary team and the public in my decision.

This project is in conformance with the Shoshone National Forest Land and Resource Management Plan and the prescribed Management Area Direction. Floodplain, wetlands, prime farmlands, threatened and endangered species, and cultural resource management implications have been considered and these resources will not be adversely affected.

The planned action was evaluated pursuant to Categorical Exclusion 6(d), in Section 31.2 of the Forest Service Handbook 1909.15 – *Environmental Policy and Procedures Handbook*: “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). Examples include but are limited to: Reference item (d) Prescribed burning to reduce natural fuel build-up and improve plant vigor.”

Project

Background

The historic sagebrush ecosystem was a mosaic of age classes created and maintained by fire regimes ranging in frequency from 10 to 110 years. Pre-settlement, fire return, intervals of Vasey big sage, which is the sagebrush species type within the project area, was 10 to 20 years



(Miller and Rose 1999). Portions of the project area were treated in the 1980's, with the primary purpose of treatments being rangeland improvement for domestic stock and big game forage and excluded treatment of aspen stands. Due to active fire suppression and long periods of drought denser stands of sagebrush throughout the meadow have reduced the amount grass production. Sagebrush has both a lateral and tap root system which during times of stress such as drought makes it easy for sagebrush to dominate over herbaceous species.

The Mud Butte project is designed to use prescribed fire treatment in approximately 600 acres of sagebrush/grass habitat. A small portion of the 660 acres will treat declining aspen stands with conifer encroachment. The desired outcome is a vegetative mosaic of at least 40 percent burned within the target area which will result in wildlife habitat improvement, improved grazing, reduce hazardous fuels and reduce wildfire behavior. Currently the aspen stands within the project area are deteriorating due to conifer encroachment. This also reduces forage for wildlife, reduces long-term visual quality and reduces the availability for natural fuel breaks for wildfire growth, which could risk fire fighter/public safety and/or property.

Purpose & Need

The project is located in the Dunoir and Doby Cliff Analysis Areas (pages J-273 thru 276) and in Management Direction Area 5A (Big Game Winter Range in Non-forested Areas, pages III-158 thru 162) and 7E (Wood-fiber Production and Utilization, pages III-173 thru 180). The primary purpose of the project is to reduce existing fuel loads, change vegetative condition class to reduce wildfire severity and to improve plant vigor for range and wildlife forage improvement.

Project Description

The project will occur along Middle Fork Creek of the Long Creek drainage approximately 12 miles northwest of Dubois, Fremont County, Wyoming. The project will include prescribed burning with ground and/or aerial ignition. A project area of approximately 660 acres is planned for treatment. Construction of fire control lines and other means of containment will be utilized. Implementation could be during any season.

Pretreatment of fuels would occur where aspen inclusions exist on the north/northwest and east/southeast side of the burn unit. This would consist of cutting conifers and aspen within aspen inclusions to provide enough heat to carry a fire through the stand. Aspen typically creates and/or occupies a wetter site than conifers making prescribed burning more difficult. Leaving a fuel base will allow fire to generate enough heat to stimulate aspen regeneration.

Project Design

I have decided to implement the planned action as described, including specific project design features (PDFs) and mitigation measures to minimize environmental effects. PDFs are integral and critical elements of the planned action; their purpose is to reduce potential impacts and ensure that the proposed fuel reduction treatments are consistent with the management objectives for a variety of resources (e.g., fisheries, wildlife, and botanical) in the project area. Their basis includes the management direction of the Shoshone National Forest Plan, as amended to which the project is tiered, pertinent best management practices, and the professional expertise of the interdisciplinary planning team.

Soils, topography, slope and aspect, elevation, access, recreation, wildlife and other environmental considerations are part of the PDFs for the planned action, along with additional concerns and issues identified through scoping. An interdisciplinary team of resource specialists was involved with project design, and reviewed and analyzed the planned action for compliance with the limitations for categorical exclusions, extraordinary circumstances, applicable laws and commensurate with the issues and concerns raised from the scoping, public involvement cooperation process. Specific PDFs related to this action include, but are not limited to:

- Using only existing roads to implement the project.
- Using standard fire protection measures as defined in the Shoshone National Forest Fire Management Action Plan.
- Providing for monitoring of the prescribed burn sites through Wind River District staff.

Public Involvement

Scoping

Scoping is to determine the scope of the issues to be addressed and to identify significant issues related to the proposed action (40 CFR 1501.7). The District listed the project on the Shoshone National Forest Schedule of Proposed Actions, which was available to the public prior to public scoping. The District provided, by electronic or conventional mail, a scoping notice to forty-seven addresses including Federal, Tribal, State, local government offices and general public. Additionally, the District published the notice in the Dubois Frontier, a general circulation newspaper in Dubois, Wyoming. The period to submit comments was April 26, 2004 to May 30, 2004. The scoping notice was also available online at <http://www.fs.fed.us/r2/shoshone/>. As a result of the public scoping notice, no public comments, one comment from Fremont County Weed & Pest Department and one comment, internal to the Forest Service, were received. All correspondence is retained in the project file. All comments received through scoping and public involvement processes and comments developed by the Interdisciplinary Team (IDT) were considered in developing the project action and directed the analysis process. Using the comments the IDT developed a list of key issues to address and activities to implement.

Key Issues

Key issues identified through public scoping and the IDT included effects to wildlife, range and historic properties. The IDT evaluated and addressed these key issues, adding appropriate mitigation and monitoring requirements to the proposed action, 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. The District will secure a Wyoming Department of Smoke Management Permit prior to implementation.

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. Mechanical treatment will be performed in such a manner as to avoid impacts to waters of the United States. No new roads, fire line or other ground disturbing activities requiring the discharge of dredged or fill material into waters of the United States is required for this project. Therefore, 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 as noted in the 2470-NFMA-Findings analysis (report in project record).

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. This decision is made without final SHPO concurrence in accordance with the standing Memorandum of Agreement related to National Fire Plan approved projects. Therefore, implementation of this project will not occur until SHPO concurrence has been received.

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 presented this project to the Northwest Team Level I Streamlining Consultation Meeting in February 2004. The team, which the U.S. Fish and Wildlife Service (USFWS) was a part, agreed with the preliminary determinations of no effects of this project on federally listed T&E species, or their critical habitat. The determination of “no affect” is disclosed in the Biological Assessment (BA) in the project record. Based on the “no affect” determination, there was no requirement to submit the BA to the USFWS. 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.

/s/ Rick Metzger
RICK METZGER
District Ranger